

ABORIGINAL MEDICAL SERVICES ALLIANCE NORTHERN TERRITORY (AMSANT)

SUBMISSION TO THE SENATE ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE'S INQUIRY INTO THE MIDDLE ARM INDUSTRIAL PRECINCT

November 3, 2023

Introduction

AMSANT is the peak body for Aboriginal Community-Controlled Health Services (ACCHS) in the Northern Territory (NT). Our members are health services that support the health and wellbeing of Aboriginal people in the NT. The ACCHS sector delivers over two thirds of the primary health care sought by Aboriginal people in the NT and, as a group, we hold considerable knowledge relating to the health care and needs of Aboriginal people in the NT. AMSANT supports culturally safe, comprehensive primary health care with an emphasis of addressing the social and political determinants of health through advocacy, policy, planning and research. Under the principal of self-determination, our member communities are able to determine the nature of the services they need and participate in the planning, implementation and evaluation of their health services.

As outlined later in this submission, the Middle arm development is strongly linked to the development of the fracking industry in the Northern Territory. It is unlikely that this development would be necessary if there was not already substantial investment in the gas industry, by the government. Since 2018, the AMSANT board has endorsed a policy position opposing fracking in the NT. The board's key reason for their opposition to fracking was the unacceptable increase in emissions that would result from a large-scale fracking industry. Global warming is progressing faster than experts predicted, the broader impact of fracking on the environment and on Aboriginal people's health and wellbeing would be detrimental to them and to AMSANT's vision for the future.

Health for Aboriginal people is a holistic concept in which physical, emotional and cultural wellbeing is strongly linked to a connection to country. Aboriginal people have cared for country for at least 60,000 years. AMSANT, as a peak health body for Aboriginal people, has a role in ensuring that country is protected so our people can be healthy. Given the role the Middle Arm Industrial precinct will play in facilitating a gas industry this poses unacceptable environmental and climate risks, it represents a risk to our people's health, not only in the Greater Darwin region, but more broadly across the NT.

AMSANT's views on fracking have been outlined in the submission to the Scientific Inquiry into Hydraulic Fracturing (also known as the Pepper Inquiry) (AMSANT, 2018) and in a previous Senate Inquiry on the Betaloo Basin, which is attached. Below are AMSANT's positions and recommendations according to the Terms of Reference for this Inquiry. AMSANT also supports the submission made by the Environment Centre for the NT, that addresses important concerns around biodiversity, while not directly related to physical health, still affects the health and wellbeing of Aboriginal people in the NT.

Terms of Reference A: the development of Darwin's Middle Arm Industrial Precinct, the role and funding intentions of the Northern Territory and Commonwealth

The NT Government has strongly backed the Middle Arm Industrial precinct including through engaging lobbyists to influence the Commonwealth to support the Middle Arm project (Davies and Cox, 2023). The Federal Government has confirmed \$1.5 billion in funding to the Middle Arm development, without due process. There was no environmental impact assessment prior to committing funding, and Infrastructure Australia was not involved in advising on funding (Commonwealth of Australia, Senate, August 19, 2022, p.45). The funding is reported to be directed primarily towards dredging the harbour and building jetties for gas companies (Potter, 2023).

AMSANT previously stated its opposition to the Commonwealth's \$50 million handout to the Beetaloo Basin fracking project (see AMSANT's 2021 submission; Parliament of Australia, 2023). We again take the position that no public money should be given to oil and gas companies in the midst of an accelerating climate crisis. Further, the lack of integrity in the funding process has damaged public trust in the process. We strongly recommend that the environmental assessment be undertaken by Public Inquiry to ensure greater capacity for public input and greater transparency for the community.

This funding commitment also presents a massive opportunity cost. Instead of subsidising multinational companies whose operations exacerbate climate change, the \$1.5 billion could be redirected towards strengthening the climate resilience of Aboriginal communities. For example, there is an urgent need for adequate construction and maintenance of climate resilient housing for Aboriginal people; improving power security with solar installation and replacing the Power Card supply system which causes very high disconnection rates and energy poverty and building climate resilient public shelters and refuges for people who are homeless or otherwise living outdoors.

Terms of Reference B: the likely and intended future uses of the site as well as the industries and supply chains that would benefit from those plans

This project is clearly linked to the gas industry with Tamboran (one of two companies involved in the Beetaloo basin) being an anchor tenant with a large LNG processing plan to be developed in the precinct. Tamboran's proposed development is the most advanced of any of the projects that have formally been announced. Santos and Impex are also both planning gas projects at the precinct. Contrary to Northern Territory Government announcements, documents obtained through Freedom of Information requests demonstrate that most of the developments at Middle Arm will be related to the gas industry.

