

MS20-000073

To: Minister for the Environment (For Decision)

EPBC CONGESTION BUSTING PERFORMANCE REPORTING AND MAJOR PROJECTS

Timing: 18 February 2020 - to ensure ongoing performance reporting is provided to you in a timely manner.

Recommendations:

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4. That you approve the initial projects to be allocated 'major project' status at **Attachment C.**

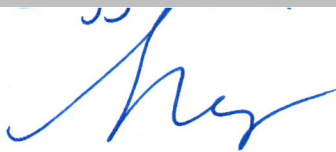
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Approved / Please discuss

Minister:

Date:

Comments:



19/2/20

Clearing Officer: Sent: 12/2/2020	Michelle Croker	A/g First Assistant Secretary, Environment Approvals Division	Ph: 6274 9031 Mob: s22
Contact Officer:	Declan O'Connor-Cox	A/g Assistant Secretary, Environment Approvals Division	Ph: 6274 2969 Mob: s22

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Major Projects

10. To deliver on major project approvals, the Department proposes to report on and manage a small number of the most nationally-significant projects as 'major projects', based on criteria linked to economic contribution and strategic significance of the projects. Assessment of these projects will be afforded the highest priority and will be resourced to ensure key decisions are made within agreed timeframes. The performance report includes updates on our performance in managing major projects.
11. The Department is seeking your agreement to the process for selecting 'major projects' and approval of the initial recommended projects to be allocated major projects status, outlined at **Attachment C**.

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ATTACHMENTS

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- B:** EPBC Congestion Busting: Performance Report
- C:** Major projects criteria and allocation



EPBC CONGESTION BUSTING: PERFORMANCE REPORT


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Major Projects update

The Department has identified **six** potential major projects for your consideration. Once determined, these major projects will be afforded the highest priority in terms of their assessment. An update on each project is provided in the table below.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 Being assessed by NSW under the Bilateral Agreement.	Review draft assessment report when provided by NSW.	We expect to receive the draft assessment report in February 2020. We will then review the report and provide comments back to NSW.

s22 - out of scope - irrelevant material

 On track to meet timeframes.  Some risk of not meeting timeframes.  High risk of not meeting timeframes.

Proposed handling of 'major projects' subject to assessment under the EPBC Act

Overview

As part of implementing the Government's congestion busting agenda in relation to environmental approvals, the Department proposes to manage a small number of the most nationally-significant projects as 'major projects'. Assessment of these projects will be afforded the highest priority and will be resourced and managed with a view to ensure key decisions are made within agreed timeframes.

The Department will recommend projects for 'major project' status to you for approval and will provide regular reports to you on the Department's performance in managing the major projects.

Recommendation of major projects to you will be based on an evaluation against agreed criteria which focuses on economic contribution and strategic significance of the projects (see below).

What is the proposed initial set of major projects?

The Department's proposed initial list of major projects comprises:

- Santos NSW (Eastern) Pty Ltd's Narrabri Gas Project, NSW

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What criteria will be used to identify major projects?

The proposed criteria for major project selection are outlined below. Equal weightings will apply to the proposed criteria.

- strategic significance: for example, critical national infrastructure which will facilitate further growth, investment and job creation or to meet critical community needs
- economic contribution: having regard to key indicators such as expected revenue, upfront and ongoing employment opportunities, and capital expenditure
- other Government policy objectives

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What can proponents of major projects expect from the Department?

The Department will negotiate a client service charter with the proponent for each major project. The service charter will provide proponents with greater certainty about the assessment process, including roles and expectations of parties, timeframes for key decisions, and any necessary caveats or contingencies regarding timing. Importantly (noting that these projects are typically much more complex than standard projects), the timeframes negotiated in the service charter are expected to be longer than statutory timeframes.

The service charter for each project will make no commitment or guarantee about the decision outcome.

What reporting will be done on Major Projects?

The Department will provide a regular report to you on our performance with meeting timeframes for major projects as part of our congestion busting performance reporting (see [Attachment B](#) to brief).

