



Committee Secretary
Senate Standing Committee on Environment and Communications
Inquiry into Oil and Gas Exploration and Production in the Beetaloo Basin
PO Box 6100
House of Representatives Parliament House
CANBERRA ACT 2600

By email to: ec.sen@aph.gov.au

17 February 2023

Dear Committee Secretary,

We refer to previous submissions and oral evidence provided by the Environment Centre NT (**ECNT**) to the Senate Committee on Environment and Communications' Inquiry into Oil and Gas Exploration and Production in the Beetaloo Basin (**Senate Inquiry**).

In particular, we refer to ECNT's submission, consistent with recommendation 7.3 of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory (**Pepper Inquiry**), that the Committee should recommend that the *Environment Protection and Biodiversity Conservation Act 1999* be amended to apply the "water trigger" to onshore shale gas development.

We wish to provide additional evidence to the Committee relevant to the above matter.

The Pepper Inquiry recommended that a water allocation plan must be developed by the Northern Territory Government for the Beetaloo Basin that "restricts the consumptive use to less than that which can be sustainably extracted without having adverse impacts on other users and the environment". (Recommendation 7.7)

In November 2022, the Northern Territory Government released a draft water allocation plan for public consultation, in part to meet this recommendation (**the draft Georgina-Wiso Water Allocation Plan**). This plan has not yet been declared by the Minister responsible for the *Water Act (NT)*.

If declared, ECNT submits that this water allocation plan would pose unacceptable risks to environmental and cultural values associated with the Cambrian Limestone Aquifer. We **attach** a report commissioned by ECNT by Professor Matthew Currell and Dr Christopher Ndehedehe to synthesise available scientific research regarding the hydrogeology of the Cambrian Limestone Aquifer, and identify risks to key environmental and cultural dependencies/values of the aquifer from proposed water management, including the draft Georgina-Wiso Water Allocation Plan. The serious risks to environmental and cultural values identified in the report include:



- (a) reduced flows of groundwater to the Roper River, Mataranka Thermal Pools and other streams, springs and wetlands of the region, which could lead to "complete loss of springs" and "incalculable loss and damage to the cultural values associated with both specific sites and the health of country";
- (b) stygofauna may lose their habitat;
- (c) interference to existing water users and water supplies in the region, including for pastoral/stock water supply;
- (d) land subsidence and compaction of the aquifer;
- (e) degradation of water quality.

Further, we submit that the draft Georgina-Wiso Water Allocation Plan represents a significant departure from the previous practice of the Northern Territory with respect to water planning, and the Intergovernmental Agreement on a National Water Initiative (**NWI**). It has not been developed in consultation with relevant stakeholders and the community on the basis of best scientific and socio-economic assessment as is required by the NWI (Schedule B(i)) of the NWI.¹ It contains no environmental or cultural objectives, nor does it ascertain the limits of acceptable change to those values. It provides no information about how secure ecological outcomes and resource security for users will be maintained or achieved. No water advisory committee has been appointed by the Minister which would enable stakeholder input into the development of the plan. Nor has scientific or socio-economic assessment as been made available to stakeholders or to the public, including studies completed as part of the Strategic Regional Environmental Baseline Assessment undertaken by the Northern Territory Government. The approach taken represents a serious and unacceptable regression in water planning by the Northern Territory Government.

We **attach** a letter to the Northern Territory Chief Minister from 18 academics from around Australia highlighting the risks of proceeding to declare the Georgina-Wiso Water Allocation Plan, including on the basis that the Northern Territory's water management does not comply with the NWI. It criticises the draft plan as "particularly regressive".

This material indicates that an expanded water trigger may be of little utility if the Northern Territory Government proceeds to declare the Georgina-Wiso Water Allocation Plan, or other water allocation plans that are non-compliant with the NWI. The draft Georgina-Wiso Plan poses a significant risk to environmental and cultural values of the Northern Territory, including the iconic Roper and Daly Rivers, and Mataranka Thermal Pools. Further, it is clear that the draft Georgina-Wiso Water Allocation Plan does not comply with recommendation 7.7 of the Pepper Inquiry. Additional safeguards are required to protect Northern Territory water resources from fracking.

Accordingly, we submit that the Committee should make the following recommendations:

¹ The NWI states that water plans should be "developed in consultation with all relevant stakeholders on the basis of best scientific and socio-economic assessment, to provide secure ecological outcomes and resource security for users."



The Committee recommends that the Australian Government amend the Environment Protection and Biodiversity Conservation Act 1999 to apply the “water trigger” to onshore shale gas developments.

The Committee recommends that the Australian Government and the Northern Territory Government do not grant any approvals for fracking until the water trigger amendments have been enacted.

The Committee recommends that the Australian Government commission an independent expert assessment of water management and planning by the NT Government for compliance with the Intergovernmental Agreement on the National Water Initiative.

The Committee recommends that the Australian Government and the Northern Territory Government do not grant any approvals for fracking until an independent expert or body ascertains that water allocation plans applicable to the Beetaloo Basin are compliant with the Intergovernmental Agreement on a National Water Initiative.

Yours sincerely,



Kirsty Howey
Executive Director
Environment Centre NT