

Focus on SANTOS

By Focus Publications for Knitting Nannas Against Gas

What's in this newsletter

Focus on Santos aims to help environmental campaigners with timely, accurate facts and comment.

Editor Eve Sinton will focus on the Narrabri gas project during 2023.

She is known for Fossil Fool Bulletin, published 2017-2021.

Focus on Santos will publish monthly or as required.

A Substack newsletter version is located at:

<https://evesinton.substack.com/>

Where you can subscribe.

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<https://www.facebook.com/profile.php?id=100089607618624>

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Santos challenged over greenwashing

Santos' clean energy and net zero claims are the subject of a world-first Federal Court case due for a directions hearing next month (February 21).

Justice Michael Lee will decide on the next steps in the litigation, which is expected to play out over the next year or two. It isn't yet known whether there will be any substantive hearings this year.

In an historic claim, the Australasian Centre for Corporate Responsibility (ACCR) will challenge Santos' claims that natural gas provides "clean energy" and that it has a "credible and clear plan" to achieve "net zero" emissions by 2040.

This is the first court case in the world to challenge the veracity of a company's net zero emissions target, and a world-first test case in relation to the viability of carbon capture and storage (CCS) and the environmental impacts of blue hydrogen.

The case, first filed in August 2021, was expanded in August 2022 when the ACCR filed significant new and more detailed allegations against Santos over alleged greenwashing.

Acting on behalf of ACCR, lawyers from the Environmental Defenders Office (EDO) will claim that Santos is engaging in misleading or deceptive conduct in potential contravention of both corporate and consumer law.

Some specific concerns raised by EDO on behalf of the ACCR include:

Clean Energy Representations

- In its 2020 Annual Report, Santos made statements that the natural gas it produces is a "clean fuel" and provides "clean energy";

- ACCR claims these statements convey that the extraction of fossil gas, and the end use of that gas, does not have a material adverse effect on the environment.

ACCR alleges that the report failed to disclose:

- that the extraction and processing of fossil gas, including by Santos, involves the release of significant quantities of carbon dioxide (CO₂) and methane (CH₄) into the atmosphere;
- that the end-use of natural gas releases material amounts of CO₂ into the atmosphere;
- that there are alternative energy sources presently available, which Santos does not produce or intend to produce, that do not release any or any material greenhouse gas emissions.

Net Zero Representations

In its 2020 Annual Report, Santos made statements that it had a “clear and credible” plan to achieve “net zero” scope 1 and 2 greenhouse gas emissions by 2040. A large amount of this reduction is anticipated to come from future CCS processes and blue hydrogen.

ACCR claims these statements are potentially misleading because:

- Santos has firm plans to increase its greenhouse gas emissions through the expansion of its natural gas operations, and has not yet decided whether to proceed with its net zero plans; and
- Santos’ net zero plans depend upon a range of undisclosed qualifications and assumptions about CCS processes.

In light of these matters, the EDO, acting on behalf of ACCR, has commenced proceedings in the Federal Court of Australia seeking to resolve the issues in dispute.

Commenting on the Federal Court proceedings, Dan Gocher, Director of Climate and Environment, said:

“Santos’ audacious ‘clean energy’ and ‘net zero’ claims must be challenged in a court of law.

“Santos has perfected the art of greenwashing, and shareholders continue to be misled by Santos’ clean energy claims.

“Santos’ ‘clean energy’ and ‘net zero’ claims pose a major risk to investors as it becomes increasingly more difficult to differentiate between companies taking genuine action versus those relying largely on offsets or unproven technologies.

“More than 80% of Santos’ net zero plan relies on carbon capture and storage (CCS). The promise of CCS technology has been used by the fossil fuel sector to justify business as usual for decades.

“Whilst Santos claims it will produce zero emissions hydrogen, recent research has highlighted the carbon intensity of blue hydrogen production, demonstrating that CCS is not a cure-all for the emissions associated with hydrogen produced with fossil gas.

“To date the majority of CCS projects have failed. The technology is expensive and unreliable. As demonstrated by the Gorgon CCS project, even operating projects struggle to meet CO₂ capture targets.

“Santos is planning to increase production by more than a third by 2025-26, which will come at the expense of emissions reductions in the critical decade to 2030.

“Santos has provided no detail on the completeness and permanence of CO₂ capture at Moomba, along with how it will manage long term leakage risk.

“Santos has previously made multiple statements around its intention to use injected CO₂ for enhanced oil recovery (EOR) in the Cooper Basin, which is known to have high CO₂ leakage rates. The exact role of EOR in Santos’ strategy must be disclosed to investors.”

