CENTRAL LAND COUNCIL

Comments on the Draft Final Report on the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory

2 February 2018

The Central Land Council is a statutory authority established under the *Aboriginal Land Rights (Northern Territory) Act 1976* ('ALRA'). The CLC is also a Native Title Representative Body established under the *Native Title Act 1993* ('NTA'). The CLC region covers the southern portion of the Northern Territory, an area of 775,963 km². The CLC is directed by its Council, which consists of 90 members who represent traditional landowners and communities throughout the CLC region. The CLC represents approximately 25,000 Indigenous people resident in the CLC region.

The CLC, among other things, is charged with the statutory responsibility to represent the interests of traditional Aboriginal owners and, as well, the wider Aboriginal population of Central Australia. The CLC also has a strong land management and community development program which aims, among other things, to develop capacity of Aboriginal people to engage in the wider economy.

General Comment

The Central Land Council (CLC) has considered the Draft Final Report on the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory released for comment on 12 December 2017 and makes this submission, further to the submission already made to the Taskforce in March 2017.

The timing of the release of the Draft Final Report was disappointing, coinciding with the Christmas holiday season (being the usual leave period in the NT when summer months are off field season) and may give rise to perceptions of the draft being 'buried' as the opportunity for full consideration was limited. Further, the Report was incomplete when released with the Coffey SIA Reports only available in mid-January. Whilst the CLC appreciates that extra time was provided for comment, given the size and complexity of the information in the Report and the timing of its release the period allocated for comment was inadequate to enable the full content of the Report to be reviewed in depth. The CLC has focussed its comments on Chapters 11 (Aboriginal people and their culture) and 12 (Social Impacts).

The CLC commends the Taskforce's focus on well integrity, wastewater and flowback treatment, and above ground pollution and transport issues. It strongly endorses the recommendations in Section 5 addressing well integrity issues, 14.3 and 14.19; and it generally endorses the recommendations in Section 7. These issues are matters that the CLC takes into consideration in consultations with traditional owners about projects and negotiations with

resource companies seeking access to both Aboriginal land and land subject to native title rights.

The CLC acknowledges the focus of the Report on the Beetaloo Sub-basin given its potential to be a world class resource and positive exploration results, but notes that there are also complex issues with the highly prospective Amadeus Basin which hosts producing reservoirs that have been subject to hydraulic fracturing and active exploration occurring in the eastern area. The Amadeus Basin sediments are also the source of drinking water for the township of Alice Springs and other communities in the region.

Specific Comments

Recommendation 5.6 could be amended to invoke industry funding for any resolution of wastewater and brine treatment and disposal issues.

Recommendation 7.4 proposes a strategic regional environmental and baseline assessment (SREBA) and regional groundwater model be developed and undertaken for any prospective shale gas basin before production licences are granted… commencing with the Beetaloo Sub-basin. The CLC supports early monitoring but notes that licences are already granted and work underway in the Beetaloo and production of conventional gas including using unconventional techniques has a long history in parts of the Amadeus Basin, so baseline data would arguably be contaminated.

Recommendation 7.6 final paragraph should be changed to adopt the approach used in 7.15 which would require localised modelling and data collection prior to the approval of groundwater extraction in semi-arid and arid regions for any shale gas production to help satisfy the contested issue of 'sufficient information'.

Recommendation 7.7 should have the current point relating to Water Allocation Plans changed to an outcome driven approach preventing unacceptable drawdown over a specified distance and time. This might be more appropriately specified in water licences to be required by the petroleum industry rather than a process driven approach. Such provisions could more clearly invoke the relevant make good provisions if such drawdown is exceeded.

Recommendation 8.16 could be amended to consider interstate arrangements where resource industries are required to contribute directly to road maintenance of relevant routes they use heavily (as indirectly referred to in Recommendation12.2).

<u>The CLC provides the following comments in relation to Chapter 11 'Aboriginal People and their Culture'.</u>

Recommendation 1.1 The CLC agrees with the Panel's opinion that a sacred sites clearance should always be conducted prior to any onshore shale gas activity occurring. However, the CLC disputes the Panel's assumption that an Authority Certificate issued by the Aboriginal Areas Protection Authority (AAPA) provides the best protection for sacred sites and should be the only acceptable form of sacred sites clearance.

