

## **Submission on additional material for Narrabri Gas Project**

Thank you for the opportunity to comment on the additional information on the Narrabri Gas Project recently provided to the IPC.

After reading the additional information provided by Santos and the Department of Planning, one can only conclude that very little has been added to the project in hand and indeed highlights the shortcomings of the Department of Planning assessment report and the gaps in information that Santos should have already, but has not previously supplied. In fact, there are many outstanding questions from the Department of Planning that Santos has not deemed to answer and many of the the expert opinions they commissioned were somewhat at odds with the Department's assessment.

The Department of Planning answers to the IPC questions further highlights the inadequacies of the assessment report, as none of the conditions of consent have been addressed in relation to either the SEARS or ESD. The conditions of consent remain unenforceable because the wording is so loosely phrased that any interpretation can be placed upon them.

The Narrabri Gas Project is not in the public interest, it is not critical for energy security and reliability in New South Wales and it will not deliver significant economic benefits to NSW and the Narrabri region, including jobs, investment and regional development. The project will however result in significant impacts on the local community and the environment.

Santos relied upon the "best available science", "expert research" and "opinion" in their application to develop the Narrabri Gas Project so that 'the community can be confident it will not harm people, water resources or the environment'. Santos has failed to instil that confidence in the community. There are far too many unknown factors and issues and with a proven track record of unreliability and non-compliance with the existing conditions of operation, Santos has shown that they are not to be trusted.

The Department of Planning maintains their stance on a rigorous assessment of the project, but their unsubstantiated assertions are based on picking and choosing the "best available science", "expert research" and "opinion", that best suited their position on approval for the project. Much known and published research has been simply ignored. The Department of Planning has also failed to instil any confidence in the community and indeed, even in the assessment report.

In the additional information supplied by Santos, one must ask the question why Santos felt it necessary to engage Richard Lancaster SC for a legal opinion on the lack of attention paid to ecological sustainable development and the precautionary principle in the Departmental assessment report.

According to Richard Lancaster SC, in his own words, it is not necessary to even mention the words 'ecologically sustainable development' and there is only a generally applicable obligation to even consider relevant principles of ESD even in the assessment report:

29. *Nevertheless, proceeding on the basis that there is a generally applicable obligation to consider relevant principles of ecologically sustainable development, in my opinion it is not necessary to mention specifically the term ecologically sustainable development or recite the specific text of the definition of that term in the*

*determination of an application, let alone in an assessment report considering the application.*

The department said that the whole assessment report was about ESD, but nowhere does the assessment report realistically balance the environmental impacts and the social pluses and minuses against the economic benefits. All emphasis was placed on the so-called economic benefits.

As for environmental impacts, the Department has acknowledged uncertainties and risks, but maintains that the risks can be avoided or managed. Just as they say the precautionary principle is not triggered because risk of harm is low and localised.

And according to Richard Lancaster SC on the Precautionary Principle:

*44. In my opinion, those propositions highlight a crucial omission from the NWA submission, which is the consideration of (c) above. [(c) the steps proposed to be taken that can be reasonably taken to reduce or mitigate that uncertainty, ] Where full scientific certainty cannot be achieved, the precautionary principle does not prohibit granting consent to the project until certainty has been obtained.*

There is scientific uncertainty as to the environmental damage that the Narrabri Gas Project will cause and therefore the precautionary principle must be applied.

The principles of ESD (and the precautionary principle) which are fundamental to a viable and approvable project were not addressed by Santos, even though it was a requirement of the SEARS, and Santos has also not balanced any of the environmental impacts and the social pluses and minuses against the economic benefits.

There is also no guarantee that scientific certainty could be ever be obtained by Santos, and there is no guarantee that the adaptive management approach will adequately mitigate the risks involved in this project. Santos cannot be trusted to ensure that the risks are first of all, known and secondly, can be avoided.

Neither the Department of Planning nor Santos can guarantee that the Narrabri Gas Project can be developed safely and sustainably, without harm to people, water resources or the environment.

The Narrabri Gas Project is not necessary.

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