The project also poses environmental and cultural risks including disruption of the only remaining Larrakia rock art in the area and potential damage to middens which are of high cultural significance. Furthermore, there has been a lack of engagement of local Aboriginal leaders /organisations in the development process to date which is extremely disappointing. (Morse, 2023),

Terms of Reference C: any climate, environmental, health or cultural heritage impacts as a result of developing the harbour and the industries seeking to establish themselves at Middle Arm

Following the Scientific Inquiry into Hydraulic Fracturing in the NT, the AMSANT Board took the position that fracking should be banned in the NT, based on its health, social, environmental and cultural impacts for Aboriginal people (AMSANT, 2018). Similarly, we believe that the negative

impacts from the Middle Arm project far outweigh any potential benefits to Aboriginal people across the NT and should not proceed.

Impacts on climate

Fossil fuels (such as gas) are the main driver of climate change (IPCC, 2023). The International Energy Agency's report states that no new fossil fuel extraction can go ahead if we are to limit global warming to the target 1.5°C (UNFCCC, 2023; IEA, 2021), a scenario that is already precarious (McGrath, 2023). Australian governments have a moral and ethical obligation to follow the clear expert advice to cease fossil fuel expansion now.

Climate change is a major concern for our member services. The NT is already expected to experience drastic changes to its already extreme climate by mid-century and these will pose a threat to ongoing human habitation in some areas (CSIRO, 2022). These include over twice the number of hot days (over 35C) in all regions, longer fire seasons, higher sea levels along the coast, and more intense rain events. Chronic disease increases the risk and severity of heat stress with an increased risk of heart attacks and other adverse and sometimes fatal outcomes from extreme heat (CDC USA). Tragically, NT Aboriginal communities have some of the highest rates of diabetes and renal disease in the world, thus putting a very high proportion of the Aboriginal population at risk (Hare et al, 2022, Hare et al, 2020). Social disadvantage (overcrowded housing, barriers to healthcare access, lower income and employment rates, ongoing individual and institutional racism) increase the impact of climate change on health and social outcomes (World Health Organisation, 2023). For example, many people cannot afford air conditioning and high rates of homelessness and overcrowding will worsen the impact of extreme heat on the most vulnerable. The impacts of climate change are also negatively impacting efforts to close the life expectancy gap. Health services in the NT will also be affected – higher health service attendance due to extreme weather events will further strain a system that is already at capacity and is experiencing a longstanding workforce crisis. Extreme temperatures will also make it more difficult to attract health professionals to the Northern Territory, particularly in very remote areas (Pendrey et al, 2022).

The Middle Arm development, initially described in the NT government's initial submission to Infrastructure Australia as a 'gas demand centre' (Gibson, 2022), is clearly designed primarily to facilitate gas expansion (DIPL, 2022). For example, fracking of the Beetaloo Basin would only be viable if the Middle Arm development proceeds. Fracking from the Beetaloo Basin will increase the country's gas emissions by up to 22% (Bardon, 2020), and the Santos Barossa LNG gas development is projected to be among the highest emitting LNG facilities in the world (Verstegen and Campbell, 2023). Given the IPCC's clear requirement to stop fossil fuel expansion now, this is totally unacceptable.

A thorough assessment of the climate impact of the Middle Arm precinct must be undertaken including the direct, indirect and cumulative emissions, including the life cycle emissions of new gas fields opened because of the precinct. This assessment must also take into consideration the risk that increased emissions pose on the Northern Territory's already extreme climate.

Impacts on health

There are also serious health risks to the greater Darwin community but also to Aboriginal people more broadly given this development supports the fracking industry. A 2023 University of Sydney report (Haswell et al, 2023), prompted by concern around the health risks of the Beetaloo Basin and Middle Arm projects, summarises the international evidence for health impacts from oil and gas developments on communities. These include:

- Contamination of air and water with chemicals
- Asthma in children
- Higher hospitalisation and death rates from heart attacks, respiratory diseases and some cancers
- Injuries and fatalities from increased large truck traffic volumes
- Sexual violence against women and girls in communities, and high rates of sexually transmitted infections, where worker camps are set up and /or there are high rates of FIFO workforce
- Higher risk of low birth weight, pre-term delivery and spontaneous abortion, severe birth defects, acute lymphoblastic leukaemia

Petrochemical industrial developments cause high levels of air pollution, Darwin already has poor air quality, particularly during the dry season. The Environment Centre NT commissioned an environmental scientist, with relevant expertise, to review the impact of the precinct on air pollution. The report suggested that there would be a five-fold increase in industrial particulate pollution resulting in 15 premature deaths per year (Petroni M, 2022). Air pollution will impact on everyone but particularly those who are homeless or have poor housing as well as those with chronic disease (WHOb, 2023). Aboriginal people will be disproportionately impacted (WHOb, 2023).

