



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 256

WRITTEN QUESTION

J Davis to the Minister for Lands, Planning and Environment, Hon Joshua Burgoyne MLA:

Pepper Inquiry and Cumulative Impacts

1. Recommendation 15.1 of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory is “That a strategic regional environmental and baseline assessment (SREBA) be undertaken prior to the granting of any further production approvals”.
 - a. Has a SREBA been completed for the Beetaloo Sub-basin; if so, on what date was it completed and published?
 - b. Have any production approvals been granted since that recommendation was made and, if so, how many and on what dates?
 - c. What does the Government identify as having implemented Recommendation 15.1, and in which document is that recorded?
2. Is there a completed strategic development plan for the Beetaloo Basin?
 - a. If so, on what date was it completed, and is it published?
 - b. If not, have approvals been considered or granted in the absence of one?
3. At what point would cumulative impacts trigger a decision not to approve further development?
4. How is the Government assessing cumulative impacts from both agricultural expansion and gas development across the Beetaloo Basin?
 - a. Has the Department undertaken any cumulative impact assessment covering all approved and proposed projects?
 - b. Can that assessment be tabled?

- c. If no cumulative assessment exists, how does the Government determine whether current approvals are environmentally sustainable?
- 5. In his final report to the Chief Minister dated 10 March 2023, the Independent Officer overseeing implementation of the Inquiry's recommendations, Dr David Ritchie, recorded on Recommendation 9.8 that "there has been no progress on the crux of this recommendation, that is: to develop a system that would allow the public to see how a specific reduction in GHG elsewhere in the Australian economy is directly attributed to offset GHG emitted in Australia from production and consumption of shale gas produced in the NT", and concluded that the two governments "have not yet been able to ensure no net increase in the life-cycle GHG emissions emitted in Australia from any onshore shale gas produced in the NT".
 - a. Does a system of the kind Dr Ritchie described — allowing the public to see how a specific reduction in greenhouse gas emissions elsewhere in the Australian economy is directly attributed to offset emissions from Northern Territory shale gas — now exist? If it does, where can the public see it; if it does not, what is being developed in its place?
 - b. On what date did the Government first form the view that Recommendation 9.8 had been implemented, and in which document is that view recorded?
 - c. Does the position of Independent Officer overseeing implementation still exist? If it does not, on what date did it cease, by what decision, and which body now performs that function?
 - d. Has any further advice on the implementation of Recommendation 9.8 been received from an independent officer, the Northern Territory Environment Protection Authority or any other body since 10 March 2023? If so, on what date, and will it be published?
- 6. In the same report, Dr Ritchie recorded that risks to Aboriginal people and their culture identified by the Inquiry "remain at an unacceptable level", the comprehensive cultural impact assessment recommended by Recommendation 11.8 not having been completed.
 - a. Has that assessment since been completed? If so, on what date, by whom, and will it be published?
 - b. If it has not been completed, what is the expected completion date, and what funding is allocated to it?
- 7. Statements of reasons for the approval of environment management plans for onshore gas activity, including the plan recorded on the

Department's register as TAM2-3, record the decision-maker as noting "the NT Government's implementation of all the recommendations of the HFI". Recommendation 9.8 is expressed in terms of life cycle greenhouse gas emissions. The Department's Regulatory Statement: Regulation of Greenhouse Gas Emissions in the NT records the Commonwealth requirement "for all new onshore petroleum facilities in the Beetaloo Sub-basin to have net zero scope 1 emissions from entry (i.e. once their annual emissions exceed 100,000 tCO₂-e per year)".

- a. Recommendation 9.8 is expressed in terms of life cycle emissions. The requirement described in the Regulatory Statement is expressed in terms of scope 1 emissions. Does the Government accept that the scope 1 requirement gives effect to Recommendation 9.8? On what analysis, and in which document is that analysis recorded?
- b. The Regulatory Statement runs to four pages and describes the regulation of greenhouse gas emissions in the Territory under national law, the Environment Protection Act 2019, the Petroleum (Environment) Regulations 2016, the Waste Management and Pollution Control Act 1998 and the offsets policy. It does not refer to Recommendation 9.8, to the Scientific Inquiry, or to life cycle emissions. Is that omission deliberate, and is there a published document that does describe how Recommendation 9.8 is given effect in the Territory?
- c. The Commonwealth-Northern Territory Bilateral Energy and Emissions Reduction Agreement, dated April 2022, provides at clause 19 that "Working with the Commonwealth, the Territory will finalise its approach to recommendation 9.8 by the end of 2022", and that "The Parties are focussed on an economy-wide approach to emissions reduction". Was that approach finalised by the end of 2022? If so, in which document is it set out and on what date was it settled. If not, on what date was it finalised, or does it remain outstanding? Is that Agreement still in force?
- d. Clause 20 of that Agreement lists the commitments the Territory said were progressing delivery against Recommendation 9.8, including at clause 20(c) "releasing the Greenhouse Gas Emissions Management for New and Expanding Large Emitters policy". The consultation draft of that policy, published for consultation in November and December 2020, states that it "applies to scope 1 and scope 2 greenhouse gas emissions only" and "does not apply to scope 3 emissions". Recommendation 9.8 is expressed in terms of life cycle emissions. How does a policy that does not apply to scope 3 emissions deliver against a recommendation about life cycle emissions?
- e. Does the Government hold any estimate of the life cycle greenhouse gas emissions of onshore shale gas produced in the

Territory, as distinct from scope 1 emissions? If so, what is that estimate, in which document is it recorded, and can it be provided?

- f. Is it the Government's position that responsibility for Recommendation 9.8 rests with the Commonwealth, with the Territory, or with both? If with both, what is the Territory's share, and where has that division been agreed and recorded?
- g. The Northern Territory Environment Protection Authority's Environmental Factor Guidance: Atmospheric Processes, version 3.0 approved 1 August 2025 and recorded as "Revised in light of policy and regulation changes", states that the Authority "acknowledges the Safeguard Mechanism and the desirability of avoiding duplication or conflict with this scheme" and expects that reductions required under it "in most cases meet the NT EPA's objective for the Atmospheric Processes factor for those emissions". The same document records that the Safeguard Mechanism applies to facilities emitting more than 100,000 tonnes of scope 1 emissions a year and that it "does not require details of how emissions will be reduced". Under that guidance, scope 3 information is sought "on a case-by-case basis". Which Territory instrument now regulates the life cycle greenhouse gas emissions that Recommendation 9.8 is expressed in terms of?