The CLC submits that where there is a negotiated agreement, it is the Land Council which assisted with the negotiation which may be in the better position to provide assistance to

traditional owners to protect their sacred sites from being damaged in the course of resource extraction activities. This is demonstrated by the CLC's strong record of successfully protecting sacred sites during the extensive and intensive resource extraction activity that has occurred within its region over the last four decades.

The CLC views the functions of seeking consent for proposals and protecting sacred sites as inherently related processes which can be efficiently undertaken in conjunction and for which it has the appropriate authority and expertise. Section 23(1)(ba) of ALRA specified a function of the land councils to assist Aboriginal people to protect sacred sites. In relation to Aboriginal land, only the land councils that have the statutory duty to consult the traditional owners and seek their consent to works. On Aboriginal land this consent is required regardless of the possession of an Authority Certificate. As the AAPA cannot provide consent for works on any tenure of land the splitting of processes can lead to delays, duplicates processes with traditional owners that the Central Land Council performs without raising the level of site protection and increases costs to proponents.

The CLC has negotiated 177 Aboriginal Land Rights Act (ALRA) and 51 Native Title Act (NTA) exploration agreements with resource companies over the years, all including stringent sacred site protection procedures. Irrespective of whether Australian or Northern Territory law mandates sacred site protection, it is a key component of negotiated agreements as it is a primary requirement for Aboriginal people when considering the use of their land.

With respect to the distinction made in the Report between custodians and traditional owners, the Sacred Sites Act (s.3) defines a custodian as meaning an Aboriginal who, by Aboriginal tradition, has responsibility for a sacred site and, in Part II, includes a custodian of any sacred site. In contrast, the ALRA (s.3) defines traditional Aboriginal land owners as a local descent group of Aboriginal people *whose shared spiritual affiliations to sites on the land, places them under a primary spiritual responsibility for those sites*, and who are entitled by their traditions to use the land. The CLC consults (where appropriate) traditional Aboriginal owners, native title holders and relevant knowledgeable aboriginal people with rights and interests to their land that come from their traditional laws and customs.

AAPA has a specific focus on (the protection of) sacred sites, whereas ALRA s.3 treats (and protects) sites as related to Aboriginal land ownership more broadly. Thus, when consulting over sacred sites, the CLC is compelled to pay attention to the totality of the land tenure within which a site is recognised. Hence, the comprehensive nature of consultations that go towards to the production of a CLC Sacred Site Clearance Certificate. This approach is consistent with Aboriginal cultural world view in central Australia.

The CLC Sacred Site Clearance Certificate (SSCC) process is set out on the CLC website [1]. Obtaining an SSCC serves two purposes, the protection of sacred sites and approval to the Applicant to carry out works. The SSCC sets out conditions in relation to entering and working on the subject land. The applicant, when applying for an SSCC, agrees to be bound by the conditions of the certificate. The SSCC also serves to protect the Applicant against prosecution for entering, damaging, or interfering with sacred sites under the *Sacred Sites Act* and the ALRA by providing the applicant with documentary evidence that the custodians and

[1] https://www.clc.org.au/index.php?/articles/info/the-clc-sacred-site-clearance-process/

traditional Aboriginal owners of the subject land have been consulted and consent to the Applicant's proposed works. The CLC logs applications in a register and certificates are signed, numbered and their details recorded.

Similarly for development proposals on non-Aboriginal land, native title holders are identified and the CLC seeks to negotiate agreements with proponents, including Indigenous Land Use Agreements pursuant to processes under the *Native Title Act 1993*. Protection of sacred sites is again an integral part of this process.

Adherence to the conditions set out in a CLC SSCC will provide equivalent protection from penalties as are provided under an Authority Certificate. The power of the Northern Territory to make laws in respect of sacred sites ultimately derives from the Land Rights Act. An SSCC provided by the CLC is to ensure persons do not enter or damage a sacred site. It is inconceivable that a proponent would be prosecuted for entry or work on a sacred site where the CLC has conducted a sacred site clearance and where the clearance advice is adhered to.

For these reasons the CLC considers an Authority Certificate is not necessary over areas where the CLC has performed sacred site clearances and issued a SSCC.
In these circumstances an Authority Certificate only duplicates the process, increases costs and creates a source of confusion between the parties. Therefore the Recommendation in 11.1 should be amended to include a SSCC issued by a land council. If there are instances where a proponent does not have an agreement with a land council in relation to a shale gas project then the CLC supports the requirement for an Authority Certificate prior to undertaking any activity.

