

# Embedding Aboriginal people and their culture

## Inquiry findings

The Inquiry found the onshore shale gas industry raises distinct risks and has the potential to adversely impact Aboriginal people and their cultures. The Inquiry identified a range of risks, including:

- potential impacts to traditional cultural practices
- denial, restriction of access to, and damage of traditional lands and sacred sites
- new social and cultural stresses to Aboriginal groups which may disrupt social cohesion in Aboriginal communities
- a lack of the information needed for informed decision-making and to ensure the integrity of consultation with Aboriginal people.

## NT Government mitigations

The NT Government is committed to upholding the rights and well-being of Aboriginal people and as a result, significant changes have been made including strengthening environmental protections, community engagement and access to information.

- The NT Government introduced the Petroleum Reserved Block Policy, which sets out the process for declaring areas where onshore gas activities are prohibited, including areas of cultural significance or high conservation value, parks and reserves, and Indigenous Protected Areas. As of November 2022, 20.76% of the Territory's land mass has been reserved from onshore gas activities.
- The NT Government introduced a mandatory requirement for all onshore gas proponents to hold an Authority certificate, issued by the Aboriginal Areas Protection Authority (AAPA). AAPA works with Traditional Owners to map sacred sites in project areas, and the Authority Certificate restricts work in sensitive areas to protect the sacred sites.
- The NT Government introduced a Code of Practice which sets minimum standards for onshore gas industry operations. The NT Government can take enforcement action against a breach of the Code of Practice.
- The NT Government removed limits on who can lodge objections to the granting of exploration permits. Any person may lodge an objection and raise concerns.
- The NT Government amended cost rules so the court has discretion on whether to apply cost rules to legal action brought in the public interest. A cost order is when the court orders one party to pay some or all of the other party's legal costs. This removes barriers to accessing legal remedies by improving access to legal action, even if the case is unsuccessful.
- *The Environment Protection Act 2019* gives the independent Northern Territory Environment Protection Authority (NT EPA) the explicit power to require a social impact assessment as part of a broader environmental assessment, ensuring impacts to Aboriginal people and their culture are appropriately considered. The Petroleum (Environment) Regulations 2016 require the management of all environmental impacts and risks, including social and cultural impacts, through Environment Management Plan (EMP) approvals.
- The Aboriginal Interpreter Service translated information including fact sheets and frequently asked questions regarding specific concerns and questions into 17 Aboriginal languages. Translated audio files about groundwater, methane and shale gas are now publicly available on the Hydraulic Fracturing Implementation website for use by all stakeholders and interested parties.
- The NT Government developed the *Principles of Engagement when using Aboriginal Interpreters* in consultation with the Aboriginal Interpreter Service to provide additional guidance for communication between Aboriginal people and the onshore gas industry.
- The Strategic Regional Environmental and Baseline Assessment (SREBA) social, cultural and economic study addressed baseline information gaps highlighted by the Inquiry. The study considered the cumulative impacts of onshore gas development and provides a baseline for social, cultural and economic conditions to inform future planning, decision-making, and monitoring.

# Chapter Summary Scientific Inquiry into Hydraulic Fracturing Final Implementation Report

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### Ongoing monitoring into the future

Information from the SREBA will be used to monitor impacts to the social, cultural and economic values in the Beetaloo region. The monitoring framework will be participatory in its approach and will use annual updates of publicly available data or comparable data sources, and qualitative surveys to hear the views of communities in the Beetaloo region.

AAPA will continue to strengthen its approach to assessing EMPs for consistency with Authority Certificate requirements, to protect sacred sites from damage.

AAPA has established a compliance team to audit activities associated with the onshore gas industry.

The NT Government will continue to implement the Petroleum Reserved Block Policy, including ongoing liaison with Land Councils to declare reserved blocks over Aboriginal land where supported by Traditional Owners.

The Community Engagement and Information Program will continue engagement activities in communities to monitor community sentiment and identify ongoing information needs relating to the onshore gas industry.

### Where can I find more information?

Find out more about these reforms in Chapter 8 of the Scientific Inquiry into Hydraulic Fracturing Final Implementation Report.

NT Government decisions about EMPs are available to the public on the DEPWS website at [depws.nt.gov.au](http://depws.nt.gov.au)

Strategic Regional Environmental Baseline Assessments, including technical reports and the data catalogue are available at [depws.nt.gov.au/sreba](http://depws.nt.gov.au/sreba)

Fact sheets and audio files in Aboriginal languages are available at [hydraulicfracturing.nt.gov.au](http://hydraulicfracturing.nt.gov.au)

To report regulatory breaches by the onshore gas industry, anyone can make a toll free, anonymous call to the Onshore Gas Non-Compliance Hotline. The hotline is available 24 hours a day on **1800 413 889**.