

From: [Heidi Jennings](#)
To: [ImperialPetroleum DENR](#)
Subject: Imperial Oil & Gas Drilling Program
Date: Wednesday, 18 September 2019 6:04:50 PM
Attachments: [Imperial Oil and Gas.docx](#)

Hello.

Please find my submission for the Imperial Oil and Gas Drilling Program.

Thank you,

Heidi Jennings

Department of Environment

Imperial Oil and Gas Pty Ltd, Environment Management Plan.
Imperial Oil and Gas 2019 Drilling Program, NT Exploration Permit EP 187.

I am writing to oppose the Imperial Oil and Gas Company, EMP, 2019 Drilling Program proposal.

This proposal for a drilling program, although stated not for Hydraulic Fracturing, is the start for Hydraulic Fracturing activities, as documented in a future EMP plan.

Hydraulic fracturing poses risks to the waters quality and quantity.

Upon viewing Google Satellite maps, the application is in an area where waterways assists the surrounding environment & Tarrabool Lake. The waterways safety may be compromised.

Water is precious and is a basic human right that is becoming scarce.

The Territory has experienced very little rain in the past few years.
Our Aquifers are depleting and waterways are drying up.

NT has no water security or drought triggers.

This is very concerning as we watch Industry obtain access to water, while communities water resources are running low.
Many Territorians do not want Hydraulic Fracturing or Fracking fields across the NT landscape.

The NT's Water, climate & environment must be protected.

Will these activities be monitored for the safety of the water and environment?

The Fracking Inquiry Final Report

7.1 - states a water extraction license must be obtained where Fracking occurs.

7.2 - charges on water for all onshore shale gas activities.

7.7 - A Water Action Plan & Water Control district to be developed for shale gas activities.

7.8 - Fracking must not have a unacceptable drawdown of Aquifers.

The Fracking Inquiry recommendations should be adhered to.

How will this activity be monitored?

Will this drilling program impact on the existing users of the water?

Will Imperial be required to have a meter and be charged for water extracted?

Borroloola community conducted surveys with many objections to gas and oil fields in the area, for the protection of the land and environment.

Residents of Borroloola have stated they do not want Hydraulic Fracturing in the area as the water and land is too precious. The community declared Borroloola Gas field Free in 2018.

There is no Social Licence for Hydraulic Fracturing.

The NT news 23/8/19, advertised that the Borroloola Council has stated they are on drought alert.

Is there information to ensure that there will be no adverse affects to the underground ecosystem?

Have the groundwater resources and recharge rates in the area been investigated for sustainability?

Please do not accept this application, as documentation expresses future for Hydraulic Fracturing.

The Northern Territory Environment, Water and Climate must be protected.

regards,

Heidi Jennings

From: [James Fitzgerald](#)
To: [Sally Strohmayer](#); [Phillipa Hunter](#)
Cc: karrina@originalpower.org.au; [Chantal Louise Mackenzie](#)
Subject: RE: Recall: Response to extension of time request - ImperialDrilling2019 EMP -
Date: Friday, 20 September 2019 3:38:14 PM
Attachments: [383C2C7C897C4E879368619D2547AA9A.png](#)

Dear Sally,

Thank you for your call this morning.

We are disappointed that your office has agreed to and then declined our reasonable request for a week's extension of the deadline for making comment on behalf of native title holders affected by Imperial Oil & Gas' (Imperial) exploration permit, in relation to Imperial's 2019 draft EMP.

We have been in receipt of a formal request for assistance from affected native title holders resident in and around Borroloola for less than a week. As you know, Borroloola is a remote community that is difficult to access, and that enjoys sometimes unreliable communications infrastructure.

It would have been in the interests of all concerned that we have a reasonable opportunity to consult with affected native title holders about the substance of Imperial's draft EMP before making comment to your office. It is for this purpose that we requested the extension of time.

As an aside, having regard to the potential long-term impacts of fracking, especially in fragile environments like the Beetaloo Sub-Basin, the unseemly haste with which the Northern Territory Government seems to be facilitating the recommencement of fracking could not reasonably be regarded as consistent with good regulatory practice. The Government's approach is the more confounding when it is taken into account that Australia has this year become the world's No. 1 exporter of natural gas. Supply of Australian natural gas is exceeding demand, yet the Northern Territory Government still seems to prioritise the urgent facilitation of fracking over due process for the benefit of those who will bear the long-term costs of fracking.