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Appendix A: Further information on proposed major projects

Narrabri Gas Project

A proposal by Santos to develop a coal seam gas field in the Gunnedah Basin of New South Wales is being assessed under the EPBC Act bilateral assessment agreement with the New South Wales Government.

The Narrabri Gas Project has been mentioned by the NSW Premier as one of several possible options, if approved, for providing additional gas to the East Coast market under the \$2 billion energy deal between the Australian and NSW Governments announced in January 2020.

The proposed action involves: exploration and appraisal activities, installation of up to 850 CSG wells, the development and operation of gas and water gathering systems, a central gas processing facility, water treatment facilities and supporting infrastructure (including power generation and distribution, communications, roads and operational management facilities).

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To: Minister for the Environment (For Information)

EPBC ACT CONGESTION BUSTING: PERFORMANCE REPORT QUARTER 1 2020

Recommendation:			
1. That you note the <i>Environment Protection and Biodiversity Conservation Act</i> Congestion Busting Quarterly Performance Report for January to March 2020.			
			Noted / Please discuss
Minister:			Date:
Comments:	17/6/20		
Clearing Officer: Sent: 18/05/20	Michelle Croker	A/g First Assistant Secretary, Environment Approvals Division	Ph: 6274 9031 Mob: s22
Contact Officer:	Declan O'Connor-Cox	A/g Assistant Secretary, Environment Approvals Division	Ph: 6274 2969 Mob: s22

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6. A status update on the nine currently identified 'Major Projects' is also at **Attachment A**. These projects are considered to be nationally significant based on economic and strategic factors.
 - a. All Major Projects are on track to meet agreed timeframes.

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Attachments

A: EPBC Congestion Busting: Performance Report Quarter 1 2020

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EPBC CONGESTION BUSTING: PERFORMANCE REPORT QUARTER 1 2020

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MAJOR PROJECTS STATUS: ● on track to meet timeframes ● some risk of not meeting timeframes ● high risk of not meeting timeframes **N/A** not applicable as project is pre-referral

Project with State regulator Project with Commonwealth regulator Project with proponent *Timeframes are point in time and may not reflect changes in investment decisions or other factors. Delays are not necessarily attributable to EPBC Act processes.

Project	Status	Next steps	Indicative timeframe*	Actions to meet agreed timeframes
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Narrabri Gas Project, NSW Santos NSW	●	<i>Narrabri gas project (EPBC 2014/7376):</i> NSW to complete its assessment report and to provide the report to the Independent Planning Commission (IPC). The IPC will conduct a public hearing and make its determination within 12 weeks of receiving the assessment report.	Cth approval decision is expected in second half of 2020.	The Department reviewed the NSW draft assessment report and responded to NSW in under two weeks.

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ATTACHMENT B: MAJOR PROJECT SERVICE DELIVERY LEVELS

There will be three levels of service delivery for the Major Projects:

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- c. For advanced projects that are likely to be agreed within 6 months, we will meet statutory timeframes for our final approval decision (30-40 business days).

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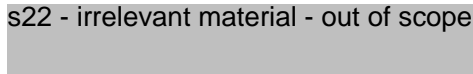
These projects are already well advanced and it is too late for a service charter and are likely to have a Commonwealth approval decision in the next six months. The Cth will meet statutory timeframes for our decision (30-40 business days).

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- [Narrabri gas project \(EPBC 2014/7376\)](#)

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s22

From: s22
Sent: Sunday, 14 June 2020 4:40 PM
To: O'connor-Cox, Declan (Protected)
Subject: Major projects
Attachments: s22 - irrelevant material - out of scope Attachment B Major Projects Update
SMB.docx; Job creation from major projects.xlsx

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Cheers,

s22
Director
Environment Protection - Regulatory Policy
Policy Reform Branch | Environment Standards Division
Department of the Environment and Energy
GPO Box 787 Canberra ACT 2601
T: +61 2 6274 s22
s22
s22 [.environment.gov.au](http://environment.gov.au)

The Department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

Meeting 10. Major Projects Update

The following updates on current Major Projects are as of **3 April 2020**.