Zoe Bush, Senior Solicitor at the EDO, said:

“About 70% of the ASX200’s market capitalisation is now covered by net-zero claims. As companies rush to convince the market that they are part of the global energy transition, full and frank disclosure has never been more important.

“There are serious questions about the future of the gas industry in the face of the global energy transition. Gas companies such as Santos increasingly pin their hopes on carbon capture and storage and blue hydrogen to remain financially viable during that transition. It is critical that companies are transparent about the greenhouse gas emissions associated with these processes, and their risks and uncertainties.

“Misleading information can impede an effective and timely response to the climate crisis. It may also leave investors vulnerable to major losses and potentially unfairly skew the market away from companies that are acting responsibly.”

Background

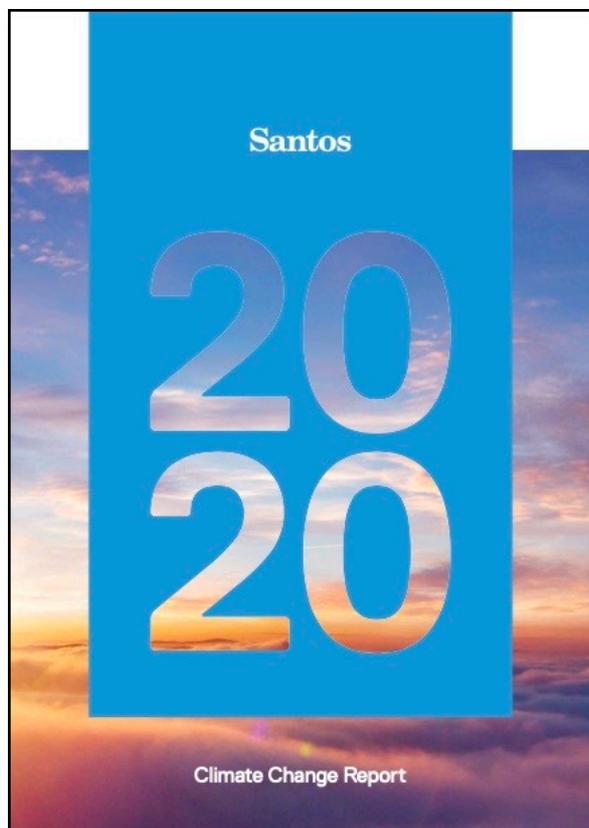
ACCR claims that by making the above representations, Santos has engaged in conduct that was misleading or likely to mislead in contravention of s 1041H of the Corporations Act 2001 (Cth) and s

18 of the Australian Consumer Law (ACL) (Schedule 2 of the Competition and Consumer Act 2010 (Cth)). Further, in making representations that gas is a ‘clean’ fuel or energy source, ACCR claims that Santos engaged in conduct that was liable to mislead the public as to the nature, characteristics, suitability and quality of Santos’ primary product - being ‘natural’ gas – contrary to s 33 of the ACL.

About EDO

Environmental Defenders Office (EDO) is the largest environmental legal centre in the Australia Pacific, dedicated to protecting our climate, communities and shared environment by providing access to justice, running groundbreaking litigation and leading law reform advocacy.

The EDO is an accredited community legal service and a non-government, not-for-profit organisation that uses the law to protect and defend Australia’s wildlife, people and places.



Santos’ 2020 Climate Change Report has landed the company in court over greenwashing claims.

See this post online:

<https://evesinton.substack.com/p/angry-farmers-and-opposition-from>

Angry farmers and opposition from Traditional Owners

Santos in the news 21-27 January 2023

Farmers and Traditional Owners along Santos' proposed Hunter Gas Pipeline made their opposition known, with a Farmers' Picnic and other protests getting media attention. NSW Deputy Premier, Paul Toole, snubbed protesters in Coonabarabran while visiting the town to announce some grants. MichaelWest Media's Pipeline Rumble story below is a recommended read, click the link for the full story.

Santos' flagship Barossa gas project north of Darwin hit serious snag after a regulator intervened to stop construction of an offshore pipeline until concerns about Indigenous heritage sites are addressed.

Finally, Santos's biodiversity offset project for Mount Tabor Station received final approval. It will provide offsets to coal seam gas developments in the Fairview Field

Focus on Santos has summarised 15 news stories comprising 7,500 words for your convenience. There's a link to the full story at the end of each item.

