Australian Government
National Environmental Protection Agency

MC26-010650

Ms
Community Volunteer
Stop the Gas Plant - Southern Highlands

admin@stopthegasplant.com

Dear Ms

Thank you for your 16 September 2026 correspondence to the Minister for the Environment and Water, Senator the Hon Murray Watt, concerning the Southern Highlands Data Campus Power Station. Minister Watt has asked me to thank you for your correspondence and to reply on his behalf.

I also wish to thank you and Ms for meeting with the National Environmental Protection Agency (National EPA) on 4 November 2026 to discuss your concerns directly.

Minister Watt appreciates the interest of local communities in the protection and management of the environment and its wildlife, and that matters of this nature can be of significant concern.

As you are aware, under Australia's national environment law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), a project requires assessment and approval if it is likely to have a significant impact on matters protected under the law. Nationally protected matters include EPBC Act-listed threatened flora and fauna species and ecological communities.

I note that not all actions having an impact on protected matters are likely to have a significant impact on those matters, and therefore may not require referral under the EPBC Act. Further information on significant impacts is available in the Significant Impact Guidelines available at www.nationalepa.gov.au/sites/default/files/documents/nes-guidelines-1-1.pdf.

The National EPA understands the developer is aware of their legal obligations under the EPBC Act. The primary responsibility is on the developer to refer an action if it is likely to have a significance impact on protected matters under the EPBC Act, regardless of their state or local government approvals.

I encourage you to continue to engage with the NSW assessment process for this action.

Thank you again for bringing your concerns to the government's attention.

Yours sincerely

Acting Branch Head
Environment Assessments (NSW, ACT)

6 November 2026