



Aboriginal and Torres Strait Islander relations

**Respecting First Nations
peoples and communities**

APPEA 2022





About APPEA

The Australian Petroleum Production & Exploration Association (APPEA) is the national peak body representing Australia's upstream oil and gas explorers and producers. Its purpose is to be the effective voice of the oil and gas industry on the issues that matter, working collaboratively with industry, government, and the community to achieve shared goals.

APPEA members account for nearly all of Australia's petroleum production. APPEA also represents about 140 associate member companies that provide a wide range of goods and services to the upstream oil and gas industry.

APPEA is forward-looking and outcomes focused, aiming to raise awareness of the economic, environmental, and social benefits of the oil and gas industry across Australia.

Acknowledgement

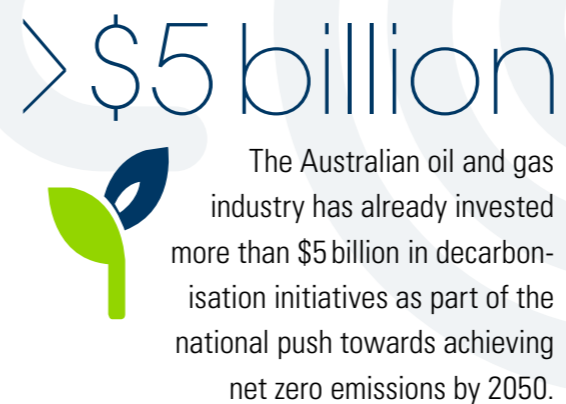
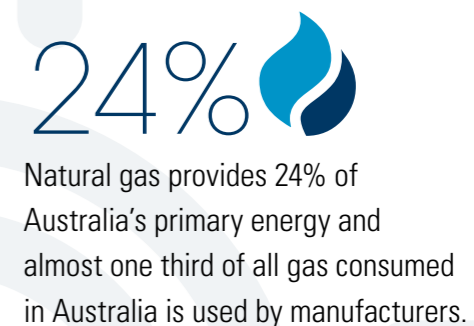
The Australian Petroleum Production & Exploration Association (APPEA) acknowledges the Traditional Custodians of Country throughout Australia and their knowledge in caring for land, sea, and community. We pay our respect to their Elders; past, present, and emerging.

Please note: The following report may contain images of deceased persons.

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Industry overview



Energy for a better Australia

Background

PHOTO: 'CARE ABOUT OUR IMPACT' COURTESY TONI DUGDALE, ORIGIN ENERGY

Government regulations that officially acknowledge and protect Aboriginal and Torres Strait Islander interests in matters of land management have existed since the introduction of the Keating Government's inaugural Native Title Act 1993.

The Act, introduced in January 1994, helped establish several codes of practice, including the introduction of the National Native Title Tribunal (NNTT). Legislation has continued to evolve since, becoming more sophisticated over time, and now includes several state and territorial documents.

The Native Title Act has also served to strengthen the relationship between Traditional Owners and oil and gas companies over the years, codifying appropriate rules, regulations and behaviours when securing land access for developments.

Australia's oil and gas community works closely with First Nations communities, with Land Councils, Native Title holders and other relevant bodies all actively involved with operators at every stage of the approvals process.

Oil and gas projects throughout Australia create socio-economic opportunities in First Nations communities, boost training and employment, and encourage regional growth.

Statement of commitment

Australia's oil and gas industry acknowledges and recognises Aboriginal and Torres Strait Islanders as the first peoples of Australia. We respect and honour the traditions and living cultures of First Nations peoples and commit to building a brighter future together.

Australia's oil and gas industry strives to partner with, and be trusted by, First Nations peoples and communities where we operate.

Building and maintaining mutually beneficial relationships with First Nations peoples means demonstrating our respect and commitment to traditional owners, and their communities, who hold deep connections to the lands and waters where we operate.

APPEA members have long-standing relationships with many First Nations communities, some dating back many decades. Our members engage and work in partnership with traditional owner groups and land councils on matters relating to Native Title, consent and cultural heritage management.

In addition, our members work to support economic opportunities including employment, training, education and enterprise opportunities. These include Aboriginal recruitment and job preparation programs to support skills development and long-term employment outcomes; education scholarships to encourage and assist Aboriginal and Torres Strait Islander students to progress to tertiary and vocational education and training; and engaging with First Nations businesses to support local enterprise growth.

This inaugural report, *APPEA Aboriginal and Torres Strait Islander Relations: Respecting First Nations Peoples and Communities*, provides a brief overview of support networks in place for Aboriginal and Torres Strait Islander people within the Australian oil and gas industry. It also elaborates on some of the work being done by Australian oil and gas producers to help build and foster strong relationships with First Nations communities and Traditional Owners.

