



7 July 2021

Committee Secretary  
Environment and Communications References Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600  
by email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au)

### **INQUIRY | OIL AND GAS EXPLORATION AND PRODUCTION IN THE BEETALOO BASIN**

The First Nations Justice team at GetUp welcomes the opportunity to engage in the Senate inquiry into oil and gas exploration and production in the Beetaloo Basin. This submission is primarily focused on the impact of this project on First Nations communities, including the Traditional Owners of this land. While in name this inquiry is looking at the Beetaloo Basin activity, the actual drilling and exploration associated activities will have a wider impact on connected basins, most critically the McArthur Basin.

#### ***GetUp and the Beetaloo Basin***

Our team has worked tirelessly with Aboriginal communities for over 3 years at Getup and previously with Seed Mob to protect country and water against fracking gas fields in the Northern Territory, including in the Beetaloo and McArthur Basins. Self-Determination, Land Rights and Climate Justice are central to many of our campaigns, and all First Nations work at GetUp is led by a team of campaigners from the Widjabul Wia-bul, Garrwa, Gooreng Gooreng, Wiradjuri, Noongar, Gubbi Gubbi, Kulkalgal, and Yanyuwa nations. There is no Justice without First Nations Justice.

The Government's proposal to subsidise and fast track exploration fracking in the Beetaloo and McArthur Basins will adversely impede the critical rights of First Nations peoples to protect, negotiate and in some cases, veto over these lands and waters. We believe that the necessary due diligence required under a number of Territory and Federal laws has, to date, not been carried out by many corporations who could receive this public money. Furthermore, these responsibilities and issues of consent are not wholly delegable to the Northern Land Council.

Traditional Owners have raised serious concerns as to how they are being undermined and



steamrolled by the Government's overzealous drilling funding, which will inevitably cause conflict across their family groups and communities.

This funding violates Australia's international commitment to keep global warming to under two degrees and goes against expert, scientific advice. It will direct \$50 million of public money into an unethical and climate-destroying project, which could result in a possible 22% increase in our domestic emissions of both carbon dioxide and methane.<sup>1</sup> It will line the pockets of powerful gas corporations that pay little-to-no tax,<sup>2</sup> a multi millionaire who is a major donor to the Liberal Party,<sup>3</sup> and a Russian oligarch facing US sanctions.<sup>4</sup> Its contribution to climate change could help effectively make the Northern Territory uninhabitable in the coming years.

### **Consent**

The patchwork of laws that is supposed to protect Aboriginal and Torres Strait Islander heritage in Australia is shamefully inadequate. The destruction of sacred sites is happening in every state and territory without consent.

Gadrian Hoosan, Rikki Dank, Joni Wilson, Asman Rory and May August are all Traditional Owners from the Beetaloo & McArthur region. They have given evidence on behalf of themselves and others in their community on the question of consent, explaining how there has been:

- no process of informed consent for the Beetaloo exploration to occur;
- no scientific explanation for the work;
- no translators provided to their community groups; and
- no information about the long-term impact and risks to water tables, their livelihood and the land on which they live.

They have explained that they are concerned that even the mining corporations involved have not been able to tell them where the exploration wells will be, how they will impact the underground water, what the final production level mine would look like, or how many wells are being proposed.

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<sup>1</sup> <https://www.abc.net.au/news/2020-02-29/beetaloo-basin-gas-field-could-jeopardise-paris-targets/12002164>

<sup>2</sup>

<https://www.michaelwest.com.au/santos-limited-2019/#:~:text=Generous%20exploration%20incentives%20help%20Santos.prices%20for%20all%20Australian%20consumers> and

<https://www.abc.net.au/news/2020-12-10/ato-corporate-tax-transparency-data-large-companies-pay-no-tax/12967064>

<sup>3</sup>

<https://www.smh.com.au/business/companies/it-s-a-gas-gas-gas-how-aussie-richlisters-plan-to-unlock-a-fracking-fortune-in-the-nt-20210527-p57vmy.html>

<sup>4</sup>

<https://www.theguardian.com/australia-news/2020/oct/20/putins-blacklisted-oligarch-ally-to-cash-in-from-morrison-governments-gas-led-recovery>.