A print version of each edition of Focus on Santos can be found at knitting-nannas.org.

See this post online:

<https://evesinton.substack.com/p/angry-farmers-and-opposition-from>

Landowners along the route of the proposed Hunter Gas Pipeline say they will not engage with Santos

Matthew Kelly, Scone Advocate, 20/01/2023

The Hunter Gas Pipeline could run almost entirely across travelling stock routes between Newcastle and the Queensland border according to a man who surveyed the route in the mid-2000s.

Len Roberts, who was working as an Aboriginal archaeological consultant for the project's original proponents, said there was agreement between local Aboriginal Land Councils, the government and industry about the 833 kilometre route.

"Everyone but the department of environment had signed off on it. The department was concerned about its impact on biodiversity within the stock routes and along the roadsides."

Those concerns remain a significant challenge for the project's new owners, Santos.

Rob Harris and Dorit Herskovits moved to their 21 acre property at Westbrook north of Singleton 12 months ago after searching around the state for their dream parcel of land.

Mr Harris said he was dismayed at the prospect of the pipeline destroying the area's natural environment.

"It's hard to look at the valley and imagine any positives from having such a pipeline here," Mr Harris said.

Based on the information they have received, it appears that the pipeline would run through an exclusion zone adjacent to their property. But it is likely that the 200 metre wide construction zone would overlap the property.

Neighbours to the north and south are not so lucky with maps indicating the pipe will run through the middle of their properties.

Mr Harris said he would not engage with Santos representatives unless he was legally obliged to do so.

"We will almost certainly not assist Santos in the planning, the preparation or the implementation of this sort of project until, I suppose, it's required by law," he said.

"Thereafter we would probably not negotiate with them individually but through the collective voice of our local district residential group. I think there is a great risk in individuals being approached and being obliged to liaise with a corporation of this scale."

Local MPs Dave Layzell and Dan Repacholi have urged landowners to speak with Santos.

<https://www.sconeadvocate.com.au/story/8055347/pipeline-of-discontent-is-running-hot/>

Own Santos shares? Here's why the ASX 200 company's net-zero plan is taking heat

Bernd Struben, *The Motley Fool*, 23/01/2023

- Santos shares are up 4% in the New Year
- The ASX 200 oil and gas company is facing legal action over its net-zero by 2040 plans
- Santos is relying, in part, on carbon capture storage technology to achieve its emissions reduction goals

But while Santos shares may be in the green for the New Year, the company itself has been accused of greenwashing its environmental credentials.

According to the Australasian Centre for Corporate Responsibility (ACCR), Santos' labelling of gas as a clean energy source amounts to greenwashing.

Santos has plans in place to reach net-zero carbon emissions by 2040.

However, the ACCR alleges that the ASX 200 energy giant is ramping up its gas production and is depending on unproven carbon capture storage (CCS) technology to make the net-zero goal happen.

In September, Santos was awarded [CO₂ storage permits](#), opening the door to further CCS opportunities.

Commenting on the permits at the time, Santos CEO, Kevin Gallagher, said that carbon capture and storage is "critical for the world to reduce emissions and in line with Santos' net-zero scope 1 and 2 equity-share emissions by 2040 target".

Gallagher added:

"At Santos, we have the technology, infrastructure and knowledge to be able to deliver low-cost CCS competitively on a global scale. We know a large scale-up of CCS is required to meet the world's climate objectives."

The Australian Securities & Investments Commission (ASIC) is keeping an eye on the [legal row](#).

According to ASIC (quoted by *The Australian*):

"ASIC is monitoring the greenwashing case brought by the Australasian Centre for Corporate Responsibility ... regarding representations that Santos' natural gas product is 'clean fuel' and that Santos has a credible and clear plan to reach net-zero emissions by 2040."

<https://www.fool.com.au/2023/01/23/own-santos-shares-heres-why-the-asx-200-companys-net-zero-plan-is-taking-heat/>

Deputy Premier disappoints Coonabarabran CSG protestors

Marnie Ryan, *Western Plains App*, 24/01/2023

NSW Deputy Premier Paul Toole has 'disappointed' concerned Coonabarabran community members after 'blatantly ignoring' their protests of the Narrabri Gas Project during his recent visit to the town on Friday 20 January.

Thirteen Coonabarabran district residents, including Gomeroi First Nations people, land holders, and broader community members gathered at the Coonabarabran Memorial Pool hoping to meet Mr Toole and speak as a local collective against the Narrabri Gas Project.

