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The Burrup Gets Burked

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While I lived in Italy in the late 1980s, the great boil of post war political corruption swelled to gigantic proportions before finally being lanced in the great explosion of pus known as the *Mani Pulite* (or 'Clean Hands') investigation. Lately, Western Australia has become increasingly reminiscent of that period with recent Corruption and Crime Commission (CCC) hearings providing an eerie sense of deja vu (albeit with a touch of Les Patterson).

The hearings have graphically illustrated how perversion of public policy in WA has walked hand in hand with the destruction of the State's natural and cultural heritage assets. In the Pilbara's Abydos/Woodstock region, demoted former Indigenous Affairs Minister, Sheila McHale, last year lifted heritage protection over an area packed with rock art to allow the construction of a railway line by Julian Grill's client FMG Resources. It is clear from recent CCC evidence that McHale had already been directed by Premier Alan Carpenter to overrule the expected decision of her own Aboriginal advisory committee (the ACMC), a month *before* the committee had even received heritage documentation for the site.[1]

However, the most striking example of the Carpenter Government's abject failure to protect the State's unique cultural heritage is the Pluto gas project, under which oil and gas giant Woodside proposes to build a Liquefied Natural Gas (LNG) plant in the heart of the Pilbara's Burrup Peninsula. The oldest and largest outdoor rock art site in the world, the Burrup is the only Australian site on the World Monument Fund's list of 100 most threatened sites in the world. It contains perhaps half a million rock engravings spanning a period from perhaps 30,000 years ago until recently – making it far older than Stonehenge or the pyramids. The Burrup's extraordinary record of human cultural history in stone contains what may be the oldest known representations of the human face, and images of animals such as the thylacine which have been extinct in the area for 6000 years.

Burrup Peninsula 'archaic face': the site may contain the earliest representations of the human face in the world. [Photo: Robin Chapple]

Former WA Liberal Opposition Leader and Minister for Resources and Industry, Colin Barnett, believes the Burrup is the biggest heritage issue Western Australia and Australia have ever faced; 'the fact it was not debated in State Parliament is shameful.' Whilst professing amazement at the ALP's lack of interest, Barnett also admits to sadness at the similar lack of interest in his own Party.

Apart from Carmen Lawrence, Colin Barnett, NSW Federal Independent Peter Andren and the Greens, almost no other Federal or State politicians have so far had the courage to speak out. International awareness of the

Burrup issue is, however, increasing rapidly, and a series of global 'Stand Up for the Burrup' actions have already happened in Rio de Janeiro, Paris, Germany, Spain and Italy, with more planned in London, New York, San Francisco and Mongolia.[2]

Woodside began its most recent assault on Burrup rock art in Pluto Area A in January 2007, following approval by former Minister McHale, and the rejection by former Federal Environment Minister Ian Campbell of an emergency application by Carmen Lawrence, Peter Andren and Greens Senator Rachel Siewert, for the entire Burrup Peninsula to be heritage listed.

The important Pluto project could go ahead in low risk areas such as Onslow or the existing Burrup joint venturer site.[3] Although WA Indigenous Affairs Minister Michelle Roberts approved Woodside's clearance of further rock art in Pluto Area B on 28 February, on the grounds that there were 'no commercially-viable alternative sites,' she has yet to substantiate this claim by producing estimated costs for the other sites.

But Woodside is determined to go for the cheapest option available and, as in the Abydos/Woodstock case, it is mining companies that are calling the shots inside the WA Government through their proxy – the WA Department of Industry and Resources (DOIR). As with Tasmania's Hydroelectric Commission at the height of the 1983 Franklin Dam dispute, the State's real political engine room is located within a monolithic bureaucracy whose fanatical dedication to development at any cost risks causing immeasurable damage to WA's cultural heritage and international reputation.

Thylacines have been extinct in the Pilbara for 6000 years
[Photo: Robin Chapple]

DOIR's former Minister, John Bowler, was sacked from State Cabinet and expelled from the ALP on 27 February following CCC revelations of Brian Burke and Julian Grill's apparent influence over his ministerial decisions, including the Abydos/Woodstock affair.

There is not the merest shred of evidence to suggest that Woodside, and its directors, are corrupt in the narrower legal sense. While tinpot WA mining outfits such as FMG Resources typically employ characters such as Burke and Grill to ensure they can build railways through heritage-protected sites, higher up the corporate food chain, companies such as Woodside keep their lobbying in-house by simply hiring former politicians and bureaucrats.

