

**Title: Federal Court to travel to Tiwi Islands for on-Country evidence in legal challenge to drilling approval for Santos' Barossa Gas Project**

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In a historic hearing, the Federal Court has decided to travel to the Tiwi Islands on Monday 22nd August to take on-Country evidence from Traditional Owners in a legal battle over the approval of gas drilling for Santos' Barossa Gas Project.

The Court will travel to Pitjamarra on Melville Island to hear from witnesses who, in a momentous occasion for both the Tiwi people and legal proceedings challenging fossil fuel projects, will give evidence on Country, in accordance with cultural protocol, including in the form of song and dance.

Tiwi Senior Lawman, Dennis Tipakalippa, is suing NOPSEMA, the federal offshore gas regulator, over the approval of Santos' plans to drill the Barossa gas field. It is the first time on-Country evidence will be heard in a judicial review challenge to the approval for an offshore fossil fuel project. It's also the first case in Australia brought by First Nations peoples challenging an offshore project approval over lack of consultation.

The Court's recognition that it is appropriate for Mr Dennis Tipakalippa to give cultural evidence on Country, on the very coastline closest to the drilling site, comes as a huge relief to both Mr Tipakalippa and his community, the Munupi, who have been fighting long and hard for their voices to be heard in relation to the gas project.

Mr Dennis Tippakalippa lost an injunction application last month to prevent the commencement of drilling until after his case is heard. Santos is now drilling up to eight wells in Tiwi sea Country despite ongoing opposition from Tiwi people and Mr Tipakalippa's legal challenge still being before the Federal Court.

After the on-Country hearing, the Federal Court will relocate to Darwin, where from the 23rd to the 26th of August, the remainder of the proceedings will take place. Mr Tipakalippa is being represented by the Environmental Defenders Office.

A solidarity action with Tiwi people will take place on Wednesday the 24th of August, and will see members of the Darwin community, Tiwi Elders, as well as Federal and local MPs, gather in front of Parliament house. Speakers will be available for media comment.

**Plaintiff, and Tiwi Elder Dennis Tipakalippa says:**

"Santos should have respected us and consulted in the proper way. They think they can just go ahead with drilling our sea Country without even talking to us. It feels like a big backstab. Enough is enough.

We spend a lot of time out in the water – hunting, fishing. We only ever take what we can eat in a day, no more. We respect our homelands, our sea Country and it looks after us."

**Jason Fowler, energy campaigner at the Environment Centre NT says:**

"The case being brought by Tiwi Traditional Owner Dennis 'Murphy' Tipakalippa is of immense historical, cultural, and environmental significance. The on-Country hearing will provide a way for Mr Tipakalippa and other Munupi witnesses to communicate the cultural and spiritual impacts that will be caused by Santos' fossil fuel project if it continues."

**Alina Leikin, Special Counsel for the Environmental Defenders Office said:**

"Mr Tipakalippa will argue that Santos failed to provide him, and his community, with the opportunity to have a say about this drilling, despite the stakes for their culture and way of life. The decision of the Federal Court to hear evidence on the Tiwi Islands in this case means a great deal to the Munupi community. The Munupi witnesses will be able to tell their story on their own terms, including in the form of song and dance. "

ENDS

**Pictures available for use here (credit: Rebecca Parker)**

**Previous release about the court case [here](#).**

**Background to the case and Barossa gas project [here](#).**

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