In the circumstances mentioned above, our comment on Imperial's 2019 draft EMP must necessarily be incomplete, and limited to the concerns expressed to us to date. Please accept this email as Original Power's comment made on behalf of native title holders affected by Imperial's exploration permit, in relation to Imperial's 2019 draft EMP.

Native title holders whose country is affected by Imperial's exploration permit are concerned about the risks of fracking on their country, and especially risk to the integrity of precious, life- and culture-sustaining subterranean waters. Native title holders see their very way of life as being put at risk from fracking, and reasonably require a high level of assurance and information.

Native title holders are concerned that even though they are the traditional owners and custodians of their country, they have not received adequate or in some cases any information about Imperial's fracking plans.

From our preliminary discussions with native title holders, it is not at all clear that the information required by reg 7(2)(a) of the *Petroleum (Environment) Regulations 2016* (Regulations) has been provided to all affected native title holders. In that case:

1. Imperial has not complied with its stakeholder obligations in reg 7 of the Regulations; and
2. Imperial's draft EMP should not be considered by the Minister unless and until Imperial complies with reg 7.

We regret that we cannot comment further in the time available.

Regards,

James Fitzgerald | Strategy Lead

www.originalpower.org.au | james@originalpower.org.au



Original Power is situated over a number of different locations however I would like to acknowledge the Gadigal and Bidjigal peoples as the traditional custodians of the land on which most of my work takes place. I would like to pay my respects to their elders, past, present and future, and to their continuing relation to their ancestral lands. This always was and always will be Aboriginal land.

Sent from [Mail](#) for Windows 10

From: [Graeme Sawyer](#)
To: [ImperialPetroleum DENR](#)
Subject: TRM: Comments attached.
Date: Friday, 20 September 2019 4:01:35 PM
Attachments: [PCA Imperial Oil.docx](#)
[ATT00001.htm](#)

Please find attached



Thank you for the opportunity to comment on the EMP for Imperial Oil and Gas 2019 Drilling Program EP 187.

The principles of ESD are breached in a number of ways by this process and yet these ESD principles are the supposed guiding principles of the government's decision making. The ongoing implications of this petroleum process for communities and future generations in the region are not considered

There is a lot of concern amongst indigenous groups across the region and the potential impacts of fracking on their culture and the local environment. We understand there are Traditional Owners in our broader network that have applied for an extension for commenting on this EMP in order to follow cultural processes and receive feedback from impacted stakeholders. We strongly support their request for more time in order to respond and commend their request to you.

Inadequate consultation with Aboriginal people from the region impacted is one core part of this breach. Indigenous groups do not feel that there has been a genuine informed discussion with them in relation to these matters. Their knowledge and belief system is deeply integrated and they see no distinction between people and the natural world and this integrated nature of the elements of the environment is another one of the ways in which the fracking proposals conflict with their beliefs and breach the ESD principles and pose risks to the health and mental health of the community. A clear example of this is the way that the No Go zones and related exclusion principles do not take into account the catchment and feeder areas of springs and other groundwater dependent ecosystems, ignoring the integrated nature of the local environment and again breaching ESD principles.

Aboriginal people have a very sophisticated knowledge of the water systems and their cultural stories explain the interconnectedness of the systems. Fracking is offensive to these cultural beliefs and the risks to water, including the volume, flows and quality posed by the fracking process are something they do not accept. There is no social licence for these activities, and the processes currently available to organisations representing Aboriginal people do not have a legal right to block activities, therefore being in a position of limited options but to go through the process.

The EMP has inconsistencies which indicate inadequate consideration of important issues. The EMP shows evidence of being rushed as on P 11 sub point 4 under Principal Environmental issues is incomplete and is a very important issue. As another example, on P5 the document mentions there are patches of monsoon forest scattered across the area particularly where there are permanent springs. It then goes on to claim the exploration area has a low potential for Terrestrial Groundwater Dependent Environments.

