

STATEMENT OF REASONS

Section 69(1)(a) of the *Environment Protection Act 2019* (EP Act)

Environmental approval holder	Santos NA Barossa Pty Ltd ACN 44 109 974 932
Environmental approval number	EP2022/022-001
Action	<p>Darwin Pipeline Duplication</p> <p>Construction, commissioning, operation and decommissioning of approximately 100 km of gas pipeline in NT waters including Darwin Harbour and a shore crossing at Wickham Point in the Greater Darwin Area. The operation of the pipeline is to transport gas from the Barossa gas field to the existing Darwin liquefied natural gas (LNG) facility.</p>
Material considered	<p>Northern Territory Environment Protection Authority (NT EPA) advice received on 16 November 2023:</p> <ul style="list-style-type: none"> • Assessment Report 106 • A draft environmental approval setting out recommended conditions. <p>Fit and proper person advice – signed declaration.</p>
Decision	In accordance with sections 69(1)(a) and 82(4)(a) of the EP Act, I accept the draft environmental approval, adopt the proposed conditions of the NT EPA and grant the approval.

REASONS

This statement of reasons has been prepared in accordance with sections 82(3) and 82(4) of the EP Act.

Overview of Action

Santos NA Barossa Pty Ltd submitted a referral for the Darwin Pipeline Duplication (action) to the NT EPA that was accepted on 14 January 2023 for consideration under the *Environment Protection Act 2019* (EP Act).

The action is to construct and operate the Darwin Pipeline Duplication, to allow gas from the Barossa gas field in the Timor Sea, to be transported to Darwin LNG facility. The gas pipeline would be approximately 100 km in NT waters, duplicate a section of the existing Bayu-Undan pipeline, and include a shore crossing at Wickham Point in the Greater Darwin Area.

Environmental context

The pipeline will be located in NT waters, south of the Tiwi Islands. The westernmost boundary of the action is where the pipeline intersects the boundary between NT coastal waters and Commonwealth waters.

Environmental values that require protection from the action include marine water quality, benthic habitats and communities, marine megafauna and culture and heritage.

Matters considered under section 73 of EP Act

Section 73(1) Principles of environment protection and management

In considering Part 2 (Principles of environment protection and management) of the EP Act, I have considered the meaning of ecologically sustainable development (ESD) and applied each of the principles of ESD. I have reviewed the NT EPA's consideration of the principles of ESD as summarised in Assessment Report 106. I have considered and weighed all the principles of ESD in making my decision.

The NT EPA's assessment process has considered, and I have applied approval conditions, to mitigate environmental impacts associated with construction, commissioning, operation and decommissioning of the pipeline. The assessment of the proposal, the NT EPA's advice to me and consequently my decision, has been informed by public and government authority consultation processes.

I have considered and applied the hierarchies for environmental decision-making and waste management. I have given particular consideration to the application of the environmental decision-making hierarchy, and proposed measures to avoid, and then mitigate and manage potential adverse impacts on the environment.

I am satisfied that through compliance with the environmental approval, the action is consistent with the ESD principles and the management hierarchies.

Section 73(1)(a) Objects of the EP Act

I have had regard to the objects of the EP Act. I note in particular that through the environmental impact assessment of the action and the granting of the environmental approval, significant adverse impacts on the Territory environment are likely to be avoided and the protection and management of the Territory environment have been promoted.

The approval of the action will allow construction and operation of the pipeline in Darwin Harbour and NT coastal waters while maintaining environmental protection including protection of marine ecosystems, marine water quality and cultural heritage. I also note the opportunity provided to the community for involvement in the environmental impact assessment of the action.

Section 73(1)(b) Assessment report on the action

I have considered the advice of the NT EPA in its assessment report on the action (Assessment Report 106) which provides the NT EPA's assessment of the potential significant impacts of the action and recommendations for avoiding, mitigating and managing those impacts. The NT EPA identified that the action has the potential to have a significant impact on environmental values, and conditions were recommended for three environmental factors including marine environmental quality, marine ecosystems, and culture and heritage. The NT EPA identified that the action has the potential to have a significant indirect impact on atmospheric processes, and that no conditions were recommended. Assessment Report 106 states that the action is likely to meet the NT EPA's environmental objectives and can be implemented and managed in a manner that is environmentally acceptable. The NT EPA recommended an environmental approval be granted subject to implementation of the approval holder's commitments in the referral information and the recommended conditions in the draft environmental approval. The proposed conditions of the NT EPA have been adopted in the environmental approval.

Section 73(1)(c) Fit and proper person to hold environmental approval

I have had regard to whether the approval holder is a fit and proper person to hold an environmental approval. I consider the approval holder to be a fit and proper person to hold an environmental approval.

Section 73(1)(d) Any other matters the Minister considers relevant

I have not identified any other matters that are relevant to, or require my consideration, in deciding to grant environmental approval for the action.

Section 73(2) of the EP Act

Overall, having regard to the above and the materials I considered, I am satisfied that:

- the community has been consulted on the potential environmental impacts and environmental benefits of the proposed action through public consultation on the referral information and supplementary environmental report, and in consideration of the NT EPA's assessment of the proponent's consultation undertaken to inform the referral and SER; and
- the significant impacts of the action have been appropriately avoided or mitigated or can be appropriately managed to acceptable levels through compliance with the environmental approval. The NT EPA's Assessment Report 106 supports this view.

No significant residual adverse impacts on the environment were identified that would require an environmental offset.



Signature

Hon Kate Worden MLA

Minister for Environment, Climate Change and Water Security

DATE 22/12/23