These Owners have been flatly ignored by the Government in their opposition to drilling on their lands. In a heartfelt letter, their community has said the following:

"We speak as Traditional Owners and custodians of and around the lands and waters that you call the Beetaloo and connected basins...

Our connections to country have been established and proven time and time again by the white man's law. We hold Native Title and Land Rights - a system that is meant to protect and enforce our rights. These have been denied to us.

For years, we have been told lies by the gas and oil corporations. That there would be no damage to the country or poison in our waters. These companies won't even answer the most basic of questions - where they plan to drill or how many wells they want to build.

These gas corporations lack any respect for us as Traditional Owners. They have failed to follow proper process in consultation with us, failed to acquire consent, failed to provide transparency in their dealings with us, and have systematically excluded our voices from the decision-making process for activities on our country.

We don't have the same resources as these corporations. The system is already set up against us....

Hear us when we say - we won't allow fracking gasfields on our country. Not now. Not ever."<sup>5</sup>

Further reports of Traditional Owners being denied the information and opportunities they require to give (or withhold) consent to exploration at Beetaloo - including having been barred from meetings, denied translators and refused clear answers - have been echoed in many statements given by Traditional Owners to the media, including from:<sup>6</sup>

- Rikki Dank who is a Traditional Owner for Balbarini (freehold) and Mukumpala (Native Title) parts of the traditional country of the Gudanji peoples of the northeastern Barkly Tablelands, who said "Our family has been excluded from the consultation and approval process for [Beetaloo]. We believe that this exclusion has been a deliberate and calculated attempt by the Northern Land Council (**NLC**) to prevent our voices from being heard... Our history with the NLC includes being excluded from meetings regarding decisions affecting our country: Meetings are held without notification, despite multiple avenues of communication being provided by ourselves to the NLC. Additionally, the NLC has gained 'approval' from people who have no right to speak for our country, to circumvent due process and any objections from the rightful Traditional Owners. This is a

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<sup>5</sup> Letter from Traditional Owners, June 2021. This letter has been co-signed by almost 40,000 GetUp supporters and is included in full as Annex A to this Submission.

<sup>6</sup> Rikki Dank, Letter to MPs, dated 28 May 2021, included in full as Annex B to this Submission.



pattern of behaviour that has persisted over the last few decades and which we have been powerless to stop – despite numerous letters, e-mails and phone calls, and meetings with politicians and lawyers. Put simply, the NLC is too large and protected, financially and politically, for us to fight them alone”.

- Naomi Wilfred from the Hodgson Downs cattle station near Minyerri, 240 kilometres south-east of Katherine, who said she and her people hadn't been contacted by Origin to discuss the drilling and fracking plans, which they unanimously oppose.
- Samuel Sandy, who is a Newcastle Waters Murrarji Native Title holder in the area, said when Traditional Owners, including his father, gave their consent for gas exploration in the Beetaloo in 2015 and 2016, they weren't given enough information about fracking by the NLC, which facilitated the negotiations.
- Janey Dixon, another Native Title holder, who said she decided she felt the NLC had not given her family enough information about the scale of the gas developments proposed: “They never gave us good advice about what it's for and what it's going to do. We are standing strong not to have this fracking, because we don't like fracking”.
- Alan Watson, whose country is Tanumbirini, said he didn't understand Origin Energy's explanation about its fracking proposals when he attended consultation meetings with the company: “I didn't agree with what they were talking about because we couldn't understand what they were talking about. They never gave us that much information that we needed, because we are worried about this fracking going around now, it might ruin our country and our waterways and our fishing life and our hunting life.”

Senator Larissa Waters has also given evidence of this deception:

“I've sat with those companies, like Santos. They've told me how they con our people. For years, our people have been told that there would be no damage to country. They walk into communities and say: ‘Everything's going to be alright. We're not going to damage.’ They're lying. They're dirty liars, going into communities, destroying not only country but people's lives with lies that have been facilitated by the very politicians in this place that have been bought cheap by these dirty climate-destroying gas and oil corporations... Consultation is not consent! Don't think that it is, because you've been getting away with it for too long—and both sides know that. The United Nations Declaration on the Rights of Indigenous Peoples is clear: free, prior and informed consent of First Nations peoples must be secured before any action on country”.<sup>7</sup>

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<sup>7</sup> Senator Waters, Matters of Urgency - Gas Industry, 15 June 2021.



