



(Image source: [Inpex](#))

The project documents supplied by Inpex can be downloaded here [Project Decision · EPBC Act Public Portal](#).

### Consultation overview

At this stage, the Federal Environment Minister must decide whether the project needs further environmental assessment to determine if it will significantly impact a matter of national environmental significance. The relevant matters of national environmental significance for this referral are:

- Nationally threatened species
- Migratory species
- Commonwealth marine areas

Making a submission on this project is an important way to send a message to regulators and the Government that communities across Australia want proposed carbon dumping projects to be subject to a high level of scrutiny.

To have your say, address your submission to Minister Murray Watt and upload it by **May 5** via the [EPBC Portal](#). Further instructions on how to lodge a submission are below.

1. Go to the EPBC Act Public Portal.
2. Provide a title for your comment, such as “Refuse Inpex Bonaparte carbon pollution dumping project”
3. Provide your name and email address
4. Answer YES to “Do you consider this a controlled action”
5. Under “Provide reasons for why you believe this is/is not a controlled action”, include reasons why you would like to see this project assessed or have the Minister ask for further detail about its risks and impacts.

We note that:

The project referral does not contain the required information as outlined under the EPBC Regulations, regulation 4.03 and schedule 2, items 4.01(b), 4.01(c), 4.01(k), 5.01, 5.02(e), and 5.04(b). As such, the project referral does not include enough information for the Minister to make a decision, and the Minister should request more information pursuant to section 76(1) of the EPBC Act.

The project also poses potential significant impacts to migratory and threatened species, including Biologically Important Areas and habitat critical to survival. Of particular concern are potential impacts to threatened and migratory cetaceans and marine turtles. There is also a risk of significant impact on the project area due to lack of research on

the ecosystems and distribution of threatened and migratory species in the area, making assessing the nature and extent of impacts impossible. The Minister should apply the precautionary principle in this case, until more information is gathered to better understand the risk, or until the uncertainty itself is understood and can be better accommodated.

Be sure to include details to support your recommendation, which you can find below under “Key concerns about the project”

6. Answer yes or no to the remaining three questions on updates, confidentiality, and privacy

You can read more about this process, and what types of impacts are considered significant, [here](#).

The EDO has a template for making submissions regarding Referrals under the EPBC Act, which is available [here](#).

## **Key concerns about the project**

### Insufficient referral information

Inpex states on page 61 of the Supporting Information Document that it anticipates that marine seismic surveys will be conducted routinely through the project lifespan of 30 years, covering an area of up to 1800 km<sup>2</sup>. This enormous area is not defined in the Referral documentation, and the risks and impacts are not adequately assessed.

Inpex notes on page 238-239 of the Supporting Information Document that an oil spill is one of the risks of the proposed project, but restricts the area of its preliminary impact assessment to the project area. A worst-case scenario oil spill would likely extend beyond the immediate project area. As such, Inpex should delineate the area that may be affected by a worst-case scenario spill and undertake a preliminary assessment of its environmental impacts.

### Impacted species

This project will be undertaken in areas of significant ecological value. Both Darwin Harbour the Bonaparte Gulf are under-researched and baseline data is scarce. Notwithstanding the limitation is available data, species that may be impacted by the project include:

- Flatback turtle (*Natator depressus*) – listed as Vulnerable under the EPBC Act;
- Olive Ridley turtle (*Lepidochelys olivacea*) – Endangered;
- Green turtle (*Chelonia mydas*) – Vulnerable;
- Hawksbill turtle (*Eretmochelys imbricata*) – Vulnerable;
- Leatherback turtle (*Dermochelys coriacea*) – Endangered;
- Loggerhead turtle (*Caretta Caretta*) – Endangered;
- Sei Whale (*Balaenoptera borealis*) – Vulnerable;
- Blue Whale (*Balaenoptera musculus*) - Endangered;

- Australian Snubfin Dolphin ( *Orcaella heinsohni* ) – Vulnerable; and,
- Australian Humpback Dolphin ( *Sousa sahulensis* ) – Vulnerable.

