



NurrDALINJI Native Title Aboriginal Corporation

ABN: 32 608 508 769

ICN: 9392

Senate Economics Legislation Committee

Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024 [Provisions]

Submission from NurrDALINJI Native Title Aboriginal Corporation -

by email: economics.sen@aph.gov.au

INTRODUCTION

Who are we?

Nurrdalinji Native Title Aboriginal Corporation (Nurrdalinji) was established by native title holders of the Beetaloo Sub-basin/ Barkly regions in the NT, and was registered with the Office of the Registrar of Indigenous Corporations on 9 October 2020. Our name, “Nurrdalinji”, is an Alawa language word meaning “mixed tribe”, which reflects the fact that our membership is drawn from a wide area and several different language groups.

Nurrdalinji is an important vehicle for us to express our concerns and to protect the interests of our members and native title holders in the Beetaloo Sub-basin/ Barkly region. We formed Nurrdalinji to act as a clear and faithful voice for native title holders frustrated by the quality and adequacy of the Northern Land Council’s (NLC) advice, consultation and representation of our interests, most recently in relation to fracking on our country.

Why are we interested in this process?

We understand you are inviting comment on the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024*

We are particularly interested in provisions in Schedule 2, Part 2 and believe these should be withdrawn.

We are commenting because we stand strong with other nations who have a direct interest in the impacts of new gas projects on their sea country and culture. We want to help and support them. We also understand some of the infrastructure required for gas from onshore developments to be exported, like the developments on our country, will have impacts on the country of others.

We have watched what is happening in relation to current offshore gas projects and feel sad at how impacted Traditional Owners (TOs), just like us, are having to fight companies for their right to be properly consulted. TOs should be able to decide what development they want on their country, be listened to and their views respected. We take this opportunity to stand in solidarity with the Tiwi Islanders opposed to the proposed offshore Barossa gas project. Our experience is similar to their experience. We have met and worked with their leaders and share their concerns.

Consultation must be improved. If the Federal government tries to wind back consultation requirements for offshore projects, employing this Bill, we fear this will be the start of a trend, where our rights to be consulted and those of other TOs across the nation will also be weakened. Gas companies are known to go running to the government to complain about the work they have to do to get their projects across the line. TO consultation is characterised as not an essential and important part of the development process, but as an irritant which slows gas companies down.

We ask the Committee to recommend that Schedule 2, Part 2 of the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024* be

withdrawn immediately. We are concerned that the Bill cannot ensure, as should be the case, there is no lessening of legislative or regulatory standards in relation to consultation and protection of the environment.

We fear that this Bill may be being used by the government to water down consultation rights, in the face of a campaign by the gas industry which faced losses in the courts for a failure to properly consult with TOs impacted by offshore projects.

Why introduce a Bill to make it easier to amend consultation requirements before hearing TOs' views as part of the current inquiry into? The *Environment Protection and Biodiversity Conservation Act* is an important safeguard in regulating how the environment, our plants and animals are looked after. The Federal Resources Minister should not be able to make his or her own rules about how consultation is run when the result is that risks to the environment are not properly assessed or responded to by the Federal Environment Minister.

Consultation requirements must recognise that these projects have significant consequences for our culture, climate and future

Offshore gas projects, in the same way as onshore fracking proposals which we oppose, will have a significant impact on our culture, country and way of life. Not only will TOs be impacted, but everyone in the world too, as well as plants, animals and the environment. Consultation should therefore not be rushed, inadequate or watered down.

The United Nations¹, the International Intergovernmental Panel on Climate Change,² and the International Energy Agency³ all agree that we can no longer pursue any expansion of fossil fuel projects in order to stay within safe limits of climate change. Australia cannot pursue any more new coal and gas projects if we are to meet our emissions reduction obligations under the Paris Agreement.

In the NT, where we live, it's getting hotter and hotter with more heavy storms and rains and longer dry seasons. This is no time to cut back on offshore gas development consultation. TOs need time and resources to properly consider the consequences of new gas projects and how they will impact our futures.

For more than a decade, successive governments have been warned⁴ that the Territory will be hit with climate impacts harder and sooner than other parts of the country.

This is our country, our culture and our future. We need time and proper consultation so we can self-determine what happens to it.

Thank you for considering our submission.

¹ United Nations Secretary General. (2023, June 15). Secretary-General's press conference - on Climate. [Link here.](#)

² IPCC (2023, March 20). Sixth Assessment Report. [Link here.](#)

³ Harvey, F. (2021, May 18). No new oil, gas or coal development if world is to reach net zero by 2050, says world energy body. [Link here.](#)

⁴ ABC (2011, November 9). NT to face worst of climate change. *Australian Broadcasting Corporation.* [Link here.](#)

We would welcome the opportunity to provide more information if it would be useful.

Yours faithfully,



Samuel Janama Sandy
Chairperson, Nurrdalindi