Similar condemnations of the gas companies' behaviour in Beetaloo and calls for a better consent model have been made outside of the world of Traditional Owners:

- The Scientific Inquiry into Hydraulic Fracturing of Onshore Unconventional Reservoirs in the Northern Territory (the 'NT Inquiry') concluded that it had received "an abundance of evidence that the broader Aboriginal community was not being appropriately informed about hydraulic fracturing or the potential for an onshore shale gas industry more broadly."<sup>8</sup> Its final report goes on to explain that there are various international examples where the principle of free, prior and informed consent ('FPIC') has been adopted (including by Origin itself, in relation to Beetaloo).<sup>9</sup> The report notes that the absence of a veto right at the production phase of any onshore shale gas development means that Australia's Land Rights Act falls short of implementing the principle of FPIC - under Australia's laws, Traditional Owners can only exercise their veto right at the exploration phase. If Traditional Owners say 'yes' to exploration they also say 'yes' to production, even if they know very little about the scope and scale of the project at that point in time. Therefore, if Traditional Owners want development on their country, they are forced to make a decision at a time where there is limited information available about what the size of the final project will be.<sup>10</sup> The Native Title Act does not contain any right to veto.
- An RMIT University study published in March 2021 examined the case study of Origin Energy in Beetaloo and called for Origin to immediately cease fracking in the basin and engage with Traditional Owners over whether there is FPIC for the work under its mining leases.<sup>11</sup> That same study concluded that mining companies (including Origin) are able to flout international human rights conventions when negotiating with First Nations people over land use and fail to adequately obtain consent from Traditional Owners because Australia's laws fail to require companies to gain FPIC from traditional landowners: "Our research reveals a legal framework and corporate behaviour that refuses to acknowledge lack of consent." The report calls for urgent reform of Australia's laws (including giving Traditional Owners a veto right beyond the exploration phase).<sup>12</sup>

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<sup>8</sup> <https://frackinginquiry.nt.gov.au/inquiry-reports?a=494297>

<sup>9</sup> <https://frackinginquiry.nt.gov.au/inquiry-reports?a=494297> at footnote 141 of that Report on p. 287. Note that Origin itself acknowledges that FPIC applies in Beetaloo: "Permits can only be granted after agreement is reached and signed off by all parties, and occurs well before any work commences. The processes followed to reach these agreements respects the principles of what's known as free, prior and informed consent (**FPIC**). FPIC requires that affected Aboriginal and Torres Strait Islander communities are fully consulted and give their free and informed consent to any activities on their land. Sitting behind this is the UN's Declaration on the Rights of Indigenous Peoples (**UNDRIP**) and other international law, which together provides a framework under which host communities are included in the decision-making on projects and ensuring they share in the benefits": <https://www.originenergy.com.au/blog/working-with-traditional-owners-beetaloo/>

<sup>10</sup> <https://frackinginquiry.nt.gov.au/inquiry-reports?a=494297> at pp. 287-8, citing the Mansfield Review.

<sup>11</sup> <https://www.rmit.edu.au/news/all-news/2021/mar/mining-first-nations> at page 6.

<sup>12</sup> <https://www.rmit.edu.au/news/all-news/2021/mar/mining-first-nations> at page 6.



As a result of these issues and other disasters such as that at Juukan Gorge, Traditional Owners are calling for new protections and urgent reform, including the creation of a new federal cultural heritage protection law. Over 100,000 GetUp supporters have joined the call for new protections to be legislated at a federal level.