United Nations Sustainable Development Goals

Australia's oil and gas industry is committed to the United Nations' Sustainable Development Goals (SDGs), including goals that apply to building and maintaining respect for First Nations peoples and communities. The primary SDGs relating to this include:



UN Sustainable Development Goal 10 (Reduced Inequalities)



UN Sustainable Development Goal 11 (Sustainable Cities and Communities)

Reconciliation action plans

This growing recognition of Native Title in Australia over the last two decades has led to the development of several initiatives in recognition of the self-determination of First Australians. Among these is the introduction of the Reconciliation Action Plan (RAP), a concept introduced in 2006.

RAPs were designed to celebrate the Traditional Owners of the land, the long and diverse history of First Nations cultures, and provide a tangible way for organisations to commit to sustainable, meaningful action to advance reconciliation.

Championed by non-profit organisation Reconciliation Australia—the nation’s peak body for Aboriginal and Torres Strait Islander reconciliation efforts and successor of the Council for Aboriginal Reconciliation (CAR)—RAPs are built around three core pillars: relationships, respect and opportunities.

RAPs are voluntarily entered into by stakeholders, providing businesses and institutions with a way to provide a more nuanced framework for First Nations relations that extends beyond base government requirements.

There are four distinct types of RAPs available to organisations, reflecting the various stages of a company’s reconciliation journey: reflect, innovate, stretch, and elevate.

Reconciliatory action in these RAPs is also divided into five key points: race relations, equality and equity, unity, institutional integrity, and historical acceptance. Companies are expected to maintain exacting standards as Reconciliation Australia members throughout all stages and can be removed for deficient performance.

Several APPEA member companies have Reconciliation Action Plans (RAPs) in place in association with Reconciliation Australia or engage with communities through initiatives such as youth training, fire abatement programs, carbon offsetting, sports sponsorships, scholarships, and more, several of which are covered elsewhere in this report.

APPEA members with RAPs in place at time of publication include Chevron Australia, Clough, ConocoPhillips, INPEX, Woodside Energy, Arrow Energy, Origin Energy, Valmec, and ANZ. Other members that have previously committed to or completed RAPs through Reconciliation Australia include Curtin University, KPMG and Shell.

Supply Nation

Not-for-profit organisation Supply Nation connects more than 3,700 verified First Nations businesses to around 600 members across every state and territory.

Supply Nation membership offers significant benefits both for members and First Nations-owned suppliers, creating opportunities for both parties. Several APPEA members are currently certified as Supply Nation members as well, ensuring continued growth for First Nations businesses.

APPEA members that are also members of Supply Nation include:

Arrow Energy • ANZ • Beach Energy • BP Australia • CareFlight • Chevron Australia • Clough • Curtin University • Deloitte • EY • ExxonMobil Australia • GHD • Halliburton Australia • Jemena • KPMG • MinterEllison • Origin Energy • PWC • Santos • Shell Australia • Toll • Ventia • Woodside Energy • Worley



Aboriginal and Torres Strait Islander procurement strategies

Indigenous Procurement Policies (IPP)—authored by the Australian Government and National Indigenous Australians Agency (NIAA)—provide a pathway for more First Australians to participate in the economy, stimulating entrepreneurship, business and economic development.

This includes the development of mandatory minimum requirements (MMRs), which are designed to increase the level of First Nations participation in the delivery of government contracts valued at more than \$7.5 million.

The Australian oil and gas industry has prescribed to MMRs for First Nations participation in these contracts since 1 July 2020.

MMRs require suppliers to achieve a minimum percentage of First Nations employment or supplier use (or a combination of both) on average over the term of the contract.

Suppliers, in consultation with the relevant purchasing Commonwealth entity, can elect to apply a target of 4 per cent First Nations employment or supplier use at the contract level, or a target of 3 per cent at the organisational level, with the terms of the MMR to be met directly or through subcontracts.



PHOTO: GOTOHYA COURTESY TONI DUGDALE, ORIGIN ENERGY

Employment and business

Case studies

The Australian oil and gas industry aims to deliver mutual and sustainable benefits in the communities in which we operate.

First Nations communities have a unique connection and knowledge of local land, waters and environment.

This connection is acknowledged and respected by the industry, which aims to create more local opportunities for First Nations businesses, rangers, students and workers for generations to come.

Building strong relationships with First Nations communities is paramount to the Australian oil and gas industry's continued legitimacy and success.

Here are a few recent case studies from Australia's oil and gas industry that serve to promote this message.

CASE STUDY

Woodside Energy: Warrgamugardi Yirdiyabura Program

The Ngarluma Yindjibarndi Foundation Limited (NYFL) operates in the Pilbara, the centre of Woodside's operations, and promotes the interests of the Ngarluma and Yindjibarndi people.