Project	Current status	Next steps	Comments	Dollar value of project and potential jobs created
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	● Being assessed by NSW under the Bilateral Agreement.	Await the NSW Determination	NSW provided the draft assessment report on 27 February 2020 for review. The Office of Water Science has been consulted and feedback about the draft report provided to NSW on 12 March 2020. The NSW Minister for Planning wrote to the Independent Planning Commission on 3 March 2020 requesting a public hearing focussing on the assessment report and key issues raised during the hearings and that it make its determination within 12 weeks of receiving the assessment report, unless the Planning Secretary agrees otherwise.	\$3.6 billion 1,300 jobs during peak construction (first 3-4 years) and approximately 200 jobs during operations.

Commented [SB1]: Additional information: The project has a direct capital investment value of \$3.6 billion dollars, and ongoing operational investment of \$5.5 billion over the life of the project (source draft NSW assessment report).

There is also further detail in the EIS executive summary, if needed:
<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-6456%2120190228T034754.407%20GMT> (ES page 9).

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Job creation from major projects

Major project

Narrabri Gas Project

Construction

1,300


Operations

200

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Meeting 7. Major Projects Update

As of 24 February 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 Being assessed by NSW under the Bilateral Agreement.	Review draft assessment report when provided by NSW.	We expect to receive the draft assessment report in February 2020. We will then review the report and provide comments back to NSW.


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Meeting 8. Major Projects Update

As of 6th of March 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 Being assessed by NSW under the Bilateral Agreement.	Provide comments to NSW on draft assessment report	NSW provided the draft assessment report to the Department on 27 February 2020 for review. The Northern NSW Assessments Section is currently reviewing the report and has sought feedback from the Office of Water Science regarding the assessment of impacts on water resources. We will provide comments back to NSW in the week commencing 9 March 2020.


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Meeting 9. Major Projects Update

As of 24th of March 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 Being assessed by NSW under the Bilateral Agreement.	Await the NSW Determination	NSW provided the draft assessment report to the Department on 27 February 2020 for review. The Northern NSW Assessments Section consulted with Office of Water Science and provided feedback about the draft report to NSW on 12 March 2020. The NSW Minister for Planning wrote to the Independent Planning Commission on 3 March 2020 requesting that it conduct a public hearing into the Project, paying attention to the assessment report and key issues raised during the hearings and make its determination of the project within 12 weeks of receiving the assessment report, unless the Planning Secretary agrees otherwise.

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Meeting 10. Major Projects Update

As of 3 April 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	● Being assessed by NSW under the Bilateral Agreement.	Await the NSW Determination	NSW provided the draft assessment report to the Department on 27 February 2020 for review. The Northern NSW Assessments Section consulted with Office of Water Science and provided feedback about the draft report to NSW on 12 March 2020. The NSW Minister for Planning wrote to the Independent Planning Commission on 3 March 2020 requesting that it conduct a public hearing into the Project, paying attention to the assessment report and key issues raised during the hearings and make its determination of the project within 12 weeks of receiving the assessment report, unless the Planning Secretary agrees otherwise.