These two statements are not compatible, as Monsoon Forest is groundwater dependent and vitally important refuge sites for Biodiversity. The roles and types of refuges, whether they are evolutionary or ecological refuges should be considered in more detail and used as a part of the decision making process and possible no go zone exclusions applied to monsoon forests and springs in such habitats. The role of the refuge areas is critical for biodiversity in the semi arid areas these places are vital to the long term survival of species. The Plan is inadequate as it has not given proper consideration to the issues and needs to address these issues before any approval could be contemplated.

Much of the area discussed is data deficient in relation to biodiversity and water issues and these urgently need to be studied. In times of Biodiversity crisis it is not appropriate for approvals to be given until these deficiencies can be met.

There are likely to be a number of species in the areas that have not been listed. The habitats contain many of the features to support species that are found in other locations of a

similar nature. Some of these species such as *Varanus Mitchellii* and species of land snails are endangered. It is not appropriate to dismiss these issues because of significant data deficiencies in the records from the area

The uncertainty of the drilling location means that an informed assessment cannot be made in advance and Imperial must be made to revisit these issues once they have determined the exact location. There is a strong likelihood that water removed from the systems will impact on springs and flows.

There are other claims in the EMP which are not supported by the facts and suggest an attempt to ignore potentially important issues. One such example is that Imperial claim there is no expectation of water being produced during drilling.

3.5.1.7 Associated Water

“Due to well designs and the use of overbalanced drilling, water is not expected to be produced during drilling. The potential for associated water to flow to surface would be managed with the use of the overbalanced drilling fluid (water-based mud).”

This position is not tenable given the previous examples of other wells in the region and the existence of high pressure aquifers such as the Moroak underlying the area. As an example the log reports from Ronald 1 shows water issues and extreme salinity of 118000 ppm. “The well did begin producing water in the latter stages of drilling, requiring the water to be unloaded on each connection”.

In light of the less than adequate information, and the key components of the hydraulic fracturing operations missing from this plan, we recommend the Minister enacts the power of the Petroleum (Environment) Regulations Division 2 to request more information and issue a resubmission notice for a full EMP by Imperial, or request a resubmission of the drilling and well components once it has been decided by the proponent where the preferred drilling locations are.

The EMP is lacking in many areas and cannot be approved in its current form. This is an obvious example of where the Pepper Inquiry highlighted the risks of the deficiencies in data and knowledge about the biodiversity and water systems in the region. The inquiry indicated that the SREBA was required to address this deficiency but in the meantime, it is essential that the precautionary principle be applied and caution taken with decision making.

Yours truly,

Graeme Sawyer
Protect Country Alliance
Mobile 0411881378

References

Davis, J., Pavlova A., Thompson, R., & Sunnucks, P., (2013) Evolutionary refugia and ecological refuges: key concepts for conserving Australian arid zone freshwater biodiversity under climate change, *Global Change Biology* 19 1970-1984

From: [Protect NT](#)
To: [ImperialPetroleum DENR](#)
Cc: [Minister Lawler](#)
Subject: Protect NT Inc's Submission for Imperial's EMP
Date: Friday, 20 September 2019 10:57:04 AM
Attachments: [Protect NT Inc Submission Imperial EMP.docx](#)

Dear Department of Environment and Natural Resources Minister, Eva Lawler,

Please find Protect NT Incorporated's submission for Imperial Oil and Gas Pty Ltd's Environment Management Plan for Imperial 2019 Drilling Program, NT Exploration Permit (EP) 187 attached.

Yours sincerely,
Pauline Cass

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Protect NT Inc.

Phone: 0438686144

Email: ProtectNT@gmail.com

Facebook: <https://www.facebook.com/groups/743562139323193/>

**Protect NT Incorporated's Submission for
Imperial Oil and Gas Pty Ltd's Environment Management Plan
Imperial 2019 Drilling Program, NT Exploration Permit (EP) 187**

Dear Department of Environment and Natural Resources Minister, Eva Lawler,

Protect NT Incorporated is a group with over 600 members, determined to protect our land, water, climate and lifestyles for future generations of Territorians. Onshore shale oil and gas hydraulic fracturing and its associated activities threatens everything we value about living in the Northern Territory. We are therefore vehemently opposed to Imperial Oil and Gas Pty Ltd's Environment Management Plan, Imperial 2019 Drilling Program, NT Exploration Permit (EP) 187.