### **Corporations**

Origin Energy, Santos and Empire Energy all have significant interests in the Beetaloo Basin. Two of these corporations pay little-to-no tax, while the other is led by a multi millionaire who is a major donor to the Liberal Party.<sup>13</sup> Another corporation in the region, Falcon Oil & Gas, has links to a Russian oligarch facing US sanctions.<sup>14</sup>

The size of Aboriginal land that Empire Energy is planning to industrialise with fracking gas fields is almost twice the size of the landmass of Tasmania.<sup>15</sup> It would go against the stated wishes of Traditional Owners who are anxious that sacred and culturally important sites are at risk of destruction, and worried about their bores and water catchments and on environmentally community health level looking at the shale fracking industry globally the impacts could be catastrophic.

While both Origin Energy and Santos are donors and friends of the Liberal Party,<sup>16</sup> Empire Energy's political links are the most concerning. Empire is run by Paul Espie, chair of the Liberal Party's think tank the Menzies Centre, who has donated nearly \$250,000 to the Liberal Party in recent years. Empire Energy also donated \$25,000 to both the Country Liberal Party and Territory Labor in the lead up to the Northern Territory election last year.<sup>17</sup> Federal Energy Minister Angus Taylor even made a visit to Empire Energy's gas fields in October 2020 after announcing the Government's plans for a gas-fired recovery of the economy.<sup>18</sup> Parliament disclosures show that Minister Taylor's trip to the Northern Territory was paid for by Empire Energy.<sup>19</sup>

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<sup>13</sup> See footnotes 2 and 3, above.

<sup>14</sup>

<https://www.theguardian.com/australia-news/2020/oct/20/putins-blacklisted-oligarch-ally-to-cash-in-from-morrison-governments-gas-led-r-recovery>

<sup>15</sup>

[https://asx.api.markitdigital.com/asx-research/1.0/file/2924-02378745-2A1300180?access\\_token=83ff96335c2d45a094df02a206a39ff4](https://asx.api.markitdigital.com/asx-research/1.0/file/2924-02378745-2A1300180?access_token=83ff96335c2d45a094df02a206a39ff4)

<sup>16</sup> Senator Waters, Questions without notice, Resources Industry, 16 June 2021.

<sup>17</sup> <https://www.protectcountrynt.org.au/takeover-deal-means-empire-energy-likely-to-be-sole-beneficiary-of-nt-gas-roads-spending>

<sup>18</sup>

<https://www.smh.com.au/business/companies/it-s-a-gas-gas-gas-how-aussie-richlisters-plan-to-unlock-a-fracking-fortune-in-the-nt-20210527-p57vmy.html>

<sup>19</sup> Full Statement of Registrable Interests for Angus Taylor, dated 30 October 2020; Email from Empire Energy to Minister Pitt, dated 28 September 2020 (accessed under the *Freedom of Information Act*).



### **Water - Dreaming and Songlines**

The Government's proposal would give \$50 million in public money to fracking corporations to drill across the Northern Territory, destroying water, land, and cultural heritage.

Many Aboriginal communities in the Northern Territory have water contamination levels above national guidelines.<sup>20</sup> The Gunner Government's promised industry regulations to mitigate any risk to water have still not been implemented.<sup>21</sup> And last year's leaked Manufacturing Taskforce Report from the National Covid-19 Coordination Commission ('NCCC') indicated that under the Morrison Government's plan, these regulations will remain un-implemented.<sup>22</sup>

Origin Energy's own environmental report for 10,000 square kilometres on the Beetaloo Basin warned that drilling "would pose a risk of causing aquifers under some properties to leak into each other", deteriorating the quality of existing and future groundwater supplies.<sup>23</sup> The current program at Beetaloo will be an enormous threat to 90% of the Northern Territory's groundwater systems.<sup>24</sup> The ecosystem in the outback is fragile and precious. Drilling will have unknown consequences for Traditional Owners, for flora, fauna and farmers.

From a Western worldview, you can play with geography and the environment on a topographical map and reprint the new version on the map the next day, but for the Traditional Owners of this land, if you disrupt the geography and the environment, the songlines are lost forever. In that same powerful letter, the Traditional Owners of Beetaloo have said:

We know our country. We read it, we understand it, and we alone speak for it and its songlines. It is our birthright - handed down by bloodline.