Woodside recruited the Department of Indigenous Affairs' former Registrar of Aboriginal Sites Warren Fish to head its cultural heritage management section; while former ALP national secretary Gary Gray was Woodside's head of corporate services until resigning in January to contest Kim Beazley's seat of Brand at the next Federal election. By parachuting Gray into a safe Labor seat, the ALP National Executive has also ensured Woodside have good parliamentary access at the Federal level, without the blowback of the Burke effect.

On 22 February, Ian Campbell's successor in Canberra, Malcolm Turnbull, apparently washed his hands of the Burrup issue by postponing the question of heritage listing for a further six months. On receiving this prearranged signal, Indigenous Affairs Minister Roberts then overruled her ACMC committee's unanimous rejection of Woodside's proposal to clear rock art in Pluto Area B – effectively giving the green light for the company to recommence its assault.

But the actual LNG plant on the Burrup has still not even passed EPA approval, and Woodside's board will not make a final decision to commit funds to the project until June. In other words, the company is clearing world heritage rock art for a plant which may never actually be built. Woodside apparently hopes that it can cure its greatest political headache by removing the rock art itself, thus weakening opposition to the LNG plant and stiffening the courage of nervous investors.[4]

Woodside's share price has declined by 12.5 per cent since September 2006, despite an ASX200 rise of 14.5 per cent over the same period. One energy industry veteran speculates the company's flagging share price may reflect investor disquiet over risks inherent in Woodside's ambitious expansion program:

> The company's good revenue and profit returns in 2005 and 2006 reflected the high oil prices over that period, which are now falling. Long term debt has grown by over 500 per cent since 2004; production has been revised downwards twice in the last nine months; unreliability plagues existing operations; and cost blow outs on joint venture projects point to an uncertain control over the Pluto project. Scarcity of human and material resources will continue to increase costs and the risks of delivering projects on time. Although Pluto will cost somewhere between $6 and $10 billion, the Woodside Board has, so far, only approved $1.4 billion for the total project. This, coupled with a yet to be concluded agreement on the sale of Pluto gas leaves investors with a somewhat precarious outlook.

Colin Barnett argues that Pluto may also be vulnerable to litigation because it is not covered by the standard WA State Agreement Act. All major WA industry projects (except Pluto) are subject to such agreements and it is

unheard of, says Barnett, for a project of Pluto's size, cost, contentious nature and major heritage implications not to be covered by an SAA: 'Woodside have failed to obtain the solid parliamentary support which they need, and if challenged in court, there could be problems.'

The company's greatest fear is a Supreme Court injunction against Pluto and, in fact, it is believed that at least two Burrup Aboriginal groups are currently preparing such a challenge.

Despite the fact that, so far, he has done nothing to save the Burrup's rock art, Premier Carpenter is widely respected in Burrup campaign circles. As one veteran campaigner commented: 'Alan Carpenter's been doing a pretty good job cleaning up the WA ALP, and once he's finished doing that, he can move on to the Burrup.' However, patience with him and his Government is fast waning, particularly after CCC revelations of his part in the Abydos/Woodstock affair.

International art critic Robert Hughes – whose niece is married to Malcolm Turnbull – once summed up WA in the following terms: 'civilization is to Western Australia as justice is to its legal system.' Woodside, the WA Government and its bureaucracy bear living testimony to the truth of this cantankerous observation.

Turnbull's recent visit to the Burrup Peninsula may suggest Australia's most celebrated art critic has already been advising him of the Burrup's significance to human cultural history. If so, then he is now in an excellent position to steal a march on his sluggardly opponents, in both the National and WA ALP, and to highlight the obvious fact that the WA Government and its bureaucracy have not only failed on the Burrup issue, but on Aboriginal cultural heritage protection generally.[5]

1. Bowler CCC deposition, 26 Feb 2006 pm at www.ccc.wa.gov.au/files/transcripts26M02SU.pdf

2. See www.standupfortheburrup.com

3. http://dampierrockart.net/Media/ 2007-02-19 FARA open letter to Turnbull.pdf.

4. For images of the January 2007 'removals', see: http://mc2.vicnet.net.au/home/dampier/web/vandal.html

5. For further critical analysis of WA's deficient Aboriginal heritage protection processes, see David Ritter, 'Trashing Heritage: Dilemmas of Rights and Power in the Operation of Western Australia's Heritage Legislation' in C. Choo and S. Hollbach (eds), *Studies in Western Australian History*, 23, 2003, 195-209 & Phillip Moore 'Anthropological practice and Aboriginal heritage (a case study from WA)' in S. Toussaint. & J. Taylor (eds) *Applied Anthropology in Australasia*, UWA Nedlands, 1999: 229-54.

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