



The Wilderness Society's Submission: Middle Arm Industrial Precinct

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Committee Secretary
Senate Standing Committees on Environment and Communications
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Canberra ACT 2600

About the Wilderness Society

The Wilderness Society is an independent, community-based, not-for-profit environmental advocacy organisation. Our vision is to transform Australia into a society that protects, respects and connects with the natural world that sustains us. We are committed to protecting, promoting and restoring wilderness across the continent for the survival and ongoing evolution of life on Earth. From community activism to national campaigns, we seek to give nature a voice to support the life that supports us all. We are powered by more than 150,000 supporters and we represent tens of thousands of supporters who want to see an end to deforestation across Queensland and continentally.

Opposition to Middle Arm Industrial Precinct

The Wilderness Society welcomes the opportunity to comment on the Middle Arm Gas processing and export facility in Darwin Harbour. TWS holds a firm and unequivocal opposition to this project on the grounds that it poses a significant climate risk and a severe risk to globally unique biodiversity. The proposal, which ignores the rights of Traditional Owners and custodians, will pave the way for aggressive gas expansion including fracking, and has received substantial federal funding through an opaque decision-making process that has lacked transparency. These impacts will pose an unacceptable risk to the climate and to the nature of the Northern Territory, as one of the largest living cultural landscapes on the planet.



At a time when decisions must be made in the public interest to safeguard against further climate catastrophe, it is inexplicable that this facility's location and proposed industries have been subject to zero public comment, or engagement with the Larrakia nation, before it was announced and federal funding was secured. The need to transition away from fossil fuels in favour of renewable energy, in addition to safeguarding Australia's extraordinary biodiversity, and respecting First Nations rights and aspirations, is paramount. Moreover, the Wilderness Society holds concerns regarding the allocation of an inexplicable \$1.94 billion in public funds by the Albanese Government. The NT's pressing need for regulatory reform to protect its cultural and environmental values underscores the urgency of this matter.

Key Arguments

Negative impacts on Climate and Biodiversity

The Middle Arm Gas Processing and Export Facility, like all onshore gas projects, poses a severe and immediate climate risk. Climate change is no longer a distant threat but a present-day crisis. We are already witnessing the devastating impacts of a warming planet, including more frequent and severe extreme weather events. This proposal runs counter to Australia's international commitments to reduce greenhouse gas emissions, and it is crucial that we prioritise renewable energy sources to mitigate these critical risks and secure a habitable planet for future generations.

The emissions associated with the production and transportation of fossil fuels from the facility contribute to the ongoing problem of climate change. These emissions exacerbate the challenges we face, including extreme weather events, sea-level rise, ocean acidification, and other climate-related impacts, further jeopardising not only the ecosystems within Darwin Harbour but also the broader global environment.

The facility also poses an unacceptable threat to the unique biodiversity of the region. Australia is globally renowned for its remarkable and uniquely diverse biodiversity, which includes the exceptional ecosystems of Darwin Harbour. These natural treasures are not merely valuable; they are irreplaceable, representing the result of millions of years of evolution and adaptation. Protecting them is not a matter of choice; it is a moral imperative that transcends borders and speaks to our duty to safeguard the planet's natural heritage. The Middle Arm Industrial Precinct places this precious biodiversity at grave risk.

The potential harm extends beyond greenhouse gas emissions and includes often underestimated life cycle emissions, as well as disruptive practices such as flaring, and fugitive emissions. The disruption of ecosystems and the intentional release of excess gas into the atmosphere during flaring endanger the delicate balance of life within these ecosystems and, by extension, disrupt the broader global biodiversity network.

This proposal also poses significant threats to these ecosystems through habitat destruction, pollution of air and water, noise pollution, and disruption of migratory patterns for various species. These disturbances can have cascading effects, leading to population declines and, in some cases, the extinction of certain species.



Misallocation of Public Funds and Lack of Transparency

The allocation of \$1.94 billion in public funds by the Albanese government for this facility is not just a misallocation; it's a gross betrayal of the public trust. The murkiness of the process leading to this decision is revealed by the fact that the government has not obtained the free, prior, and informed consent of the Larrakia Traditional Owners for the project. The foundation of a just and equitable society is rooted in respecting the rights and voices of Indigenous communities. In this case, those rights and voices have been disregarded.

