

La'ó Hamutuk

Timor-Leste Institute for Development Monitoring & Analysis

Rua Dom Alberto Ricardo, Bebora, Dili, Timor-Leste

Tel : +670 332 1040

Email: laohamutuk@gmail.com

Website: www.laohamutuk.org



Submission to the Northern Territory Environment Protection Authority

from the
**Timor-Leste Institute for Development Monitoring and Analysis
La'ó Hamutuk**

regarding the proposed
Darwin Pipeline Duplication Project

15 February 2022

Greetings from your neighbours across the Timor Sea.

As an independent civil society organization, La'ó Hamutuk, the Timor-Leste Institute for Development Monitoring and Analysis, closely follows issues in Australia and Timor-Leste, including many aspects of the oil and gas industry which straddle our two nations. Although this is our first submission to NTEPA, La'ó Hamutuk has made nearly a dozen submissions to government agencies in Australia. We hope that our information and analysis will help you make wise decisions which protect the environment and the people of both the Northern Territory and Timor-Leste.

Since 2000, La'ó Hamutuk has analysed and monitored the activities of the Timorese Government, its development partners, and multilateral agencies, advocating for policies which promote sustainable and equitable economic and social development. Through this work, we try to ensure that our country's sovereignty is recognized and that all of Timor-Leste's people – both women and men, as well as current and future generations – can participate in sustainable, just, inclusive and transparent development which respects human rights and people's cultures.

Relationships across the Timor Sea

As you know, Timor-Leste and Australia have had a troubled history for most of the last half-century. We believe that the Maritime Boundary Treaty signed in 2018 marks a change to a more respectful and considerate relationship, which we are confident that your oversight of this DPD project will exemplify.

Like the Northern Territory and the entire Commonwealth, Timor-Leste has received substantial benefits from the Bayu-Undan oil and gas field and the Wickham Point LNG plant, which we appreciate. Nevertheless, we cannot forget that Australia took about \$6 billion worth of revenues from oil and gas fields that your government now agrees are in Timor-Leste's territory, and that Australia continues to persecute 'Witness K' and Bernard Collaery for trying to make the negotiations between our countries less unfair. However, we would like to move forward.

This project will impact yourselves, your neighbours and the world.

Our submission is written from a Timor-Leste perspective, and we don't presume to speak for the people of the Northern Territory. We encourage you to carefully consider issues raised by people there, including by Aboriginal and environmental organizations.

The NTEPA should not look at the part of this project that falls within the Northern Territory in isolation, as it affects your neighbours and the global climate. Environmental risks don't stop at the three-mile limit; they are not constrained by the 200-mile EEZ. Gas extraction from Barossa and carbon storage at Bayu-Undan may be outside your territorial jurisdiction, but they are intrinsic elements of the proposed DPD project. Please consider effects outside the Northern Territory, some of which could endure for centuries, while you look into the local impacts of this project.

A piecemeal approach to a project which straddles multiple jurisdictions may not adequately protect our common welfare. Overarching issues might fall outside of each authority's localized mandate and be overlooked – there is more to this project than the pipelines currently before you. Furthermore, if some regulators are less experienced or are overly influenced by corporate pressure, others, including yourselves, need to step up and exercise their responsibilities effectively.

It is unfortunate that the NTEPA did not assess the nearly two-decade-old Darwin LNG plant before authorizing extending its use with a different operator for a different gas field. However, the proposed DPD project provides another opportunity to review this project. Please assess it at the highest level by holding a public inquiry.

Carbon Capture and Storage is not a solution.

Santos disingenuously wrote that its September 2021 MOU with Timor-Leste's National Petroleum and Minerals Authority (ANPM) is *"to pursue Carbon Capture and Storage (CCS) by the Bayu-Undan Joint Venture."*¹ However, people in ANPM and elsewhere in TL understand that this MOU is only the beginning of a conversation, not a decision to go ahead with the project. In fact, the MOU itself states that the Bayu-Undan joint venture and ANPM *"agree to cooperate in good faith to assess the feasibility of pursuing this opportunity,"* and the matters listed in the MOU involve *"assessing"* various items and *"establishing a clear and reasonable timeline for decisions on whether to pursue this CCS project."*

¹ Darwin Pipeline Duplication (DPD) Project NT EPA Referral, section 5.1, page 50.