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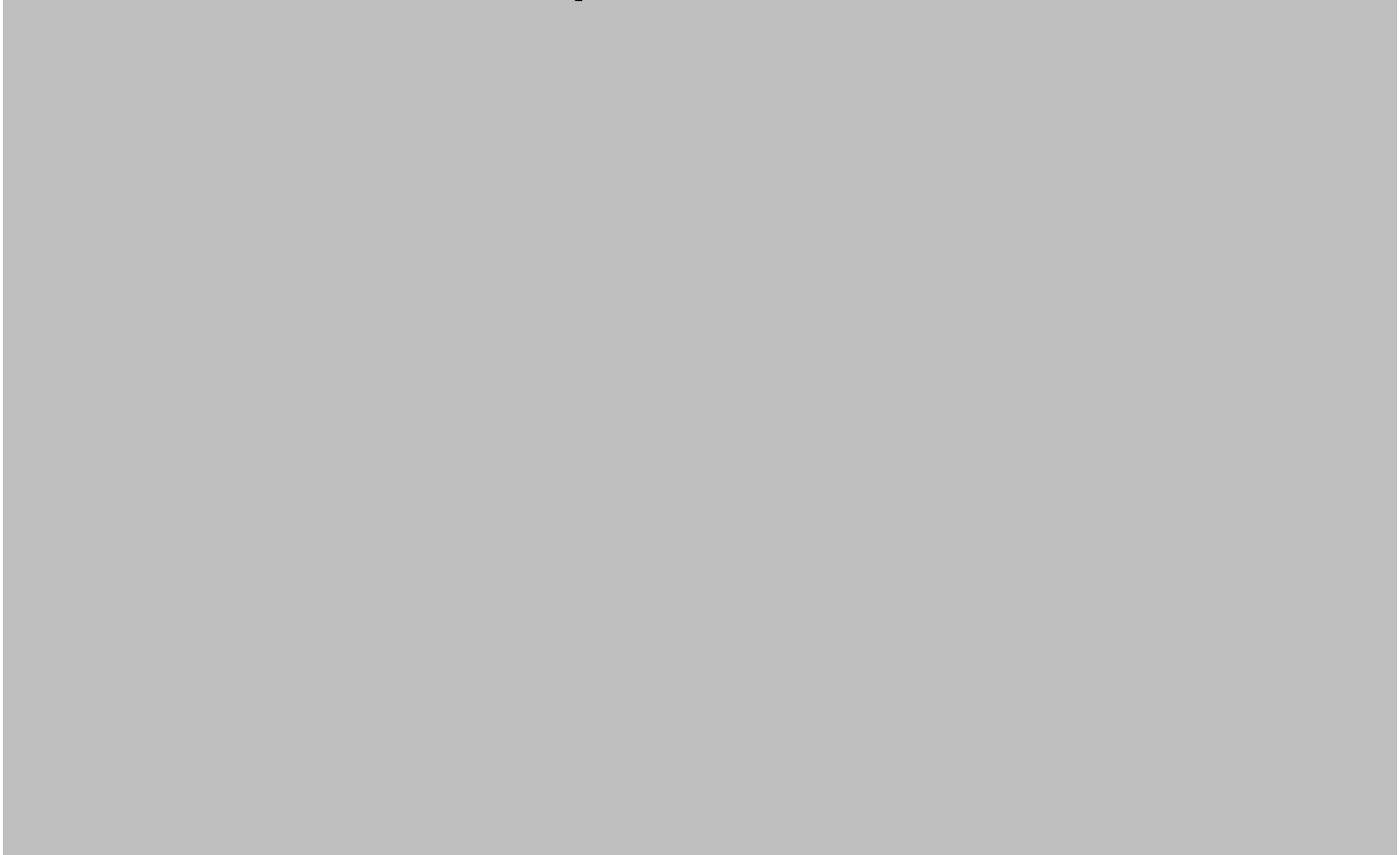
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Meeting 11. Major Projects Updates

As of the 17th of April 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 <p>On track. Being assessed by NSW under the Bilateral Agreement.</p>	Await the NSW Determination	NSW provided the draft assessment report to the Department on 27 February 2020 for review. The Northern NSW Assessments Section consulted with Office of Water Science and provided feedback about the draft report to NSW on 12 March 2020. The NSW Minister for Planning wrote to the Independent Planning Commission (IPC) on 3 March 2020 requesting that it conduct a public hearing into the Project, paying attention to the assessment report and key issues raised during the hearings and make its determination of the project within 12 weeks of receiving the assessment report, unless the Planning Secretary agrees otherwise. The IPC is working through how to hold a public meeting given the restrictions on groups.