The project also intersects with Biologically Important Areas (BIAs) for the Australian Snubfin Dolphin, Indo-Pacific Humpback Dolphin, and the Indo-Pacific/Spotted Bottlenose Dolphin. The project area overlaps with BIAs in which green and olive ridley turtles forage, while closer to Darwin the project intersects with habitat critical to the survival of flatback turtles according to the Marine Turtle Recovery Plan.<sup>1</sup>

Other species, protected as cetaceans under the EPBC Act, include the Bryde's whale (*Balaenoptera edeni*), Killer whale (*Orcinus orca*), Humpback whale (*Megaptera novaeangliae*) and Omura's whale (*Balaenoptera omurai*).

There is emerging research that Omura's whales may inhabit the Bonaparte Gulf year-round, indicating an increased risk of significant impacts to the species. Further research is required to understand the distribution of Omura's whales within the Bonaparte Gulf, including whether they use the area for foraging and breeding.

#### Noise impacts of seismic monitoring

The impacts of seismic blasting on ecosystems are devastating – you can read more [here](#) or in the submission to the senate inquiry on seismic blasting made by Australian Marine Conservation Society and Save Our Marine Life [here](#).

The information presented in the Referral documents appears to be inconsistent with the requirements set out in EPBC Act Policy Statement 2.1 – *Interaction between offshore seismic exploration and whales*, which requires project proponents to include a range of detailed information when they are proposing to conduct seismic surveys.

#### Risks of pipeline rupture

Inpex claims that accidental release of CO<sub>2</sub> is unlikely to have a significant impact on matters on national environmental significance and that a large-scale pipeline rupture and release of CO<sub>2</sub> is highly unlikely. ECNT found, based on historic pipeline data, that the likelihood of a leak along the pipeline route is around 0.3/year, or an incident every 3.3 years.

The impacts of CO<sub>2</sub> release in marine environments are poorly understood – studies have found that in addition to changes to biochemical processes, CO<sub>2</sub> leaks can also lead to changes in microbial communities, aquatic vegetation, and fauna and their behaviour.<sup>2</sup> By assuming that the level of risks and impact are low, Inpex has not presented an adequate account of how leaks and ruptures will impact marine life.

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<sup>1</sup><https://www.agriculture.gov.au/sites/default/files/documents/recovery-plan-marine-turtles-2017.pdf>

<sup>2</sup> Basallote, M.D. et al. (2012) Lethal Effects on Different Marine Organisms, Associated with Sediment-Seawater Acidification Deriving from CO<sub>2</sub> Leakage. Environmental Science and Pollution Research 19: 2550–2551.

The risks associated with rupture of the onshore component of the pipeline in Darwin Harbour are of particular significance to migratory shorebird species. A corridor of the pipeline in this project will pass through and disturb a site that meets the definition of *nationally important habitat* for the critically endangered Far Eastern Curlew, with records at the site meeting the threshold for this definition.<sup>3</sup> The pipeline introduces potential disturbance impacts during construction and maintenance, as well risks associated with pipeline rupture. Release of CO<sub>2</sub> – a low-lying asphyxiant - in a nationally significant habitat may constitute an unacceptable impact.

Other impacts:

Construction will require dredging Darwin harbour for pipelay. The project dredge volume would be between 600,000 and 900,000 m<sup>3</sup> for the pipeline and subsea power and fibre optic cable. The dredging spoil will be disposed in Beagle Gulf, 12km off the coast of Lee Point.

Darwin Harbour provides habitat for a range of species, including Flatback, Hawksbill, Green, and Olive Ridley turtles, Australian snubfin dolphin, humpback dolphin, bottlenose dolphin, and the false killer whale. The Harbour is considered interesting habitat critical for the survival of the flatback turtle.

The proposed dredging would span a corridor of up to 100m in width, and it would run directly through the centre of Darwin harbour, with several potential risks and impacts including: increased sedimentation and turbidity, which can impact corals and other organisms; increased mobilisation of heavy metals found in the benthic surface; noise disturbance that can trigger behavioural disruption and cause physiological harm in a range of species including turtles and dolphins.

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<sup>3</sup>Lilleyman, A. et al (2017) Distribution and abundance of migratory shorebirds in Darwin Harbour, Northern Territory, Australia, Northern Territory Naturalist 28. Accessed via <https://pdfs.semanticscholar.org/92c4/c8b02698d7749c31831b0afada1da61817ef.pdf>, p37