Coonabarabran-based Gomeroi woman Suellyn Tighe expressed disappointment after Mr Toole's lack of acknowledgement on Friday.

"I was disappointed in a number of things. Firstly, that he slinked his way into town and only told a select number of important people that he was coming to announce grants – there was no involvement or acknowledgment of Gomeroi people in his visit," Ms Tighe said.

"Secondly, he had the opportunity to hear from concerned regional community members, and yet he chose to blatantly ignore us. It is time to call our politicians to account. Mr Toole is the Minister for Regional NSW, yet he continues to ignore a large number of members from regional communities. It is a disgrace," she said.

"The State and Federal Government keep pushing for a project that is extremely detrimental to our lives and the land. The Gomeroi Nation live underneath the national poverty line, and we are expected to go up against huge companies like

Santos, the Federal and the State government systems who have deep pockets, access to infinite resources and are power brokers in Australia politics. It is not an even playing field."

<https://westernplainsapp.com.au/news/news/deputy-premier-disappoints-coonabarabran-csg-protestors>

Newcastle Herald readers have their say: We're up for the fight on Hunter Gas Pipeline

Letters to the Editor, Newcastle Herald, 24/01/23

In response to the editorial 'Gas pipeline fracas a sign of the times' I'd like to firstly say that I'm absolutely fed to the teeth with comments made by the media, public servants, Santos and people nowhere near the proposed pipeline route, suggesting that impacted landholders should just get over it and consider the "national need". (Paywalled.)

<https://www.newcastleherald.com.au/story/8057362/letters-were-up-for-the-fight-on-gas-pipeline/>

Pipeline Rumble: farmers the final line of defence in Narrabri fight over Santos gas fracking

Callum Foote & Michael West, Michael West Media, 23/01/2023

"These pipelines represent the head of the snake", says Coonamble farmer David Chadwick.

"Australia is the biggest gas exporter in the world that has somehow found itself with the some of the dearest energy costs in the world, and a gas shortage. You don't have to be a rocket scientist to work out this industry has "played" successive decades of politicians and bureaucrats to end up in this mess.

"We are the driest inhabited continent in the world and here is Santos prepared to sacrifice our only secure water supply, the Great Artesian Basin, that sits under 22% of our most productive country.

"The Great Artesian Basin is our only secure water supply and it underwrites our \$80b agriculture industry. That is why there is a 97% objection to the project across the five shires that surround Narrabri.

Last Friday [20/01/2023] was a chaotic day for Santos's Narrabri gas project. NSW Energy Minister

Matt Kean issued the company with the authority to force its way onto farmers' land to conduct surveys for a crucial pipeline, while the Gomeroi people filed an appeal in the Federal court to overrule a decision by the Native Title Authority in support of the project.

Santos is fighting on two fronts, one in the courts with the Gomeroi people and the other with landholders along the path of a proposed pipeline crucial to getting the project up and running.

The Aussie gas producer bought Hunter Gas Pipeline Pty Ltd from a syndicate of owners led by Garbis Simonian in August 2022.

Simonian is a Hunter Valley business figure and founder of Weston Aluminium who donated \$5,000 to the Liberal party in 2020. Simonian's property business partner and major Liberal Party donor Hilton Grugeon was the subject of [ICAC'S Operation Spicer](#), which found Mr Grugeon' improperly sought to influence MPs' through prohibited donations.

There are 336 landholders affected by the pipeline, and Santos must negotiate with each one to complete their survey. These landholders are "in many respects only just starting to come up to speed. They have a 2009 environmental assessment they might like to read" says [Quirindi landowner] Peter Wills.

According to documents uploaded by the NSW Climate and Energy Action team, only 29 landholders signed access agreements out of the 336 landholders affected by the proposed pipeline.

"This idea that Narrabri gas is 100% only going to be used in NSW is just wrong. In summer the demand centre is Gladstone and there's not much demand in Sydney, so when the household gas demand goes down the gas will flow north to the export terminals," Bruce Robertson from the Institute of Energy Economics and Financial Analysis says.

<https://michaelwest.com.au/pipeline-rumble-farmers-the-final-line-of-defence-in-narrabri-fight-over-santos-gas-fracking/>

Hunter Gas Pipeline heats up

Michael Burt, The Farmer, 24/01/2023

Farmers have vowed to say no entry to proponents of the Hunter Gas Pipeline following the granting of an authority to survey (ATS) from NSW Environment Minister Matt Kean.

The State Significant Infrastructure project has been in the pipeline since 2009 but is yet to be granted a license to construct.