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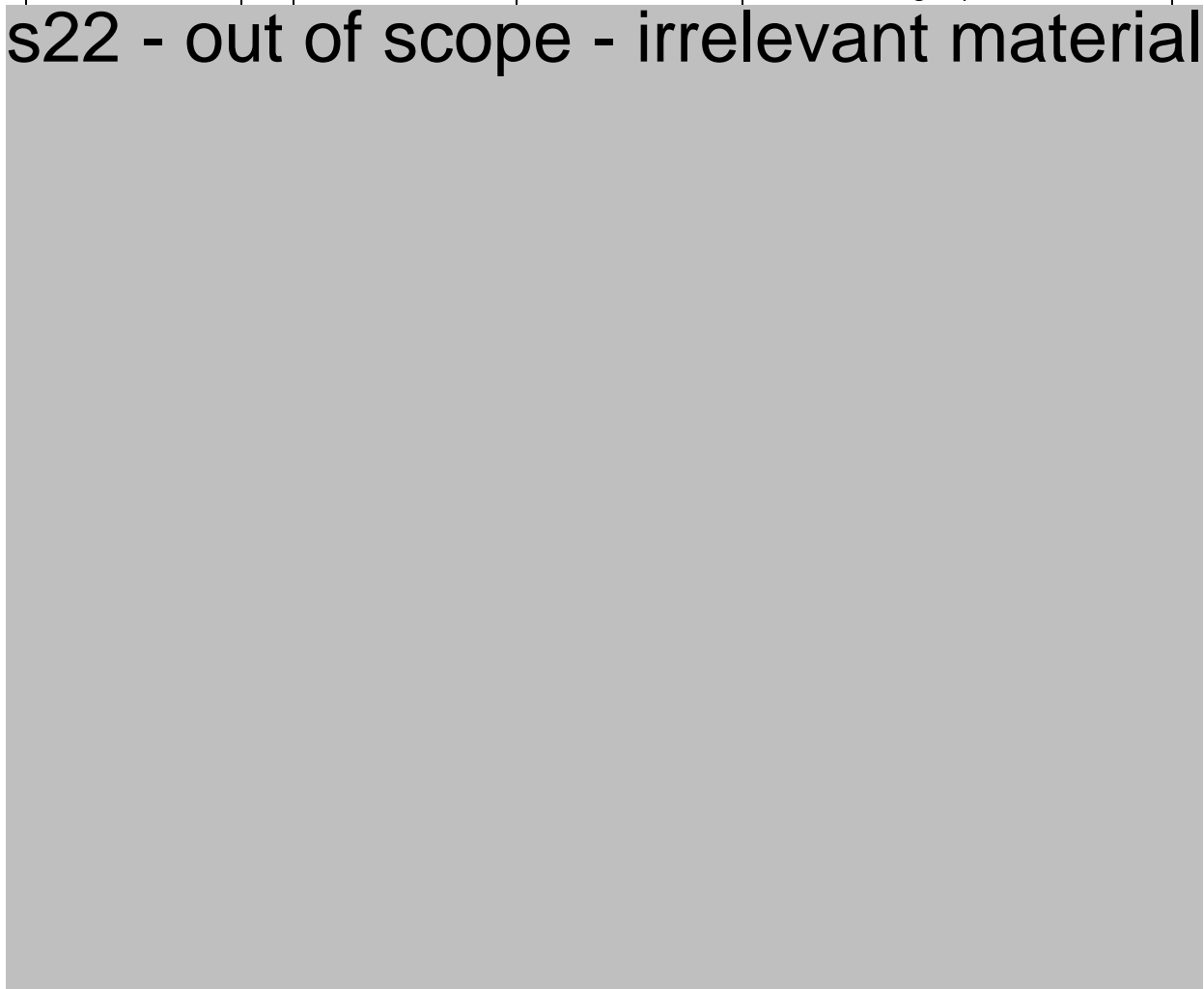
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Meeting 12. Major Projects Updates

As of the 1st of May 2020, these are the following updates on the current Major Projects within the Department.

Project	Current status	Next steps	Comments
Narrabri Gas Project, NSW (EPBC 2014/7376) Santos NSW (Eastern) Pty Ltd.	 On track. Being assessed by NSW under the Bilateral Agreement.	Await the NSW Determination	NSW provided the draft assessment report to the Department on 27 February 2020 for review. The Northern NSW Assessments Section consulted with Office of Water Science and provided feedback about the draft report to NSW on 12 March 2020. The NSW Minister for Planning wrote to the Independent Planning Commission (IPC) on 3 March 2020 requesting that it conduct a public hearing into the Project, paying attention to the assessment report and key issues raised during the hearings and make its determination of the project within 12 weeks of receiving the assessment report, unless the Planning Secretary agrees otherwise. The IPC is working through how to hold a public meeting given the restrictions on groups.