Together, we fight for it...

Giving \$50 million to mining corporations for an 'economic recovery' to start drilling will only line the pockets of huge corporations who want to take more than we're willing to give. It does nothing but hurt us, our communities and our country more.

What about our recovery? The money to finally fulfill the empty promises of proper housing in our communities, or resourcing the health services we've been calling for for years.

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<sup>20</sup> <https://www.abc.net.au/news/2021-04-22/water-issues-remote-aboriginal-communities-nt-government/100086824>

<sup>21</sup> New funding to improve water quality in remote NT communities as data shows high contamination levels, ABC News, 22 April 2021.

<sup>22</sup> <https://www.theguardian.com/environment/2020/may/21/leaked-covid-19-commission-report-calls-for-australian-taxpayers-to-underwrite-gas-industry-expansion>

<sup>23</sup> <https://www.abc.net.au/news/2018-04-15/beetaloo-basin-at-the-heart-of-the-nt-fracking-gas-debate/9652390>

<sup>24</sup> Senator Waters, Matters of Urgency - Gas Industry, 15 June 2021.



And what about country's recovery? Country's water is the blood that flows through our body, and it is already poisoned. Where is the money to clean the water many NT communities are forced to drink?

This is short term money that will cause long term pain, sow division and damage country and community. We will not allow you to cause any more pain, hurt or division in our communities.<sup>25</sup>

Traditional Owners raised concerns over the course of the 2017 Northern Territory Independent Inquiry into Hydraulic Fracking (the 'NT Inquiry'), where our team attended many of the hearings in Aboriginal communities. It was repeatedly stated that many of their shared songlines run through these aquifers, so it is critically important that they be given the opportunity to see the plans of the proposed gasfield to even consider consent and clearance work. To date that information has not been forthcoming, there is no adequate legislation that will protect the scale subterranean sites, and the mapping, clearance and consultations for the Traditional Owner groups affected has not started.

### ***Failure to implement the NT Inquiry's recommendations***

The NT Inquiry released its final report on 27 March 2018. It was extensive in its engagement program, taking over 1200 submissions, holding public hearings throughout urban centres, and talking to Territorians at community meetings in urban regional and remote settings. Its final report recommended that the Northern Territory Government should accept and implement all 135 recommendations in order to mitigate the risks, identified in the final report, to acceptable levels:

"...it is the Panel's opinion that, provided that all of the recommendations made in this Report are adopted and implemented in their entirety, not only should the risks associated with an onshore shale gas industry be minimised to an acceptable level, in some instances, they can be avoided altogether."<sup>26</sup>

On 17 April 2018, after carefully considering the Inquiry findings, the Northern Territory Government accepted all of the Inquiry's recommendations and lifted the moratorium on unconventional shale gas developments in the Northern Territory. However, although the Northern Territory Government has developed an Implementation Plan, many of the recommendations have not been implemented as at the date of this submission, and

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<sup>25</sup> Letter from Traditional Owners, June 2021. This letter has been co-signed by almost 40,000 GetUp supporters and is included in full as Annex A to this Submission.

<sup>26</sup> <https://hydraulicfracturing.nt.gov.au/about/government-accepts-all-recommendations-of-the-inquiry>





concerningly many that are marked as complete have been watered down from what was promised.

### ***GetUp Member Submissions***

This week GetUp received 2036 submissions from our members in every state and territory explaining why gas field fracking in the Beetaloo Basin is of concern to them. Members spoke passionately about their desire to respect the Traditional Owners of this land; their disapproval at the thought of public money being used for private profit; and their urgent request for the government to protect the environment from further destruction. The full text of GetUp member submissions is included as Appendix C to this submission.