“We will be advising farmers to say no access to their properties,” says Garah grazier and NSW Farmers Wool Committee Vice Chair Helen Carrigan.

Helen said they will be voicing their opposition to the project through NSW Farmers and a local community group called the Moree Plains Gas Pipeline Group.

Hunter valley organic olive farmer Anne McGowan said plans to expand their small grove are now in jeopardy.

“We will not be able to plant in the area that we have set aside if this pipeline proceeds, and there are neighbouring farms that will more affected than us,” Anne says.

“We had three floods in four months last year and they have proven that soil erosion will be a serious issue with this proposed pipeline,” says David.

“There were floodwaters flowing directly down the pipeline’s path and if that happens again in the next five or six years, we are going to have an exposed pipeline.

David has joined other local farmers in the newly formed Liverpool Plains Action Group to take on the might of Santos and persuade the government to protect prime agricultural land, water resources and the environment.

NSW Farmers opposed the Narrabri Gas development. Read more [here](#).

<https://thefarmermagazine.com.au/hunter-gas-pipeline-heats-up/>

Liverpool Plains farmers hold peaceful protest against Santos' seismic testing for coal seam gas, south of Gunnedah

Tess Kelly, Namoi Valley Independent, 24/01/2023

Farmers from the region's food bowl have rallied in fierce opposition to gas exploration across prime agricultural land.

Around 70 community members gathered south of Gunnedah on Tuesday, to raise their concerns about the start of seismic testing for coal seam gas by energy giant Santos.

Santos received approval from the state government late last year to carry out seismic testing for gas on the Liverpool Plains.

Testing started on Monday for gas which would connect to the Narrabri gas fields, with Santos contractors stationed along the Voca and Wandobah Roads.

Landholders also called out the [planned Hunter Gas Pipeline project](#), which they said would cause destruction through the farming district.

A spokesperson for Santos said the seismic surveying was "low-impact" and "non-intrusive".

<https://www.nvi.com.au/story/8059562/farmers-wont-back-down-in-fight-to-protect-food-and-fibre/>

Liverpool Plains farmers oppose seismic testing and Hunter Gas Pipeline

Liv Casben, Maitland Mercury, 24/01/2023

Dozens of farmers have gathered on the Liverpool Plains in northwestern NSW to oppose gas giant Santos exploring for coal seam gas on agricultural land.

Farmer Margaret Fleck said landholders successfully opposed Santos drilling more than a decade ago, and landholders are continuing that fight.

She said around 60 landowners picnicked on Tuesday near Gunnedah to draw attention to the food and water that's at risk from mining.

<https://www.maitlandmercury.com.au/story/8059729/farmers-oppose-seismic-testing-and-hunter-gas-pipeline/>

Gas Protest

7NEWS New England, 24/01/2023

Fighting to stop fossil fuel projects is a familiar process for farmers in the Liverpool Plains – and they've joined together in a day of action to make sure their voices are heard.

<https://www.7regional.com.au/news/7479506-gas-protest>

Farmers get angry as Santos returns to Liverpool Plains

Georgia Vaughan, NBN News, 24/01/2023

Santos is back in the Liverpool Plains – this time, conducting seismic testing to explore land for further gas field development.

But land owners are still making their voices heard over the controversial project – today protesting at a picnic gathering.

<https://www.nbnnews.com.au/2023/01/24/farmers-get-angry-as-santos-returns-to-liverpool-plains/>

Indigenous culture concerns again hit Santos' \$6.1b Barossa gas project

Peter Milne, Sydney Morning Herald, 25/01/2023

Santos' flagship Barossa gas project north of Darwin has hit another serious snag after a regulator intervened to stop construction of an offshore pipeline until concerns there could be Indigenous heritage sites along the route are addressed.

Traditional owner Therese Wokay Bourke welcomed the intervention of offshore environment regulator NOPSEMA just weeks before construction of the pipeline that would go within seven kilometres of the Tiwi Islands was to begin.

Drilling in the Barossa gas field north of Darwin stopped in early October after Tiwi Islands traditional owner Dennis Tipaklipa won a Federal Court case over not being consulted when Santos prepared an environment plan for submission to NOPSEMA.

The latest complication to the 55 per cent complete project was instigated by a subsea archaeology expert's report provided to Santos and NOPSEMA that concluded there was a significant chance of sites

along the route that were significant to local Indigenous people, according to two sources with knowledge of the report but not authorised to speak to the media.