Imperial Oil and Gas want to drill 85km south-west of Borroloola. While this EMP states, "Imperial Oil & Gas does not intend to conduct hydraulic fracture stimulation in this project", it mentions a separate future EMP for fracking, meaning this drilling program is a precursor to fracking activities. Therefore, any consideration of this EMP must be done with future fracking activities in mind.

Fracking is strongly opposed throughout the Northern Territory. Protect NT Inc has a petition with almost 5,500 signatures calling for onshore shale oil and gas activities to be banned throughout the NT, which will be tabled at the next Parliamentary Sittings. Borroloola declared themselves a Gasfield Free area in 2018, after extensive community surveys were conducted. Their objections to gasfields also includes oilfields. They are supported by everyone who opposes fracking. We have attached some of the many videos available online of Borroloola locals speaking out against fracking in Borroloola, as Appendix 3.

Our main concern regarding shale oil and gas exploration and extraction is water. Concerns for our water-security have been growing due to the drought conditions the NT is currently experiencing. Pastoralists have been destocking properties, the NT Government is assisting landholders through agricultural water infrastructure grants, and the NLC has spoken out about the Territory's water crisis (see Appendix 1). This EMP must be rejected as it is indisputable that hydraulic fracturing poses risks to water quality and quantity, and this EMP if approved will lead to fracking. The NT Fracking Inquiry's Final Report has a risk assessment matrix which could not determine some risks and assessed others as being "low", with "low" risk being defined as communities losing access to water for up to a week. The Northern Territory simply cannot afford any further risks to our precious water.

The area where Imperial want to drill and eventually frack is not in a Water Control District (WCD) despite the Inquiry's Recommendation 7.7 stating, "WCDs be declared and WAPs be developed to specify sustainable groundwater extraction rates for shale gas production activities that will not have adverse impacts on existing users and the environment", and Recommendation 7.1, which says "any further exploration approvals to require gas companies to obtain water extraction licences" (see Appendix 2). This means that Imperial could legitimately claim to not require a water licence on their recent Land Clearing Permit application. Without a licence, who will monitor and charge for the water extracted and used by Imperial? The NT Fracking Inquiry's Recommendation 7.2 required that "the Government introduces a charge on water for all onshore shale gas activities". Chief Minister, Michael Gunner, promised to implement all 135 of the NT Fracking Inquiry's Recommendations when he lifted the NT's fracking moratorium in 2018. While the NT Government may have literally followed the word of the recommendations, they certainly haven't ethically or morally followed the intent.

Climate change acceleration caused by greenhouse gas emissions generated by fossil fuel extraction and use is also of grave concern to us and the majority of Australians (The Australia Institute's State of the Climate Report). Approving this EMP will lead to greater greenhouse gas emissions in the future. We find it

ironic that this submission is due on the day of the Global Strike for Climate and hope that the Minister for Environment considers the effects of climate change on the environment when making her decision on this EMP.

The impacts of oil and gas activities and the need to protect our water, our climate and our environment are all valid reasons for rejecting this EMP. Strong public opposition to onshore oil and gas activities means there is no social licence and adds further reason to decline this application. We could add our opposition to many details included in this EMP, such as evaporating drilling fluids in sumps (EMP, p. 347), but it all boils down to the same thing; our water, climate and environment must be protected from the unwanted and unnecessary risks that onshore oil and gas exploration poses. This Imperial EMP must be rejected.

Yours Sincerely,

Pauline Cass

for Protect NT Incorporated

18 September 2019

Appendix 1: NLC Sounds drought alert, from the NT News on Friday 23 August 2019.



Appendix 2: NT Fracking Inquiry Recommendations.

Recommendation 7.1

That the Water Act be amended prior to the grant of any further exploration approvals to require gas companies to obtain water extraction licences under that Act. (NT Fracking Inquiry Final Report, p.118)

Recommendation 7.2

That the Government introduces a charge on water for all onshore shale gas activities. (p.118)

Recommendation 7.7

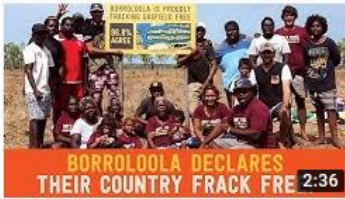
That in relation to the Beetaloo Sub-basin:

