

Dear Murujuga/FARA supporters,

December 2021

What an amazing roller coaster we've been on over the last couple of weeks – challenging the WA government on its woefully inadequate Aboriginal Cultural Heritage Bill as well as its blatant support of industrial expansion on the Burrup – Woodside's Scarborough LNG project – in spite of Woodside's obvious lack of necessary environmental and heritage approvals.

Many in the Murujuga Aboriginal community now seem to be stirred up and united in their determination to protect Murujuga Aboriginal heritage from industrial bullying. In spite of the 'gag' clauses imposed on them by the controversial 2003 Burrup Maitland Industrial Estate Agreement (BMIEA), Murujuga custodians organised a [highly successful rally in Karratha against Woodside's Scarborough project on 28 November](#).

But to start at the beginning: on 22/11 Woodside and its 'partner' BHP (which recently dumped its oil & gas interests onto Woodside shareholders) announced the Final Investment Decision for the Scarborough gas expansion, relying on financial backing from NAB and GIP (an American company which has built in a number of exit clauses in case Woodside doesn't get its necessary approvals).

And therein lies the rub – the Conservation Council of WA (CCWA) recently published a report on the Scarborough project entitled '[Incomplete and Uncertain](#)' which [warned investors of the uncertainty surrounding environmental approvals](#) for the Scarborough LNG project.

The report reveals that Woodside still has at least 8 major approvals outstanding – including NOPSEMA (Commonwealth waters), GHG abatement, pipeline construction through 440 km of protected marine habitats (disturbance of whale migratory routes, etc), impacts of increased gas processing on environment & heritage, impacts to fragile rock art... All carry significant uncertainty – and CCWA currently has 2 legal challenges in the WA Supreme Court against (1) environmental approvals which would allow billions of tons of CO2 pollution from Woodside's proposed Burrup Hub LNG expansion, and (2) Woodside/Pluto's lack of an updated Works Approval for Pluto Train 2. Both legal challenges are unlikely to be resolved in 2021, which will concern responsible investors and shareholders...

Maggie Wood, CCWA's new Executive Director, says:

“Less than a month after world leaders gathered in Glasgow to work towards driving down emissions across the globe, Woodside has signed off on Australia's most damaging fossil fuel proposal. The decision ... shows that Woodside and its partner BHP are deaf to the voices of millions of ordinary Australians who want to see an end to fossil fuels and to get Australia's emissions under control.” CCWA will continue to hold big polluters like Woodside to account.

Dan Gocher, Director of Climate & Environment at the Australian Centre for Corporate Responsibility, states that *“Woodside's failure to mention climate change or*

emissions in its 4-page media release announcing the project tells you everything you need to know about the company”.

Over the project’s 30-year lifetime, Scarborough gas produced through Pluto Train 2 is expected to produce 1.6 billion tonnes* of CO₂, which is equivalent to 4.5% of the world's annual emissions. Climate Council senior researcher Tim Baxter said: *“we saw a big drop in emissions last year because of COVID-19, but that will be completely cancelled out by Woodside’s climate-wrecking colossus”* He added that if this development is allowed to proceed, it will single-handedly reverse the reduction on global emissions that resulted from COVID-19.

Earlier in November, 350.org in collaboration with Greenpeace, the Australian Marine Conservation Society, CCWA and Market Forces ramped up a divestment campaign called ‘Say No To Scarborough Gas’ which has spread the message through the community, gaining support from local businesses and culminating in a public rally in Northbridge on 27 November, with a human chain spelling out the words ‘No More Gas’!

At the event, custodians of Murujuga living in Perth wished their relatives in Karratha well for their parallel rally taking place in Karratha against Woodside’s Scarborough expansion, claiming that, until just recently, their representative body Murujuga Aboriginal Corporation (MAC) had not informed them of the drastic consequences of this development on their fragile rock art heritage and global climate...

In a further sign of growing opposition to Woodside’s Scarborough LNG project, on 24 November a group called Scarborough Gas Action Alliance [blocked access to LNG facilities on the Burrup for twelve hours](#).

These events seem to have led to a situation within MAC whereby [their website is now quoting Woodside propoganda](#): ***“There is currently no scientific evidence that emissions are impacting rock art...*** This has caused much consternation among leading Murujuga custodians.

And yet there is strong evidence that the rock art is being degraded and under threat from acidic industrial emissions – a case that was again made strongly in a [2021 peer-reviewed paper by Prof Ben Smith, John Black and others](#).

Even WA’s Environmental Protection Authority (EPA) and the Commonwealth Dept of the Environment & Energy (DEE) say there is a risk of permanent and irreversible damage to the rock art from LNG processing emissions – what is happening at Murujuga is being described by many as ‘Juukan Caves in slow motion...’

On 3 December, international climate consultancy group Climate Analytics, which advises the German and other Governments on climate change, released modelling of projected CO₂ emissions from Woodside’s Scarborough LNG project which suggest the project will be a disaster in terms of meeting Australia’s commitment to net zero emissions by 2050.

So what does all this say to you? – is Woodside reminding Murujuga’s custodians and MAC that they have absolutely no power under the BMIEA agreement? – and is the WA government willing to sacrifice Indigenous cultural heritage to appease Woodside?

Mark McGowan even indicated this week that his government could legislate to get Woodside’s approvals through, regardless of legal challenges. Asked whether the state government would step in if the court makes an adverse finding for Woodside, Mr McGowan said [“we can't have scores of industries close down because of a court ruling, so the state government will do what it has to do to make sure industries stay open”](#). – Does that sound like democracy to you? – dangerous ethical waters...

And what about McGowan's earlier commitment to get Murujuga’s unique ancient rock art protected under World Heritage listing? How well will UNESCO judge his integrity?

On Tuesday 30 November, an [Open Letter to Premier Mark McGowan signed by many eminent Australians](#), expressing opposition to the current unsatisfactory Aboriginal Cultural Heritage Bill, was published in the *West Australian* – they present a compelling case that the Bill does not allow Aboriginal people to ensure heritage and site protection.

Actions you may take (and any others you can think of):

- Email both MAC ceo@murujuga.org.au and communications@murujuga.org.au and Woodside to state your concerns feedback@woodside.com.au
- Email Mark McGowan, pointing out that he cannot keep supporting big-donating industries at the cost of precious Aboriginal heritage. History will judge him badly, unless he has the courage to do the honourable thing now!!

Further reading:

- [1] [CCWA statement: Second Supreme Court challenge to Woodside’s Scarborough development](#)
- [2] [Woodside to ‘vigorously defend’ second WA Supreme Court challenge to \\$16b Scarborough project](#)
- [3] [“Arrogant” Woodside rushes ahead on massive gas hub](#)
- [4] [Woodside gas project to emit as much pollution as every car and motorbike on Australian roads](#)
- [5] [CCWA statement on first legal challenge](#)

In the meantime, FARA still awaits the outcome of our appeals against Yara’s new licences, Woodside’s numerous Scarborough proposals and Perdaman’s scandalous Urea plant proposal – kind WA government custom suggests that they might all be dropped into our lap on Xmas Eve!!?

But we’ll keep up the good work into 2022, confident that you are there to support us! Best wishes to all for a peaceful and productive slide into the New Year!

Yours sincerely,

Judith Hugo & Dr Marie Ferland, Co-convenors

Friends of Australian Rock Art

www.fara.com.au; j.hugo@fara.com.au

0439 090 321

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