### ***Recommendations***

GetUp makes the following recommendations to the Committee, that:

1. The Industry Research and Development (Beetaloo Cooperative Drilling Program) Instrument 2021 be disallowed by the Senate;
2. No Commonwealth funding, or public money, is provided to exploration or drilling in the Beetaloo Basin;
3. The Committee prioritise consultation with affected communities, and Traditional Owners, as part of their deliberations, and that this involves MP's travelling to community to ensure hearings are accessible and comprehensive;
4. There be an immediate moratorium on exploration and production in the Beetaloo Basin to allow for an investigation into the question of consent;
5. All 135 of the recommendations from the 2017 Northern Territory Independent Inquiry into Hydraulic Fracking are immediately implemented;
6. A new, federal cultural heritage protection law be created, in this term of Parliament, which:
  - a. is national in scope;
  - b. is drafted in consultation with Traditional Owners;
  - c. is protective of things like oral traditions, songs, dances, stories and knowledge of country;
  - d. only allows the right people who have connection responsibility to talk for country;
  - e. ensures that Traditional Owners are the ones who decide if something is culturally significant or not, and how important a place is;
  - f. allows for a veto by Traditional Owners of projects that harm cultural heritage;
  - g. allows Traditional Owners to change their mind at any time during the project if



- cultural heritage is at risk; and
- h. mandates that the Minister for Indigenous Australians is responsible for consulting with Traditional Owners on these issues.
7. All future gas field fracking projects must legally require the relevant corporations to draft a plan to protect cultural heritage that must then be approved by Traditional Owners before *any* action can be taken on a project; and
  8. There must be stronger punishment for corporations that damage cultural heritage.

Please do not hesitate to contact our Political Director, Emma Bull ( ), should you require any further information. We will be engaging and mobilising GetUp members throughout the Senate Inquiry process and beyond.

Larissa Baldwin  
First Nations Justice Campaign Director



## **Appendix A**

We speak as Traditional Owners and custodians of and around the lands and waters that you call the Beetaloo and connected basins. Although we come from many Nations, we have come together to put an end to the ongoing threat of fracking on our countries, which will denigrate and desecrate our lands. We know our country. We read it, we understand it, and we alone speak for it and its songlines. It is our birthright - handed down by bloodline.

Together, we fight for it.

Our connections to country have been established and proven time and time again by the white man's law. We hold Native Title and Land Rights - a system that is meant to protect and enforce our rights.

These have been denied to us.

For years, we have been told lies by the gas and oil corporations. That there would be no damage to the country or poison in our waters. These companies won't even answer the most basic of questions - where they plan to drill or how many wells they want to build.

These gas corporations lack any respect for us as Traditional Owners. They have failed to follow proper process in consultation with us, failed to acquire consent, failed to provide transparency in their dealings with us, and have systematically excluded our voices from the decision-making process for activities on our Country.

We don't have the same resources as these corporations. The system is already set up against us.

This Federal Government coming in over the top of what little processes we have undermines our land rights as Northern Territory Traditional Owners. The same Government who has never come out to our communities to sit with us or meet with us. They are failing to represent us.

Giving \$50 million to mining corporations for an 'economic recovery' to start drilling will only line the pockets of huge corporations who want to take more than we're willing to give. It does nothing but hurt us, our communities and our country more.

What about our recovery? The money to finally fulfill the empty promises of proper housing in our communities, or resourcing the health services we've been calling for for years.

And what about country's recovery? Country's water is the blood that flows through our body, and it is already poisoned. Where is the money to clean the water many NT communities are forced to drink?

This is short term money that will cause long term pain, sow division and damage country and community. We will not allow you to cause any more pain, hurt or division in our communities.

Hear us when we say - we won't allow fracking gasfields on our country. Not now. Not ever.

We are united. This is our land, and we're ready to do whatever it takes to protect country.



**Appendix B**

Dear Sir/Madam,

My name is Lhudi. I am Nulanyma skin and I am Rrumbirriya clan. My other name is Rikki Dank and I am a Traditional Owner for Balbarini (freehold) and Mukumpala (Native Title) parts of the traditional country of the Gudanji peoples of the northeastern Barkly Tablelands. I am writing with the permission, and at the request, of my family and so have their full support.

The above two areas of our traditional country were 'returned' to us in the 1990s. I am Nimirinki, which means that I can speak for my country. This kinship status has been and is identified in the anthropological investigation conducted by Northern Land Council to support the original submission for the return of our Country.