The draft Report states (p.256) that, the issuing of an Authority Certificate provides certainty that impacts to sacred sites have been considered independently from other matters that are dealt with in …. Agreements. As stated above the CLC views these issues as being inherently related and does not consider that an AAPA process, in isolation from the consent process, enhances the ability of traditional Aboriginal owners and native title holders to protect their sacred sites.

Recommendation 11.2 - Given the consultative role of the CLC imposed by statutory functions under both ALRA and NTA and through negotiated agreements, it would be duplication for AAPA to consult over the same matters. As discussed earlier, the CLC consults with sacred site custodians, traditional owners and knowledgeable people but also affected communities. All consultations involve the CLCs specialist Mining Section which has expertise on hydraulic fracturing, geology and the oil and gas industry. The CLC considers a proposed role for AAPA in consultation and communication around hydraulic fracturing would duplicate the CLCs role and create confusion.

Recommendation 11.4 - The CLC endorses the recommendation for a requirement that detailed exploration proposals be submitted for proposals on land subject to native title rights, similar to that prescribed in s.41(6) of the ALRA. The provision of detailed information is crucial for informed consent of native title holders.

The CLC reiterates its previous comments regarding the imperative for resource companies to ensure that traditional owners are properly informed about proposed activities, consistent with the principle of free, prior, informed consent. As the CLC has noted previously, at a minimum, project proponents must:

- ensure that information, particularly technical information, is communicated in a clear, culturally appropriate manner, and that interpreters are made available where required.
- ensure that traditional owners are consulted effectively, recognising the particular barriers to engagement in remote areas, such as language barriers, low levels of literacy and numeracy, and difficulties accessing communities.
- ensure that sufficient time is taken to present information and provide information in an effective manner, including using audio visual material.

The CLC also recommends that the Panel consider the principles and methods adopted in the CLC's Community Development Framework[2] and Effective Consultation and Engagement Strategy [3]. These approaches are informed by decades of experience consulting with Aboriginal traditional owners in Central Australia and ensuring they understand the options and implications of proposed activities on their land, before giving consent, and to consult with affected communities to ensure they can express their views about a development project. These strategies are also adapted to address the unique, complex characteristics of the Central Australian region, including the remoteness of communities, diversity of culture and language, and low levels of literacy and numeracy.

The principle of free prior informed consent applies under ALRA with the right to consent or to withhold that consent a fundamental tenet of land rights. The decision however must be made at a time when the least amount of information about a proposal is known, at the exploration application stage. When traditional owners give consent and make an agreement, it is conjunctive, meaning it contemplates production. Although a new agreement is required to be negotiated no new consent is required as it has been given at the exploration stage. For native title land traditional owners may give consent but do not have a statutory power of veto, as for Aboriginal land. The CLC considers that a veto provision, like that in ALRA, should apply to onshore petroleum exploration applications on native title lands.

Recommendation 11.6 relates to Land Councils, AAPA and the Government cooperating to ensure that good information is effectively communicated to Aboriginal people affected by any shale gas industry. The CLC has a statutory duty to effectively communicate with its constituents by consulting traditional owners and native title holders together with affected communities and other affected Aboriginal people in its region. The breadth of consultation with broader Aboriginal society in central Australia may be limited by budgetary, time and resource constraints. Government also has a role in providing information to Aboriginal people and in relation to hydraulic fracturing. At times this has been undertaken in conjunction with the land councils with DPIR staff and a CSIRO independent scientist providing information sessions in communities and to the CLC delegates. Other Non-Government Organisations are also active in this space and present their views to community members.

[2] https://www.clc.org.au/index.php?/publications/content/community-development-framework-2016-2020/

[3] https://www.clc.org.au/index.php?/publications/content/clc-effective-consultation-and-engagement-strategy-2015-2020/

The CLC maintains its independence on these matters as it is not the decision-maker, that is the right of traditional owners and native holders. The CLC engages with industry and government and other bodies to ensure accurate and balanced information is available for its constituents.

The CLC supports the proposal to require resources companies to fund the development and delivery of information programs and resources and again notes that the CLC is well placed to provide guidance as to how this could be undertaken effectively in the Central Australian context. The process for ensuring Aboriginal people have good information and understand requires time and multiple meetings and should take place outside of decision making meetings for specific proposals. The CLC has previously undertaken these processes in other contentious resource issues such as uranium mining and nuclear waste management.

