



Nurrdalinji Native Title Aboriginal Corporation

ABN: 32 608 508 769

ICN: 9392

Submission on Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023

6 July 2023

Objective of Bill

The bill seeks to amend the Environment Protection (Sea Dumping) Act 1981 (Sea Dumping Act) to give effect to Australia's international obligations arising out of the 2009 and 2013 amendments to the [London Protocol](#). The Sea Dumping Act regulates activities such as the loading and dumping of waste at sea. The proposed amendments to the Sea Dumping Act would enable the granting of permits for the export of carbon dioxide streams from carbon dioxide capture processes for the purpose of sequestration into a sub-seabed geological formation, and allow for the placement of wastes or other matter for a marine geoengineering activity for scientific research.

Inquiry

On 22 June 2023, the Senate referred the provisions of the Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023 to the Environment and Communications Legislation Committee for inquiry and report by 27 July 2023.

Introduction: About Nurrdalinji Native Title Aboriginal Corporation

The Nurrdalinji Native Title Aboriginal Corporation (Nurrdalinji) was incorporated in 2020 and is made up of over 60 native title holders from 11 native title determination areas throughout the Beetaloo Basin.¹

Nurrdalinji was registered with the Office of the Registrar of Indigenous Corporations on 9 October 2020, following an historic meeting of native title holders from throughout the Beetaloo Basin at Daly Waters.

The name "Nurrdalinji" means "mixed tribe" in Alawa language, reflecting members' diversity and unity.

¹ Nurrdalinji's members include native title holders from 11 native title determinations areas across the Beetaloo Basin: Amungee Mungee, Beetaloo, Hayfield, Kalala, Newcastle Waters - Murranji, Nutwood Downs, Shenandoah, Tandyidgee, Tanumbirini, Daly Waters Township, Ucharonidge.

Nurrdalindi's purpose is to support members to be consulted about what happens on their country. It seeks to enable its members to be heard and to determine their future aspirations for their country.

Concerns about fracking expansion in the Beetaloo Basin

We do not support this Bill to help the global trade of CCS because we see it as an underhand industry that gas companies will try use to justify fracking our country, putting at risk water, culture and country,

We know that companies operating in the Beetaloo Basin, such as the key player Tamboran Resources, are looking to Carbon Capture and Storage (CCS) in order to make their projects appear to be clean and acceptable to the public.

But we hold big fears about gas projects on our country.

When gas exploration agreements were signed across communities in the Beetaloo region over a decade ago, decisions about what happens on our country were not made in the proper way, with the right people, based on recognised traditional decision-making processes.

Our members point to poor quality information made available about the impacts and risks of fracking and believe this compromised the ability to make informed decisions before signing these agreements. Indeed, at that time the technology around fracking, and its impacts, were themselves poorly understood.

Some people who were originally consulted are now very old and did not receive any information in their own language or with reasonable access to advice and support about the nature and risks of the exploration proposals and agreements.

Many Nurrdalindi members still say they do not have enough information about fracking plans on country and its potential impacts to make informed decisions. The impacts on our culture, songlines and sacred sites have not been properly assessed.

There is a lack of transparency in relation to the exploration agreements and limited detail provided about what is planned for the Beetaloo and the scale of development. People are also concerned about the divisions fracking is causing within families and communities.

Since exploration agreements were signed the scale of production envisaged is way beyond that originally imagined.

Why we do not support this Bill

There are many reasons why we do not support this amending Bill. In short:

- **We worry about how this Bill, and resulting CCS projects and the new industry it may support of importing and exporting CO₂ across the world, will help to enable fracking on our country which the majority of Traditional Owners in the Beetaloo Basin do not support.** We are concerned that fracking in the Beetaloo

will damage our country, water, sacred sites and songlines which are passed down for us to look after. We want gas companies to properly consult with us about their fracking plans and for us to have the final say on whether they go ahead, but this is not happening in the rush to production. We do not want governments to be backing gas industry projects like CCS which are just an attempt to cover up pollution.

- **We understand that CCS is expensive, not proven, and not up to the job of dealing with all the pollution from gas projects, including the fracking of our country.** Already the Territory is getting hotter and hotter. We can't afford to burn more gas which will make it worse and CCS will not solve this problem. Gas is not what is needed anymore. The Federal and NT governments claim they are on a path to net zero. They should stop doing favours for gas companies in supporting industries like this, when the companies will put our country at risk. The world is turning towards powering energy with the sun. This is what we need to do. We want the Federal and NT governments to be promoting renewable energy, not gas, so we can ensure our communities are powered by the sun which is cheap, safe and plentiful.
- **We worry that CCS is just one of the many underhand ways gas companies are trying to make their projects more acceptable.** We know Tamboran, which has a proposal for a LNG processing and export hub at Middle Arm in Darwin, would like to take advantage of these amended laws and use facilities set up as a result. They want to look like they are committed to managing their pollution. But it is just greenwashing and they want to shift responsibility elsewhere. Tamboran is doing a similar exercise in greenwashing right now, recently announcing it will [power NT industry, mining and remote Aboriginal communities with LNG](#) which it claims is cleaner and more affordable than diesel. It is trying to have people think it will turn exploration gas into LNG and power our communities with gas instead of diesel. It is shameful that this company is characterising this proposal as a positive, green development. In reality this is not technically feasible, creates many risks and is just a fig leaf for their bigger plans to profit from our country, without our consent, just like they are trying to hide their pollution with CCS.

Our recommendation is that this Bill be withdrawn from Federal Parliament. Setting up a new CCS industry for Australia is a backward step. It will only serve to support the mining of our country which we do not want because it will put at risk our land, water and culture which is ours and that of future generations to come.