



## Kimberley Land Council

November 28, 2018

### **Statement from Kimberley Land Council regarding fracking:**

*Quotes to be attributed to KLC Acting CEO Tyrone Garstone*

“The Kimberley Land Council (KLC) supports the free, prior and informed consent of Traditional Owners. It is a matter for Traditional Owners themselves to make decisions about processes that impact their country.

It is essential that any decision to lift the moratorium on fracking is accompanied by a clear and mandated process that ensures Traditional Owners and native title holders have the right to say no.

While the KLC welcomes the State Government’s commitment to consent by Traditional Owners, recognising Aboriginal people’s native title rights and ability to determine what happens to and on their country, it is paramount that a right to veto is legislated by government to remove any legal uncertainty or the risk of change in government policy.

No project that impacts peoples’ country, and their native title rights and interests, should ever go ahead without Traditional Owner consent.

Of the existing granted petroleum titles in place across Western Australia, approximately 50 per cent are located in the Kimberley. These titles are located on the traditional lands of at least nine native title groups.

This means that any decision to lift a moratorium on fracking on existing titles will have a significant and disproportionate impact on Traditional Owners and native title holders in the Kimberley.

Until a clear process for Traditional Owner consent for fracking production is in place and more information becomes available about the details of the State Government’s plan, the moratorium should not be lifted.

The KLC also questions the fairness of a decision that allows fracking in some parts of Western Australia and not others. The WA Government must treat all Western Australians equitably no matter where they live.

The KLC requests an immediate commitment from the WA Government that zero activity will be undertaken in relation to existing petroleum titles until government has undertaken a thorough consultation process with affected native title holders and farmers, and an agreed process for providing consent is protected in law.”

### **Key statistics (continued page 2):**

In Western Australia different types of petroleum titles exist. They include: title (granted), special prospecting authority, application and release.

- Of the **existing granted petroleum titles** in place across Western Australia, approximately **50 per cent are in the Kimberley**. These titles are located on the native title lands of at least 9 native title groups in the Kimberley.
- **14.3 per cent of the Canning Basin area** (that is located within the Kimberley) is covered by **existing granted petroleum titles**.
- **26 per cent** of the Kimberley is covered by **petroleum titles of any kind** (title (granted), special prospecting authority, application and release).
- **50 per cent** of the Canning Basin area of the Kimberley is covered by **petroleum titles of any kind** (title (granted), special prospecting authority, application and release).