The foundation works with organisations to create economic and employment opportunities in the region. Woodside's partnership with NYFL through the North West Shelf Project supports the delivery of the Warrgamugardi Yirdiyabura (WY) Program.

The WY Program supplies training and education opportunities for people in Roebourne to gain accreditation in an area of their choice and provide a pathway to permanent employment.

Since its commencement in 1998, 155 participants have been supported through the program. 2021 saw 51 participants take part in the program.

CASE STUDY

INPEX: Solid Pathways

Solid Pathways, part of INPEX's second Stretch Reconciliation Action Plan (RAP) August 2019–July 2022, commits the company to increasing direct employment of Aboriginal and Torres Strait Islander peoples to 36 people, or 3 per cent of employees by the end of July 2022.

The Solid Pathways program is a key initiative to assist INPEX in achieving this commitment.

The program provides Aboriginal and Torres Strait Islander peoples with learning and developmental employment opportunities in the energy industry.

Program participants receive on-the-job support and external training for 12 to 18 months in preparation for potential long-term employment with INPEX Australia in Darwin, Perth and offshore.



CASE STUDY

BP Australia: BP+ Indigenous fuel card

In 2015, BP Australia developed a fuel card offer specifically for Aboriginal and Torres Strait Islander businesses.

In acknowledging the financial pressures often faced by small business and by simplifying the eligibility criteria, the fuel card provides Aboriginal and Torres Strait Islander businesses with greater access to fuel discounts, which in turn supports their commercial longevity and growth in a culturally respectful way.

CASE STUDY

Arrow Energy: Whanu Binal Indigenous Entrepreneur Program

In partnership with CQUniversity, Arrow is proud to deliver the Whanu Binal Indigenous Entrepreneur Program—an online learning experience that has been specifically designed to support First Nations business owners in the field of business and entrepreneurship.

Presented through a series of interactive, online modules and digital 'Yarning Circles', the program aims to provide participants with knowledge and tools to help further grow their business and develop economic opportunities for their communities.

Environment

PHOTO: OCEAN FROLIC FROM ABOVE EAGLE BAY. COURTESY MATTHEW BREWER/IMPEX

CASE STUDY

Woodside: Native tree planting with Greening Australia and Noongar rangers

Noongar people are the Traditional Custodians of Country in south-western Western Australia.

Woodside's partnership with Greening Australia has helped 20 Noongar Rangers complete a seed collection training program and graduate with a qualification in conservation and land management.

Funding for the Noongar Rangers comes from governments, corporates and non-government organisations (NGOs) to manage land.

The seed collection training program was established in 2019 in partnership with Greening Australia, an environmental enterprise, with the aim of providing opportunity for five Noongar Ranger groups with paid, on-the-job, seed collection work over a year.

The five were the Tjaltjraak, Tambellup, Nowanup, Ballardong and Ngoolark Rangers.

Many ranger groups, including those five, are exploring ways to

look after country sustainably by establishing business enterprises. The aim was to encourage capacity building of seed collection and land management practices within the Noongar community.

The training program model was co-designed by Greening Australia and the Noongar Ranger groups.

The on-country learning provides opportunity for rangers to work with senior cultural advisers and contribute to the already-rich cultural relationships rangers have with country and community.

CASE STUDY

Santos: West Arnhem Land Fire Abatement Program

Santos' Northern Territory savanna burning First Nations partnership project (WALFA) has been recognised by the United Nations as the best example in the world of First Nations communities working with business in the carbon market.

It was the world's first carbon project using fire management and one of Australia's biggest emissions offset programs, with more than two million tonnes of carbon emissions abated.

WALFA is a collaboration between the Santos-operated Darwin LNG, ALFA (NT) Limited, NT Government, Charles Darwin University, and the Bawinanga (Djelk), Warddeken, Mimal, Jawoyn and Adjumarllal ranger groups of Western Arnhem Land.

Funded by the Darwin LNG project, Aboriginal rangers practice traditional fire management with the aid of satellite fire-mapping and helicopters across 25,000 km².

CASE STUDY

ConocoPhillips: Indigenous Land and Sea Ranger Program

Through a public/private partnership with the Queensland Department of Environment and Science, ConocoPhillips Australia as Downstream Operator of Australia Pacific LNG, is supporting the Queensland Indigenous Land and Sea Ranger Program in Central Queensland. Through the program, Aboriginal and Torres Strait Islander Land and Sea Rangers deliver negotiated work plans that reflect Traditional Owner, local community, and Queensland Government priorities. Their activities include a wide range of conservation services including cultural burns, feral animal and pest plant control, soil conservation, cultural heritage site protection and biodiversity monitoring.