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MAJOR PROJECTS STATUS: ● on track to meet timeframes ● some risk of not meeting timeframes ● high risk of not meeting timeframes **N/A** not applicable as project is pre-referral

Project with State regulator Project with Commonwealth regulator Project with proponent *Timeframes are point in time and may not reflect changes in investment decisions or other factors. Delays are not necessarily attributable to EPBC Act processes.

Project	Status	Next steps	Indicative timeframe*	Actions to meet agreed timeframes
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Narrabri Gas Project, NSW Santos NSW	●	<i>Narrabri gas project (EPBC 2014/7376):</i> NSW to complete its assessment report and to provide the report to the Independent Planning Commission (IPC). The IPC will conduct a public hearing and make its determination within 12 weeks of receiving the assessment report.	Cth approval decision is expected in second half of 2020.	The Department reviewed the NSW draft assessment report and responded to NSW in under two weeks.
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MAJOR PROJECTS STATUS: ● on track to meet timeframes ● some risk of not meeting timeframes ● high risk of not meeting timeframes **N/A** not applicable as project is pre-referral

FOI 200812
Document 12

Project with State regulator Project with Commonwealth regulator Project with proponent *Timeframes are point in time and may not reflect changes in investment decisions or other factors. Delays are not necessarily attributable to EPBC Act processes.

Project	Status	Next steps	Indicative timeframe*	Actions to meet agreed timeframes
<h1>s22 - out of scope - irrelevant material</h1>				
Narrabri Gas Project, NSW Santos NSW	●	<i>Narrabri gas project (EPBC 2014/7376):</i> NSW to complete its assessment report and to provide the report to the Independent Planning Commission (IPC). The IPC will conduct a public hearing and make its determination within 12 weeks of receiving the assessment report.	Cth approval decision is expected in second half of 2020.	The Department reviewed the NSW draft assessment report and responded to NSW in under two weeks.

s22 - out of scope - irrelevant material

MAJOR PROJECTS STATUS: ● on track to meet timeframes ● some risk of not meeting timeframes ● high risk of not meeting timeframes **N/A** not applicable as project is pre-referral

FOI 200812
Document 13

Project with State regulator Project with Commonwealth regulator Project with proponent *Timeframes are point in time and may not reflect changes in investment decisions or other factors. Delays are not necessarily attributable to EPBC Act processes.

Project	Status	Next steps	Indicative timeframe*	Actions to meet agreed timeframes
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s22 - out of scope - irrelevant material

Narrabri Gas Project, NSW Santos NSW	●	<i>Narrabri gas project (EPBC 2014/7376)</i> : NSW to complete its assessment report and to provide the report to the Independent Planning Commission (IPC). The IPC will conduct a public hearing and make its determination within 12 weeks of receiving the assessment report.	Cth approval decision is expected in second half of 2020.	The Department reviewed the NSW draft assessment report and responded to NSW in under two weeks.
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FOI 200812
Document 14

**THE HON SUSSAN LEY MP
MINISTER FOR THE ENVIRONMENT
MEMBER FOR FARRER**

MC20-004490

Dr Fiona Martin MP
Member for Reid
72 Burwood Road
BURWOOD NSW 2134

23 MAR 2020

Dear Dr Martin

Thank you for your correspondence of 5 February 2020 on behalf of your constituent **s47F** concerning the SANTOS Narrabri Gas proposal.

The Australian Government plays an important role in protecting our environment from the potential impacts of development activity, with a focus on matters of national environmental significance. In the case of coal seam gas developments, this includes potential impacts on water resources. The Australian Government's regulatory regime works in concert with state and territory governments, which have primary responsibility for water resources and regulating environmental impacts associated with the resources sector.

