

Response to additional material provided to the IPC in relation to the Narrabri Gas Project SSD 6456

I restrict comment to the NSW Government (DPIE) response to questions raised in relation to the following:

Ecologically Sustainable Development

- Mr Kitto has effectively admitted the Department has not assessed the project against ESD requirements in isolation by declaring (page 3):

“the Department’s attempt to deal with a whole range of economic, social and environmental matters in a wholistic way. It would therefore be a difficult and somewhat arbitrary process to disaggregate the conditions and link them in an explicit way with each of the principles of ESD” (my underlined emphasis)

It should not matter whether the assessment process *is difficult or somewhat arbitrary*. The Department has a duty under the Act to assess the project against ESD criteria, and I am not aware of anything in the Act to suggest they should consider “a whole range of.....matters in a wholistic (sic) way.”

By admitting that no SSD project is assessed against ESD criteria independent of ‘a whole range’ of matters, Mr Kitto is acknowledging a critical shortcoming in the SSD assessment process generally.

- Wherever DPIE refers to their assessment of potential impacts, the extent, or degree of impact is described in non-measurable terms. The effect of such elastic descriptions is that compliance is assured as there is no baseline to measure non-compliance against. Terms such as:
 - ‘would not *significantly* affect the environment.....’ What is significant and what is not significant can be determined solely on opinion. That is not a reasonable basis for environmental impact management.
 - ‘would have *negligible* impacts’. On a scale of 1 to 10 is negligible 1 or closer to 5? And what would a 5 mean in terms of impact?
 - ‘would not generate *significant* greenhouse gas emissions’. What is DPIE’s basis of measurement to determine this open-ended assessment. Santos is effectively being licensed to generate an uncapped level of emissions.
- On Page 4 (para 3), Mr Kitto effectively inverts the precautionary principle by placing the onus on objectors to provide ‘*clear evidence of potential threats to groundwater resources, listed threatened species and communities and the global climate.*’ Yet the Precautionary Principle is triggered specifically where uncertainty exists, where there is a lack of ‘evidence’ as in the case of the groundwater impacts as acknowledged by DPIE ‘*due to the limited information available on the deeper geological strata due to the lack of development in these strata historically.*’

It is erroneous for DPIE to determine that by not *'providing clear evidence of the specific serious or irreversible environmental damage that may or would occur'* the concerns of objectors may be set aside in relation to the Precautionary Principle.

- On Page 8 Mr Kitto effectively dismisses the significance of the potential greenhouse gas emissions of the project by declaring:

'The simple fact is no single project can affect the global climate on its own, and the direct and indirect greenhouse gas emissions of the Narrabri Gas Project would be very minor compared to annual global emissions.'

Why bother with an assessment process at all if this is DPIE's attitude? Is this the formal attitude of the NSW Government to serious international efforts to reduce greenhouse gas emissions? Was the Narrabri Gas Project assessed within this culture? If so then it raises serious questions of integrity and objectivity. Is DPIE merely playing the role of facilitator on behalf of Santos? The impatient tone of Mr Kitto's responses gives that impression.