UNDERWATER CULTURAL HERITAGE (UCH) ACT

Respecting First Nations' cultural heritage doesn't just apply to the land, but at sea as well. Sea levels have risen by around 100 metres in Australia in the 65,000 year-period recognising First Nations history. This means that elements of First Australians' cultural heritage can be found under the surface in the modern day. This history is protected and recognised by the Underwater Cultural Heritage Act (UCH Act), which came into effect in 2018.

Community and education

CASE STUDY

Buru Energy: Environmental Cadets Program

Buru Energy has partnered with the Kimberley Training Institute (KTI) since 2013 on an environmental cadetship program for locals from the Noonkanbah and Yawuru communities in Western Australia.

The program focused on several environmental training areas including animal and plant surveys, restoration, fire abatement, and mapping and GPS. Cadets were also able to assist on the ground with rehabilitation monitoring, groundwater monitoring and surveying duties.

The program was also beneficial for Buru, which gained valuable knowledge of country to further its environmental studies in keeping with the company's emphasis on heritage clearance surveys and consultation with Traditional Owners.

CASE STUDY

Chevron Australia: Aboriginal Cadetship Program

Chevron Australia's Aboriginal Cadetship Program supports Aboriginal and Torres Strait Islander students to successfully complete their university degree and gain valuable work experience in a leading international liquefied natural gas business.

For each year of full time study, Cadets receive study and materials allowances and 12-weeks of paid summer vacation employment at Chevron's Australian head offices in Perth.

CASE STUDY

Santos: Aboriginal Power Cup

The Santos Aboriginal Power Cup is the longest running joint education and AFL community program for Aboriginal students in the Australian professional sports industry.

The program is delivered in partnership with the South Australian Aboriginal Secondary Training Academy (SAASTA) with direct alignment to the South Australian School Curriculum.

With a competitive football carnival held as its centrepiece, the program focuses on engaging young Aboriginal and Torres Strait Islander people in positive

lifestyle choices, personal identity, exercise, career, lifestyle and Aboriginal culture.

Delivered during Reconciliation Week, the carnival aligns with the AFL's Sir Doug Nicholls Round which sees the AFL community celebrate and recognise Aboriginal and Torres Strait Islander people and their contribution to Australian Football.

In 2022, the Power Cup engaged more than 500 students from 65 schools.

To be eligible to attend the carnival, students must meet the 80 per cent minimum school attendance requirement and rank highly in both the academic and behavioural components of the program.



PHOTO: ABORIGINAL POWER CUP COURTESY SANTOS

Community and education

CASE STUDY

ExxonMobil: Kura Yerlo partnership

In 2020, ExxonMobil partnered with Port Adelaide-based, not-for-profit community organisation Kura Yerlo, which operates an Aboriginal Men's Group in the region.

The members of the group—part of the larger Australian Men's Shed Association which ExxonMobil has also supported in recent years—include Aboriginal and Torres Strait Islander Elders who hand down cultural knowledge to young Aboriginal and Torres Strait Islander men with low to moderate disability.

This, among other activities, helps keep Aboriginal practices of artefact making and storytelling alive and well, promotes reconciliation, fosters community connections, and promotes the health and wellbeing of the group's members.

ExxonMobil's contribution enabled Kura Yerlo to purchase a new band saw for the group's woodworking activities, which focuses on the manufacture of cultural artefacts, particularly slicing wood for making boomerangs.

CASE STUDY

INPEX: Larrakia Ichthys LNG Foundation Trust

The purpose of the Larrakia Ichthys LNG Foundation Trust (LIFT) is to provide a benefit to the Larrakia people over the 40 years of the INPEX Ichthys LNG operations.

The LIFT has been set up within a Trust structure to support governance of the funds and ensure the funds are distributed for the sole benefit of the Larrakia people. Key initial focus areas of the Trust include the provision of education opportunities and support for Elders.

The development of the LIFT has occurred in consultation with the INPEX Larrakia Advisory Committee (Committee)—which includes representation from both the Larrakia Development Corporation (LDC) and Larrakia Nation Aboriginal Corporation (LNAC). The Committee is the body that assesses submissions to the Trust and approves the programs to be funded.

Further information

National Indigenous Australians Agency (NIAA):
Indigenous Procurement Policy

INPEX: Aboriginal affairs

Santos: Indigenous partnerships

Reconciliation Action Plans

Supply Nation

Arrow Energy: Indigenous Relations

Arrow Energy and CQUniversity: Whanu Binal
Whanu Binal Indigenous Entrepreneur Program

BP Australia: Indigenous Fuel Cards

Woodside Energy: Creating Opportunities

Woodside Energy: Understanding the
Submerged Cultural Landscape

ConocoPhillips Australia: Community Investment

ExxonMobil Australia: Kura Yerlo partnership

Santos: Aboriginal Power Cup 15th anniversary

PHOTO: COAL SEAM PARK IRWIN RIVER, COURTESY SIBEDG, XIANE WATSON/EPF



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