A thorough and robust health impact assessment must be undertaken of the Middle Arm Industrial Precinct including a detailed baseline assessment, along with an ongoing health monitoring plan.

Impacts on cultural heritage

As already mentioned, the Larrakia rock art and middens in the Middle Arm region will be impacted (Morse, 2023). These cultural sites are of immense significance to the Larrakia people (Cox, 2023) and should be prioritised for protection. A properly conducted, Larrakia-led cultural heritage impact assessment and cultural values assessment should have already occurred but must be now undertaken prior to any consideration of further development.

Terms of Reference D: the conduct, process and implications of the proposed strategic environmental assessment for Middle Arm

Given the magnitude of the environmental consequences from the Middle Arm development, any environmental assessment should be conducted by Public Inquiry rather than Environmental Impact Assessment, to allow the process to be as thorough and transparent as possible. There are several examples of inadequate environmental assessment by industry, placing the NT environment and community at risk: some of these are the Beetaloo fracking project (Cox, 2023b; Currell & Ndehedehe, 2023; Dick, 2023); the Barossa gas project (Chaseling, 2023); and the Macarthur River mine (Gilbert, 2021). A Public Inquiry method would reduce the risk of deficiencies in environmental assessment.

The decision on the terms of reference for a Middle Arm Environmental Impact Assessment (dated 29 September 2022; NTEPA, 2022) makes note of concerns identified during the consultation, including that the assessment should be conducted by Public Inquiry, but the amended terms of reference has not been made available and so it is not known whether this concern has been heeded.

However, despite the deficiencies identified in environmental assessments, industrial projects continue to be greenlit for progress (Fitzgerald and Spina-Matthews, 2023; Gilbert, 2021). Currently, there is little trust among the affected communities that their environment will be protected by

industry (Fitzgerald, 2023; Maxwell, 2023). Although we recommend assessment by Public Inquiry, overall, we feel strongly that the Middle Arm development should not proceed even to environmental assessment.

Terms of Reference E: engagement and advocacy by industries and their representatives throughout the Middle Arm proposal, including with First Nations groups and communities adherence to the principles of free, prior and informed consent

There is considerable evidence of inadequate consultation with Aboriginal communities by fossil fuel companies (Chaseling, 2023; Gibson, 2023; Knowles, 2021). Consultation with Larrakia people on the current Middle Arm development has again been completely inadequate (Cox, 2023; Morse, 2023) – this has resulted in the absence of free, prior and informed consent. The project should be now halted until genuine and thorough consultation has been conducted and this consultation should occur in partnership with the key Larrakia organisations. Once consultation has been conducted, the outcome should be respected.

Summary

We urge the Committee to **strongly recommend that the Middle Arm project not proceed**. The Middle Arm development will facilitate a large-scale fracking industry in the NT which will lead to immense quantities of carbon emissions that will contravene Australia's obligations under the Paris agreement and severely compromise global efforts to keep global warming to 1.5°C. The impact of global warming will be particularly severe for Aboriginal people in the NT. There are also local environmental and cultural concerns that have not been addressed and a failure to include Larrakia people as partners in this project. Furthermore, we cannot be confident that the Middle Arm project will honour recommendations that arise from any environmental assessment, and so there is continued risk of damage to climate, environment, culture and health.

We also strongly recommend that **Federal and NT governments should not use public money to subsidise gas and petrochemical companies**. This money should be redirected towards actions to **improve climate resilience in Aboriginal communities** – including adequate construction, supply and maintenance of climate resilient housing, solar installations on housing, reform of the regressive, expensive and unreliable Power Card power supply system, and building of climate-resilient public shelters and refuges.

If the Middle Arm project does proceed, despite the reasons above, we strongly recommend that **free, prior and informed consent be obtained** from the Larrakia Traditional Owners as a requirement and that the Larrakia people lead a **well-resourced and in-depth cultural assessment of the impact of this development**. We also recommend that **environmental assessment occurs via Public Inquiry**, to ensure the highest level of assessment of this development. A **thorough climate impact assessment** must be undertaken and released to the public including a review of offset mechanisms. There also needs to be a **robust health impact assessment and ongoing health monitoring**.

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