

Territory government allows onshore petroleum companies to sell fracked gas during exploration phase

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NurrDALinji Aboriginal Corporation chair Johnny Wilson says new fracking laws do not allow Traditional Owners to protect and care for country. Picture: Supplied
Traditional owners and environmentalists are saying the Fyles government has made an ‘extremely risky’ move on gas fracking development. Here’s why they’re concerned.

The Territory government has been widely criticised for “caving” to the gas industry and ignoring traditional owners after passing new fracking laws.

The legislation, which passed in parliament with bipartisan support, allows fracking companies to sell gas during the exploration or ‘appraisal’ phase.

It means companies will be able to operate without going through the more rigorous assessment process needed to obtain a production licence, the Arid Lands Environment Centre says.

“It’s a clear example of the Fyles government caving to the fracking industry,” spokeswoman Hannah Ekin said.



The landmark Pepper Inquiry was in the spotlight during parliament’s last sittings of 2022 as the NT government moves to capitalise on the Beetaloo Basin. Picture: Supplied
“It’s an extremely dangerous and risky move at a time when big fracking companies like Origin are pulling out of the Territory, and leaving their tenements in the hands of smaller, less experienced operators.

“Fracking is an inherently risky technique – it has contaminated aquifers, and requires massive amounts of groundwater while producing large volumes of toxic waste.”

Environment, Climate Change and Water Security Minister Lauren Moss said the Bill acted on implementing all 135 recommendations of the landmark Pepper Inquiry, which the Gunner government endorsed in full in 2018.



Do you support fracking in the Northern Territory?

“This legislation will allow for the beneficial use of appraisal petroleum, which means that gas companies will no longer be forced to vent or flare appraisal gas which, of course, contributes to greenhouse gas emissions,” Ms Moss said.

“This bill means that once all 135 inquiry recommendations have been met, companies will have the option to capture and then sell appraisal petroleum, bringing both benefits to the environment and economic development, and course, the royalties that will be payable on appraisal petroleum.”



Environment, Climate Change and Water Security Minister Lauren Moss said the new laws would not come at the expense of the Territory’s environmental and cultural values. Picture: Glenn Campbell

However Ms Ekin said the new legislation was a “backflip” on the government’s endorsement of the Pepper Inquiry.

“Justice Pepper’s recommendations were made so that if fracking occurred, it would have the least possible environmental and social impact,” Ms Ekin said.

“The Fyles Government’s foolish decision to override these recommendations threatens the Territory’s unique environment, and the health and wellbeing of its communities.”

Traditional owners from the Beetaloo Basin agree.

The Nurrdalinji Native Title Aboriginal Corporation claimed the new laws enabled the industry to produce unlimited volumes of gas for up to 15 years, without negotiating with Aboriginal people.

Nurrdalinji chair Johnny Wilson, a Gudanji-Wambaya man and jungai (cultural lawman), said the new laws were “shameful”.

“As early as 2004, when exploration agreements were first made, our old people were told there’d be wells the size of billy cans,” Mr Wilson said.

“Gas companies didn’t explain what fracking is or the damage it can do to our water, sacred sites, plants and animals.

“We now know there’ll be four to five hundred wells and pipelines running across our country.

“These exploration agreements which were signed by our elders, with very little information provided, are now set to become the hook, line and sinker for large scale industrialisation and production.”



Mining and Industry Minister Nicole Manison said the Petroleum Legislation Amendment Bill would make onshore gas development in the NT sustainable, world class and best practice. Picture: Floss Adams.

However Mining and Industry Minister Nicole Manison said the government worked with Territory land councils to strengthen consent provisions in the Bill.

“Traditional Owner consent is non-negotiable, and exploration or production cannot and will not proceed without it,” she said.

“Considered and careful development of such a phenomenal gas resource will provide a much-needed and much-clearer energy security to the Northern Territory and to Australia more broadly.”

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