These funds, instead of being channelled into a project with such significant environmental and cultural implications, could be better invested in renewable energy infrastructure, job creation, and initiatives that lead to a sustainable future. We have an obligation to our environment and future generations to prioritise clean energy solutions over those that enable the expansion of dirty and unsustainable practices. Public money should be a force for good, working in harmony with the principles of environmental stewardship and social responsibility.

Given the complex and multifaceted concerns surrounding this proposal, it is imperative to establish a thorough public inquiry under the Environmental Protection and Biodiversity Conservation (EPBC) Act. This inquiry will ensure that the full spectrum of environmental, cultural, legal, and ethical dimensions are comprehensively examined. Australia's national nature laws, particularly the (EPBC) Act, should serve as robust mechanisms for safeguarding our precious natural heritage. The public deserves transparency in understanding the decision-making process that led to Middle Arm Industrial Facility's approval.

Community Consultation and First Nations Rights

The absence of genuine consultation with communities and the failure to obtain free, prior and informed consent from Traditional Custodians is evidence of integrity lapses and questionable decision making regarding this proposal. Free, prior, and informed consent is a globally endorsed standard for Indigenous lands and resources. In this case, the Larrakia Traditional Owners have unique internationally-recognized rights that should be enshrined in Australian law and practice, as set out by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and other UN agreements.

UNDRIP codified a universal framework of minimum standards for the survival, dignity, and well-being of the First Nations peoples of the world—a declaration that Australia endorsed in 2009 but is yet to implement. Over thousands of generations, hundreds of culturally diverse First Nations communities have lived on this continent we call Australia, living as one with cultural landscapes and applying sustainable management and cultural practices. First Nations communities continue to remain strongly connected with their living culture, despite legal and political systems continuing to deny and disrespect their cultural authority and human rights.

The destruction of Juukan Gorge sacred sites highlights the systematic failure to embed Indigenous rights, as listed in the UNDRIP, in relevant Commonwealth, State, and Territory laws and practice. Indigenous rights, including the right to give or withhold free, prior, and informed consent, need to be embedded in the laws and practices of all jurisdictions of Australian governments, corporations, and organisations.



It is imperative that governments and project proponents respect the environmental community rights of local communities, including First Nations groups. These rights establish a right for all affected people to have a fair say in decision-making that affects them. Practically, this means, among other things, engagement with communities early and often regarding proposed developments, from the exploration stage onwards. One international declaration establishing these rights is the Rio Declaration on Environmental and Development, to which Australia is a signatory. Principle 10 of the Rio Declaration establishes inalienable community rights that should be embedded in law and practice:

- 1) **The right to know**—to access the information that authorities hold.
- 2) **The right to participate**—to have a genuine say in decision-making.
- 3) **The right to challenge**—to seek legal remedy if decisions are made illegally or not in the public interest.

Implications for Gas Expansion and Fracking

The approval of the Middle Arm Industrial Facility establishes a concerning precedent in the realm of energy development, particularly concerning gas expansion and fracking. One of the primary concerns surrounding the Middle Arm facility's approval is the potential environmental devastation.

The Beetaloo Basin, known for its unique ecosystems and biodiversity, could face severe disruption due to gas extraction and fracking activities. The proposed gas precinct would lead to the release of an extremely large amount of greenhouse gas emissions. This development over the next decade is estimated to generate emissions equivalent to 2-3% of Australia's 2021 emissions, the equivalent of adding 6 to 8 million new cars to Australia's roads.¹

The NT government's estimation of gas reserves has proven to be significantly underestimated. According to CSIRO GISERA data, the emission factor for shale gas input into an LNG plant in Darwin was initially calculated to be 0.54 tCO₂e per ton of LNG. However, analysis suggests that the actual emission intensity for upstream emissions is more likely to be around 0.97 tCO₂e per ton of LNG.²

The clearing of land, the release of pollutants into the air and soil, coupled with the disruption of natural hydrological systems, can and will lead to long-lasting ecological harm. Fracking involves injecting large volumes of water, sand, and chemicals deep underground to release natural gas from rock formations. This practice poses a significant risk of contaminating groundwater and surface water sources. Toxic chemicals used in fracking can leach into aquifers, which are vital sources of clean drinking water. The approval of the Middle Arm Precinct raises concerns about the potential poisoning of water sources that communities and ecosystems rely on.

ENDS

¹ Climate Analytics (2023). *Unpacking CSIRO GISERA Beetaloo fossil gas emission estimates*. Retrieved from https://climateanalytics.org/media/emissions_impossible.pdf

² *ibid*