Recommendation 11.7 relates to consideration for land councils, traditional owners and gas companies making negotiated agreements or parts thereof publicly available. The CLCs view is that negotiated agreements are commercial contracts and the confidentiality (or otherwise) of the terms rests with the parties. Any requirement that these agreements are made public treats Aboriginal people in a discriminatory way and has the potential to undermine capacity to negotiate in their best interests.

Recommendation 11.8 supports a comprehensive assessment of cultural impacts of any gas development prior to the grant of any production licences. The CLC already conducts a comprehensive assessment of cultural impacts and has its own leading practice for consultation and engaging with traditional Aboriginal owners, native title holders and affected communities and has been carrying out this role for decades. Assessment of cultural impacts is not and has never been the role of AAPA.

<u>The following comments relate to Chapter 12, Social Impacts</u>

The CLC raised issues with the Taskforce around the timeframes provided for commenting on the SIA Reports, released some month after the Draft Report. The CLC considers insufficient time has been provided to properly review the information but nonetheless submits the following comments.

The report does not make a distinction between holders of property rights (traditional owners and native holders as decision-makers) and affected communities. Affected communities are often (but may not always be) comprised of the traditional owners of the land the subject of a project. A community may also comprise many other residents from neighbouring estate groups and other language groups. The statutory arrangements under the ALRA take this important distinction into account and are unique to the NT and must be properly considered in SIA Reports.

The CLC supports recommendations aimed at ensuring that project proponents undertake assessments to identify social impacts, consult in good faith, and design strategies to prevent and mitigate impacts (*Recommendations 12.11 – 12.15*) .
Recommendation 12.10 suggests that gas companies are required to establish a relationship with communities to determine how best to facilitate community cohesion… and notes this is best done in consultation with land councils. The CLC adds that a clear structured framework is required prior to commencement of the relationship building to ensure the correct approach is taken in the cultural setting and in response to the land tenure and ownership for a Project.

Recommendation 12.11 and 12.12 support the development and implementation of a social impact management plan including managing ongoing SLO within each community they operate. The CLC endorses the comments in the CSRM Report that any assessment framework must take into account the unique characteristics of the NT, including the high percentage of Aboriginal people, Aboriginal freehold and native title land, remoteness of communities, significant cultural diversity, and high rates of homelessness and inequality (*CSRM Report, p.34*). Noting these unique characteristics, the CLC also cautions against Government and resource companies developing approaches based on lessons learned in other jurisdictions (*CSIRO Report, p.13*).

The CLC emphasises that the proposed SIA and 'social licence to operate' (SLO) frameworks must be adapted to local conditions and address the unique needs of local Aboriginal people. SIA should result in action documents which empower the community through participation. Too often SIAs are a snapshot in time, completed for a regulatory approval process with little community involvement or empowerment. They are at risk of being shelved because there is insufficient resources at all levels including action planning, monitoring and evaluation. Remoteness is a contributing factor hence the need to provide the tools within communities to participate. Significant resources, effort and support is needed to achieve such a goal.

The proposed frameworks go some way to addressing local conditions and recognising the unique role of Aboriginal culture and connection to land as set out in the Coffey Summary Report in pages 4 – 7 however the CLC recommends that these frameworks could be improved by incorporating an understanding of local Aboriginal culture and history and in the design of culturally appropriate strategies to manage adverse impacts consideration must be given to what is already working. Social assessment and mitigation plans must take into account:

- Aboriginal peoples' unique connection to land and water, and social and cultural impacts which may result from activities which may affect or restrict access, use or enjoyment of land (*CLC Submission, 2017, p. 12*) and
- The history of colonisation, dispossession of and removal of Aboriginal people from traditional lands in the NT, and the impact that this may have on community sentiments towards resource activities (*CSRM Report, p.12*).