The latest setback to Santos' flagship project comes at a sensitive time as a loan from the Korea Trade Insurance Corporation to SK to support its investment in 37.5 per cent of Barossa is understood to need to be renewed by Thursday, according to a Korean media report and number of sources not authorised to speak to the media.

In December Santos planned for the specialised vessels required to lay the pipeline on the seabed to arrive in Darwin in late January to commence five to six months of work. The two vessels owned by Dutch company Allseas are now moored off Singapore according to vessel monitoring site MarineTraffic.

<https://www.smh.com.au/business/companies/indigenous-culture-concerns-again-hit-santos-6-1b-barossa-gas-project-20230123-p5cewo.html>

Santos ordered to delay building gas pipeline for Barossa project until impact on Indigenous sites re-examined

Samantha Dick, ABC, 25/01/2023

Gas giant Santos has been ordered to pause construction of the pipeline for its \$4.7 billion Barossa gas project after a regulator found some potential risks to Aboriginal cultural sites were not canvassed in an earlier environmental plan.

- Santos' massive Barossa gas project has been hit by further delays after the national regulator found potential risks to Aboriginal cultural sites had not been fully assessed;

- The company must now engage independent experts to examine the impact of its gas pipeline before starting construction;

Tiwi Islands traditional owners and environmental groups have welcomed the decision.

It is the latest blow to Santos' massive Barossa project, which is already facing delays after the company [lost a landmark legal battle](#) against a clan of Tiwi Islands traditional owners, who argued

they were not properly consulted about plans to drill through their sea country.

The federal court ruling has left Santos' drill rig sitting idle since October.

<https://www.abc.net.au/news/2023-01-25/nt-santos-pause-barossa-gas-pipeline-nopsema-direction/101888172>

Gomeri gather to have their voices heard

Marnie Ryan, Western Plains App, 25/01/2023

The 350 members of the Coonabarabran community who gathered in solidarity against the Narrabri Gas Project on Saturday 14 January from 5-9pm say that their common commitment is stronger than ever.

The gathering at the Coonabarabran Number 1 Oval aimed to showcase culture and create discussions about the environment, after the Native Title Tribunal ruled in December 2022 that Santos could continue its multi-billion-dollar project in the Pilliga Forest against the clear opposition of the region's First Nations people.

The day included traditional dance performances, poster making and speeches by Gomeri Elders, Australia Green members and other passionate locals.

<https://westernplainsapp.com.au/news/news/gomeri-gather-to-have-their-voices-heard>

Farmers say they will not sacrifice their properties for the Santos Hunter Gas Pipeline

Matthew Kelly, Cessnock Advertiser, 25/01/2023

Federal Environment Minister Tanya Plibersek is awaiting further information about an application to reclassify the environmental impacts of the proposed Hunter Gas Pipeline.

The application, originally submitted to the former federal government, seeks to include a requirement to consider the project's potential impacts on a host of endangered and critically endangered species living along the pipeline route.

The species, which include the critically endangered regent honeyeater, the endangered booroolong frog, and the threatened spotted tailed quoll, were

identified in a [2021 report by consulting and environmental services company Cessoils](#).

Former environment minister Peter Garrett did not declare the project as a controlled action under the Commonwealth Environment Protection Biodiversity and Conservation (EPBC) Act when he approved the project in 2008.

The Lock the Gate application seeks to strengthen the biodiversity protections included in the original approval.

For Rebecca and Nathan Clark, environmental concerns go hand in hand with running a sustainable cattle and cropping farm.

Maps show the pipeline will most likely cross the back corner of the Clark's property. If built, they estimate it will render about 15 per cent of the property unusable for farming.

<https://www.cessnockadvertiser.com.au/story/8059108/hunter-farmers-fight-for-their-familys-future/>

Santos biodiversity offset project at Mount Tabor Station receives final approvals

Danielle O'Neal, ABC, 27/01/2023

A 5,000-hectare conservation project on an outback Queensland cattle property is expected to provide several years of biodiversity offsets to Santos's coal seam gas activities nearby.

Key points:

Santos's biodiversity offset project for Mount Tabor Station received final approvals this month

The project will provide offsets to current and future coal seam gas developments in the Fairview Field

A researcher says there are broad problems with how most biodiversity offset schemes operate in Australia

In collaboration with traditional owners, Santos will conserve and regenerate part of Mount Tabor Station — also known as Goorathuntha — in southern central Queensland for at least 20 years.

<https://www.abc.net.au/news/2023-01-27/santos-biodiversity-offset-mount-tabor-station-approvals/101885870>