Santos floated the idea of Carbon Capture and Storage (CCS) at Bayu-Undan to enable them to develop the carbon-intensive Barossa gas field, a greenwashing strategy to confuse the public about the damage they will inflict on the global climate. CCS is not a proven technology. Santos' statement that "*CCS is recognised as a safe, well established solution for permanent, large-scale emissions reduction and clean energy production, being the keys to economy-wide decarbonisation*"² may be true for oil companies such as themselves who have a vested interest, but it is far from universally recognised, and nearly all CCS projects have sequestered far less carbon than their proponents promised.³ Please do not be taken in by Santos' assertions, and do your own objective, environmentally-focused research. NTEPA's mandate is to protect the environment, not to facilitate public relations efforts intended to prolong the operations (and profits) of the globally-environmentally-destructive fossil fuel industry.

"Net Zero" is a misleading concept. Even if the CCS project at Bayu-Undan works as Santos hopes, it may not reduce the overall carbon dioxide emissions from extracting and liquefying the natural gas from Barossa, which is one of the dirtiest gas fields in the world.⁴ Furthermore, inevitable leaks of methane from the wells, pipelines and LNG and regasification facilities, as well as the CO₂ released by burning Barossa-sourced gas elsewhere on our planet, will significantly exacerbate the risk of serious consequences of global climate change.

Climate change is real.

Please do not contribute to the destruction of human life on earth to enable short-term financial gains by Santos and their partners. Although we are not knowledgeable about the impacts of climate change on the Northern Territory, we know only too well the calamities it has already brought to Timor-Leste, including last April's floods which killed more than 40 people and displaced 15,000. The future will be far worse if environmental regulators like yourselves lack the courage to take serious action.

Each person in Timor-Leste is responsible for about 0.5 tons of CO₂ emissions per year. Each Australian is responsible for 30 times that much, not counting the emissions where each of our fuel exports are burned. Why should Timor-Leste be saddled with the responsibility, and the risks, of Barossa's CO₂ so that Australian companies can extract and export more fossil fuels from deposits in Australia?

² Ibid., section 1.2, page 14. The same assertion is reiterated in Santos' *2021 Climate Change Report* on pages 21 and 27.

³ For example, see *Australia's only large-scale CCS project operated at half-capacity in first full year* at <https://reneweconomy.com.au/australias-only-large-scale-ccs-project-operated-at-half-capacity-in-first-full-year/>

⁴ See John Robert, *Santos' Proposed New Darwin Harbour Pipeline for Barossa Gas – Potentially Enabling a CCS Scheme – Remains Problematic* at https://ieefa.org/wp-content/uploads/2022/02/Santos_Proposed-New-Darwin-Harbour-Pipeline-for-Barossa-Gas-Remains-Problematic_February-2022.pdf and *How To Save the Barossa Project from Itself - Carbon Capture and Storage Will Not Help as Barossa Gas Is High-CO₂ Gas* at https://ieefa.org/wp-content/uploads/2021/10/How-To-Save-the-Barossa-Project-From-Itself_October-2021_3.pdf.

Conclusion

People on both sides of the Timor Sea are currently commemorating the 80th anniversary of the Japanese-Australian conflict in Timor-Leste during World War II, which killed tens of thousands of our people in order to avert an expected invasion of the Northern Territory by Japanese soldiers. Although the people of Timor-Leste continue to be respectful neighbours to our Australian friends, we do not appreciate being told once again that we must endure disproportionate suffering to enable you to continue your comfortable lives.

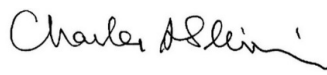
We trust that the good people of the Northern Territory will put a stop to this effort at “carbon colonialism” before it gets too far. Thank you.

This concludes our submission to the NT Environmental Protection Authority, and we are grateful for your attention to our concerns. We are happy to answer any questions or provide additional information regarding issues discussed in this submission.

This submission is authorized by our organization, including for publication.



Written by: Eliziaria Gomes
Researchers



Charles Scheiner



Bree Ahrens



Approved by: Marta da Silva
Coordination Team



Celestino Gusmão