The CLC has noted in previous submissions that speculation about potential onshore shale gas activities in the NT has already led to social disharmony and conflict in Aboriginal communities. This is partly due to the lack of reliable and accessible information regarding hydraulic fracturing and the onshore shale gas industry (*Draft Final Report, p.264*) (The rapid emergence of the industry in the NT coupled with its controversial nature globally are also factors). The CLC welcomes the Panel's recognition that benefits associated with resource activities on Aboriginal land, such as royalty payments and employment opportunities, can lead to stress and conflict within and amongst Aboriginal communities (*Draft Final Report, p. 266*). The CLC's community development (CD) program and framework helps to reduce conflict by offering traditional owners and communities the option to apply royalty or compensation money to community development projects through a process that build self-reliance, strengthens communities and promotes good governance through people participating in and designing and implementing their own development projects, using their own money. Whether or not groups accept this option is up to them, it is their benefits which are under consideration, however, over the last decade the CLC has experienced significant uptake by groups. Aboriginal people seek lasting benefits from their royalty or compensation packages that maximise value, have wider benefit and promote control of their own destinies. The CD

approach often yields broader benefits beyond the traditional owner group to residents of the communities where royalty or compensation recipients live. In the case of production projects on Aboriginal land, the ALRA provides for affected communities to receive financial benefits. Evidence of the success of the CD program can be viewed on the CLCs website[4].

While resource activities can result in increased training, employment and community development opportunities for Aboriginal communities, the CLC notes that these opportunities have the potential to affect community cohesion (*Draft final report, p. 278*) and that previous initiatives, particularly around employment have not delivered benefits to communities to the extent anticipated.

While the CLC supports recommendations aimed at identifying and alleviating accommodation and impacts on housing (*recommendations 12.5, 12.6*), the CLC notes that remote communities in Central Australia already face significant issues relating to housing and maintaining connection to land. Rates of homelessness in the NT are higher than any other Australian State or Territory, significantly higher amongst Aboriginal people, and are expected to worsen. Homelessness, overcrowding and poor living conditions can have a profound impact on economic, social and health indicators (*AIHW 2014*).
The CLC recommends that impacts on housing and related health indicators be considered a threshold factor in decisions about project approval, noting that standard risk treatment measures may not be able to manage these impacts.
The Summary Report notes that 'a key feature of the SIA Framework is the requirement for ongoing participatory monitoring and government-community-proponent collaboration in the development and implementation of strategies to mitigate impacts and capture socio-economic development opportunities.' (p.2). The CSRM and Beetaloo Case Study reports also note that ongoing monitoring and effective community and stakeholder engagement is fundamental to the effective management of impacts and the maintenance of a 'social licence to operate' (*p.43*).

The CLC supports the recommendation that ongoing monitoring and measurement of social and cumulative impacts be undertaken (*Recommendation 12.15)*, and notes that cultural values and world views are highly heterogeneous across the Central Australian region, and these monitoring and measurement methods must be carefully designed to ensure that they reflect community sentiment accurately (*CSIRO Report, pp.40-41*).

Recommendation 12.16 suggests structural reform to operationalise an SIA framework. The first point states 'introduce a mechanism for strategic assessment, either through a Strategic Assessment Agreement under the EPBC Act or through reforms proposed in the 2015 Hawke Report. Further, 'A strategic assessment SIA is needed to decide if any onshore shale gas industry should go ahead and if so under what conditions'. The CLC endorses the use of SIA but notes that the ALRA prescribes that the decision making power with respect to development on Aboriginal land lies with traditional owners. SIA output can provide information for the consultation process to enable traditional owners to be fully informed.

<u>CSRM Report</u>
The CLC generally agrees with many of the Recommendations in the CSRM Report around strategic environmental assessment, application of the water trigger under the EPBC Act for

[4] https://www.clc.org.au/articles/cat/community-development/

shale gas projects and the establishment of an independent authority with oversight functions. All of these matters require significant further discussion.

Recommendation 4 is consistent with the CLCs recommendations 4, 9 and 7 provided in its 2014 submission to the Inquiry into Hydraulic Fracturing in the NT, that,

- The CLC supports external independent scrutiny separated from government decision making and reiterates recommendations from its earlier submissions, specifically *(Recommendation 4)* :
- The Australian Government monitor the capacity of the DME in the NT and provide additional support to maintain a high level of regulation *(Recommendation 9)*, and
- External independent scrutiny over DME regulation is essential to allay concern over perceived lack of independence *(Recommendation 10),*

and the CLC re-iterates the concern around the capacity, management and support for regulation of a shale gas industry. There are issues across the NT in attracting, recruiting and retaining experienced, qualified and competent staff.