The most senior members of our family, who are authorised to make decisions regarding our country, and who have both asked that I write this letter, are Katie Baker and Peggy Mawson. The situation we currently find ourselves in is causing these two senior women extreme worry and is impacting their well being given the Country we are referring to is women's country and NLC insist on speaking to junior women and to men who do not have the right to speak for that place.

I am writing on behalf of my family to request an urgent investigation and intervention into current and proposed gas mining and fracking activity on our Country. We understand that Empire Gas has been given approval by the Northern Territory Government to construct a gas well and frack on our freehold Country. We understand that there has been further approval to expand this to eight wells, connected by pipelines, roads, tailings dams and other heavy infrastructure - which will have a devastating impact upon our place. Additionally, it will certainly impact our family's capacity to continue to conduct and perform traditional cultural activities on our land and has the potential to destroy sacred sites. The probable impact on the water table is beyond terrifying. We have never agreed to Empire undertaking exploration on our land, let alone drill and frack; indeed, our family has not been part of the conversation in this regard.

Our family has been excluded from the consultation and approval process for this activity. We believe that this exclusion has been a deliberate and calculated attempt by the Northern Land Council (NLC) to prevent our voices from being heard. We have had a frustrating relationship with the NLC since our land was returned three decades ago. Our family's desire has always been to maintain Country and minimise the impact of mining and pastoral exploitation. To this end, we have previously voiced resistance to mining and large pastoral leases which have the capacity to damage our country. Our history with the NLC includes being excluded from meetings regarding decisions affecting our country: Meetings are held without notification, despite multiple avenues of communication being provided by ourselves to the NLC. Additionally, the NLC has gained 'approval' from people who have no right to speak for our country, to circumvent due process and any objections from the rightful traditional owners. This is a pattern of behaviour that has



persisted over the last few decades and which we have been powerless to stop – despite numerous letters, e-mails and phone calls, and meetings with politicians and lawyers. Put simply, the NLC is too large and protected, financially and politically, for us to be fight them alone.

The current crisis has brought matters to a head. We require urgent review of the current and proposed gas extraction activities on our country. To this end, we are voicing our loud and collective objection toward the activity, believing that due process has not been followed, and ask for a complete halt to activity whilst a thorough and appropriate investigation is undertaken.

We do not ask for favourable treatment simply that the voices of those who have the authority to speak for Country are given the opportunity to be heard. Due diligence has not been part of the NLC process, and they refuse to follow protocols claimed to be their way of engaging with Aboriginal peoples.

We respectfully request your urgent intervention.

Kind regards,  
Lhudi (Rikki Tanika Dank)

**APPENDIX C**

Attached - GetUp member submissions.



### **ABOUT GETUP**

By combining the power of one million members, movement partners and a central team of expert strategists, GetUp works to have extraordinary impact on the issues that matter.

GetUp members come from every walk of life, coming together around a shared belief in fairness, compassion and courage. It is GetUp members who set our movement's agenda on the issues they care about, in the areas of Environmental Justice, Human Rights, First Nations Justice, Economic Fairness and Democratic Integrity. Our work is driven by our shared values, not party politics.

GetUp is an independent, not for profit community campaigning organisation, incorporated as a company limited by guarantee. GetUp receives no political party or government funding, and every campaign we run is entirely supported by voluntary donations. GetUp's purpose is set out in our constitution – to advance progressive public policy in Australia. We do this by empowering everyday people to have their say.

GetUp is also guided by a Statement of Independence, which defines us as an active values-led participant in our politics, independent from the control, direction or influence of political parties and politicians.

Authorised by Paul Oosting, Level 1, 64-76 Kippax Street Surry Hills, NSW 2010  
GETUP LIMITED ABN: 99 114 027 986 | Level 1, 64-76 Kippax Street, Surry Hills NSW 2010 | [www.getup.org.au](http://www.getup.org.au) Our team acknowledges that we meet and work on the land of the Gadigal people of the Eora Nation. We wish to pay respect to their Elders — past, present and future — and acknowledge the important role all Aboriginal and Torres Strait Islander people continue to play within Australia and the GetUp community.