The Narrabri Gas proposal is currently being assessed under Australia's national environmental law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), for the proposal's impacts on nationally threatened species and ecological communities, a water resource in relation to a coal seam gas development and impacts on Commonwealth land in the region. Together with the NSW Government, I have sought the best available independent scientific advice on the proposal from the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC). This advice is an important part of the proposal's assessment and SANTOS will need to address the issues raised in the advice in its environmental assessment. The IESC's advice for the proposal is available on the IESC website at: iesc.environment.gov.au/advice/scientific-advice.

All relevant matters regarding the environmental impacts of the proposal will be considered before a decision is made on whether to approve the proposal. These considerations include impacts on water resources, nationally protected species and ecological communities in the Pilliga region, and any public comments received during the proposal's exhibition period.

Thank you for bringing **s47F** concerns to my attention.

Yours sincerely

SUSSAN LEY

s22

From: s22
Sent: Friday, 12 June 2020 4:01 PM
To: s22
Subject: FW: Narrabri Gas Project, Gunnedah Basin, NSW (EPBC 2014/7376) – Assessment update [SEC=OFFICIAL]

Hi s22

I hope you've had a nice week. Please see below the latest update on Narrabri Gas for the Major Projects reporting.

Thanks, s22

From: s22
Sent: Friday, 12 June 2020 11:18 AM
To: Louise Vickery <Louise.Vickery@environment.gov.au>
Cc: s22 @environment.gov.au; s22 @environment.gov.au; s22 @environment.gov.au
Subject: Narrabri Gas Project, Gunnedah Basin, NSW (EPBC 2014/7376) – Assessment update [SEC=OFFICIAL]

Hi Louise

The NSW Department of Planning, Industry and Environment has provided the NSW Independent Planning Commission (IPC) with a copy of its assessment report for the Narrabri Gas Project. This commences the IPC assessment process for the project. Please find below an update on the assessment and talking points, if needed.

Narrabri Gas Project, Gunnedah Basin, NSW (EPBC 2014/7376) – Assessment update (as at 12 June 2020)

- The NSW Department of Planning, Industry and Environment has completed its comprehensive assessment of the Narrabri Gas Project and has referred the proposal to the NSW Independent Planning Commission (IPC) for public hearing and final determination.
- The NSW Minister for Planning and Public Spaces has requested the IPC hold the public hearing and determine the development application within 12 weeks of receiving the NSW assessment report. However, the IPC can request additional information and an extension to this timeframe if necessary.
 - The public hearing will be held online, in place of a face-to-face hearing, in line with new requirements issued by the NSW Government in response to the COVID19 pandemic. Proceedings of the hearing will be streamed live online, and a transcript published on the IPC website.
- The process for deciding whether to approve the project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) will commence following completion of the NSW Government's assessment and approval process, expected later this year.

Background

- The Narrabri Gas Project requires assessment and approval under the EPBC Act. The proposal is being assessed under the bilateral agreement with the NSW Government. The project includes the installation of up to 850 CSG wells, on up to 425 new well pads, in the Gunnedah Basin, south-west of Narrabri. Estimated gas production is up to 200 terajoules of natural gas per day.
- Further information on the IPC assessment can be found at:
<https://www.ipcn.nsw.gov.au/projects/2020/03/narrabri-gas-project>

Talking points

- A proposal by Santos to develop a coal seam gas field in the Gunnedah Basin of New South Wales is being assessed under the EPBC Act bilateral assessment agreement with the New South Wales Government.
- All relevant matters regarding the environmental impacts of the proposal, including any public comments received during the public exhibition period, will be considered before a decision is made whether to approve the proposal.
- The process for deciding whether to approve the project under the EPBC Act will commence following completion of the New South Wales Government's assessment and approval process under State law.

Regards

s22

A/g Director

Department of Agriculture, Water and the Environment

Environment Approvals and Wildlife Trade Branch | Environment Approvals Division

John Gorton Building | GPO Box 787 | Canberra ACT 2601

Ph: 02 6274 s22 | s22 [@awe.gov.au](mailto:s22@awe.gov.au)



The department acknowledges the Traditional Custodians of Australia and their continuing connection to land, sea environment, water and community. We pay our respect to the Traditional Custodians, their culture, and elders both past and present.