The CLC agrees with Recommendation 8 that clear guidelines and simple fact sheets for negotiating land access agreements in relation to different tenure types that outline rights of landholders and proponents could be helpful. The sentence 'Considerable stress and negative impact has been associated with misunderstood land rights and perceived disrespect for attachments to, and interests in land' is not a recommendation. The CLC suggests the sentence be omitted from the report.

The CLC agrees with Recommendation 9 to identify strategies to build local institutional and business capacity early to best capture the potential economic benefits of shale gas development. Adequate lead-time and institutional, business and individual capacity are a challenge and there are already these times issues with advanced projects and major development projects. Special focus is required to support remote communities to be able to participate in and compete in potential business opportunities.

Recommendation 10 appears to provide gratuitous and generic advice directed to land councils on how to perform their functions and should be removed. The CLC notes that under ALRA the function of the land council is to ensure that TOs understand the nature and purpose of the terms and conditions around the grant of a licence and as a group consent to it (per s.42(6)). This statutory requirement has a high level of accountability for the land councils. Further, the ALRA requires that any Aboriginal community or group that may be affected has a chance to express their views to the land council concerning the terms and conditions of a grant (per s.42(2)(b)). In response to the comment that 'general informed consent is insufficient', consent of the TOs has a particular meaning in the ALRA (s.77A). With respect to the CLC and native title processes, it applies the same level of rigour in its consultations and consent process as set out in the ALRA. The CLC reiterates its view set out in the discussion under Recommendation 11.1 that sacred site protection where there is an agreement between the company and the CLC is best managed under that process though a CLC Sacred Site Clearance Certificate. The additional sentence in the Recommendation that the processes for such negotiations should be 'fully documented' is a statement of the obvious and appears to imply that this does not already occur – an assumption not based in fact. Negotiations are legal and statutory processes and are fully documented.

In respect of Recommendation 11 it is not clear whether this is directed to the distribution of land owner compensation amongst the 'regions' (which would be entirely inappropriate) or is a reference to government generated royalties.

Whilst the CLC is supportive of careful and considered innovation in optimising the application of land owner benefits, by using the term 'royalties' the recommendation appears to unhelpfully conflate the disparate concepts of royalties paid to government under statutory provisions (by which schemes such as 'Royalties for Regions' are funded) with the benefits negotiated by traditional landowners/native title rights holders.
Clearly 'royalty payments' are not 'exclusive to TO's' as described in the SIA summary report (Coffey 17 Jan 2018 at 7) and when the application of the affected area payment provisions as provided for in the ALRA are considered there already exist considerable diversification of the benefits that may potentially arise from gas projects (ie: Government Royalties, Negotiated TO benefit agreements and community payments in respect of the 'area affected' (per.s.35(2) ALRA)) .

It should also be noted that negotiated arrangements under provisions of the Native Title Act may include compensation for the effect on or diminution of the rights and interests of the native title holders whose land is impacted. These agreements are commercially negotiated as between the relevant parties and the application of benefits is inherently a private matter and quite distinct from any form of government royalty. They typically provide for a range of benefits which may include:

- recognition of native title;
- payments and compensation;
- employment, education and training;
- assistance with establishing and operating Indigenous businesses;
- environmental management and heritage protection; and
- community assistance programs.

To assist traditional owners, native title holders and their communities optimise their economic benefits the Central Land Council created its Community Development Unit (CDU) over a decade ago primarily to implement community development projects involving Aboriginal rent and royalties from land use agreements and affected area payments. As raised earlier in the discussion under social impacts, the CLC's CD approach works in partnership with Aboriginal people to enable them to both maintain Aboriginal identity, language, culture and connection to country and strengthen their capacity to participate in mainstream Australia through improving health, education and employment outcomes.

The CD approach is characterised by opportunities for Aboriginal people to own and control resources and to direct those resources towards projects and activities which generate outcomes they mandate and value. This includes tangible outcomes such as improvements in health and employment, as well as intangible benefits that support their culture and sense of identity and self-worth.

It is recommended that the Community Development Units of the Central and Northern Land Council are supported and considered as models for the optimisation and equitable utilisation of benefits.

Recommendation 14.11 should be expanded so that the Minister can also consider an Applicants financial capacity for funding petroleum exploration before granting an Exploration Permit. This will help focus effort and resources on genuine proposals.

Recommendation 14.4 should be amended to explicitly refer to Community Living Areas in addition to residential areas.

END