- the Daly-Roper WCD be extended south to include all of the Beetaloo Sub-basin;
- that WAPs be developed for each of the northern and southern regions of the Beetaloo Sub-basin;
- the new northern Sub-basin WAP provides for a water allocation rule that restricts the consumptive use to less than that which can be sustainably extracted without having adverse impacts on other users and the environment; and
- the southern Sub-basin WAP prohibits water extraction for any onshore shale gas production until the nature and extent of the groundwater resource and recharge rates in that area are quantified.
- That in relation to other shale gas basins with similar or greater rainfall than the Beetaloo Sub-basin, WCDs be declared and WAPs be developed to specify sustainable groundwater extraction rates for shale gas production activities that will not have adverse impacts on existing users and the environment.
- That in relation to other potential shale gas basins in semi-arid and arid regions, all groundwater extraction for any shale gas production activities be prohibited until there is sufficient information to demonstrate that it will have no adverse impacts on existing users and the environment. (NT Fracking Inquiry Final Report, p.137)

Appendix 3: Some of the many videos available on YouTube.

(Click on the blue links to watch)

<https://www.youtube.com/channel/UCMY5cUrmBnb73jd0S2Y-jgw>



Borrooloola NT declares their country frack free!

Seed Indigenous Youth Climate Network • 2.1K views • 1 year ago

Borrooloola is the first Aboriginal Community in Australia to declare itself free from fracking Gasfields. Young #seedmob spent five ...

<https://www.youtube.com/watch?v=dYmX9YEWmUA>



"GLOBAL FRACKDOWN" IN BORROOLOOLA : TOP END CLANS UNITE AGAINST FRACKING

NITV News • 2.3K views • 4 years ago

Northern Territory clans have come together in opposition to fracking... Borrooloola Elders have pledged to protest against any ...

<https://www.youtube.com/watch?v=gatx-vbWmy0>



Northern Territory Fracking Call to Action!

Lock the Gate Alliance • 4.1K views • 4 years ago

A short video featuring Traditional Owners from the communities of Maningrida and Borrooloola in the Northern Territory.

<https://www.youtube.com/watch?v=RLtkicmrKsw>



We need your help to ban fracking in the NT

Seed Indigenous Youth Climate Network • 121 views • 1 year ago

The Northern Territory needs your help to stop disastrous plans to frack the NT's land and water resources. Chief Minister Gunner ...

CC

<https://www.youtube.com/watch?v=A1NaPVaNT-8>



Message to Countrymen from Karrwa clan Borrooloola

Frack-Free NT • 1.3K views • 3 years ago

Nancy and Gadrian discuss the threat of gas fracking on their country in the Gulf region of the Northern Territory.

<https://www.youtube.com/watch?v=tXfXXACwiFE>



Why we're fighting for our land and water

Seed Indigenous Youth Climate Network • 164 views • 1 year ago

"We want fresh water and healthy country for our children...this is why we're fighting for our land and water." Aunty Nancy ...

CC

<https://www.youtube.com/watch?v=3KsRavXyY60>



Our Country is too important

GetUp! Australia • 233 views • 2 weeks ago

Fracking companies want to silence Traditional Owners and Remote Aboriginal communities who say no fracking on their land.

<https://www.youtube.com/watch?v=vhhDfOCXbj8>



Aboriginal Communities are fighting fracking

Seed Indigenous Youth Climate Network • 159 views • 1 year ago

Our water is too precious to frack. Stand with Aboriginal communities across the NT protecting country from dangerous shale gas ...

<https://www.youtube.com/watch?v=dsdtds8l-u0>



Don't frack the N.T. - Traditional Owners speak out - Part 1

STICSydney • 198 views • 8 months ago

83% of the Northern Territory is currently under licence or application for fracking. The NT Government has said they are ...

<https://www.youtube.com/watch?v=wuUxB5GD7qE>



Don't frack the N.T. - Traditional Owners speak out - Part 2

STICSydney • 288 views • 8 months ago

83% of the Northern Territory is currently under licence or application for fracking. The NT Government has said they are ...

<https://www.youtube.com/watch?v=zqV5s27Gg6w>



Elliot Northern Territory No Fracking

Lock the Gate Alliance • 2.4K views • 1 year ago

Fracking gasfield here? Listen up to the people of the Northern Territory who are right where Turnbull wants to frack.