



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2024-2025

Supplementary questions

Portfolio Committee No. 7 – Planning and Environment

Climate Change, Energy, the Environment, Heritage (Sharpe)

Hearing: Thursday 29 August 2024

Answers due by: 5.00 pm Thursday, 26 September 2024

Budget Estimates secretariat

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BUDGET ESTIMATES 2024-2025
SUPPLEMENTARY QUESTIONS

Questions from Dr Amanda Cohn MLC

Vales Point Power Station and Pollution Exemption Licences

- (1) Regarding the group 5 limit at Bayswater and Mt Piper from 2027
 - (a) has the EPA engaged with the operators of Bayswater and Mt Piper to work toward compliance by 2027 and is the EPA confident compliance will be achieved?
 - (b) are the operators likely or preparing to seek exemptions?
- (2) Will any coal power stations in NSW be required to meet the Group 6 limits after 2030 under the Clean Air Regulation?

NSW Plastics Action Plan

- (3) What is the timeline for implementation of the NSW Plastics Action Plan itself?
- (4) What, if any, state-level product stewardship schemes are under consideration or in development?
- (5) How will the NSW Government require businesses not part of the Australian Packaging Covenant to also meet the 2025 National Packaging Targets? How and when will progress towards that requirement be communicated?

Questions from Ms Abigail Boyd MLC

ENERGY

Coal-fired power stations

- (6) Please provide an update on progress implementing the recommendations of the inquiry into Costs for remediation of sites containing coal ash repositories, including data completed or expected to be completed and reasons for any deviation between what was recommended and what has been or is intended to be implemented.
- (7) What progress has been made in increasing the amount of coal ash that is recycled or reused in NSW?
- (8) Before a decision was made to extend the life of Eraring Power Station, was the impact on worker and public health of continued operation of a power station emitting toxins at levels

higher than permitted in many countries considered as part of the cost-benefit analysis? Was there any consultation with residents of Lake Macquarie and the Central Coast prior to making that decision?

- (9) To the EPA. In relation to the 4 coal-fired power station Environment Protection Licence conditions, why was no condition placed on operators for the installation and operation of best practice plan equipment to reduce air, water and land pollution and avoid preventable damage to the environment as well as to worker and public health? Why was there no condition requiring more frequent and transparent environmental sampling and monitoring, including publication of point-source air pollution data in real-time and increased reporting frequency for water contaminants at outlets including chlorine and mercury?
- (10) What is the Minister's plan for ensuring coal fired power station operators fully rehabilitate sites at the end of their operating lives including accounting for the millions of tons of toxic coal ash in unlined dams?

Rollout of renewables and extension of the energy network

- (11) What are you doing as Minister for Energy to ensure that non-government entities involved in the energy network are providing fair pay and conditions to their employees?
- (12) When will the Energy Policy Framework and Benefit Sharing Guideline documents, consulted on during 2023, be finalised?
- (13) What is being done to work with local councils to ensure knowledge-sharing occurs in relation to the types of agreement being entered into between councils and renewable energy proponents?
- (14) What guidance and assistance is being given to local councils to manage the impact on housing, services and business demand during the construction phase of renewable energy projects, and managing the economic impacts of the drop in demand after construction?
- (15) What role is the government playing in monitoring, anticipating and managing demand for energy from data centres?

Renewable energy projects

- (16) Can the minister outline the planned staging of renewables projects entering the grid between now and 2027 to reassure the people of NSW that there will be sufficient capacity to close coal fired power stations?

Gas Substitution Roadmap

- (17) The Government has committed to delivering a Gas Substitution Roadmap this term of government.
- (a) Has work begun on this roadmap?
 - (b) Is there a terms of reference or scope of work for this roadmap?
 - (c) When does the Government anticipate releasing the roadmap?
 - (d) Will there be public consultation during the development of this roadmap?

Hunter Transmission Project

- (18) In its 2022 Integrated System Plan, the Hunter Transmission Project was listed as urgent, with a latest delivery date of July 2027. Last year, EnergyCo's Network Infrastructure Strategy (May 2023) proposed the Hunter Transmission Project should be energised in 2027. Now in May 2024, the EnergyCo scoping report (p28) suggests commissioning and testing wont start until late 2028, and AEMO's 2024 ISP says Dec 2028.
- (a) What exact date is EnergyCo aiming at?
 - (b) Why has this urgent project slipped by a year and a half?
 - (c) How confident is the Government that it will be delivered before the end of 2028?

Questions from Hon Chris Rath MLC (on behalf of the Opposition)
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ENVIRONMENT

Forestry

- (19) Minister are you jointly responsible for reviewing the Coastal Integrated Forestry Operations Approvals?
- (a) If so, when were the Coastal Integrated Forestry Operations Approvals made?
- (20) Are you aware the NSW Forestry Act 2012, which lists you as a party to the legislation, identifies the Coastal IFOA are to be reviewed by the NSW Government every five years?
- (a) Are you aware the review is overdue?
 - (b) When will you commence the review as required by the Act?
 - (c) Have you been given advice on why the review has not started?

- i. If so, what was that advice?
- (d) Have you, your office or any of your agencies briefed the Premier, the Premier's office or the department on any delays relating to a statutory review of the government legislation?
- (e) Is it your expectation that under any review of the Coastal IFOA the public would be given an opportunity to participate in that review?
- (f) Minister, in the absence of a review into the Coastal IFOA, the EPA can keep changing forestry rules as they sit fit. Are you deliberately stalling the start of the review in order to make changes to forestry rules without public consultation or scrutiny?
- (g) Have you informed any groups of a date for when the review of Coastal IFOA will start?
- (h) Will you start a review of the Coastal IFOA before the Great Koala National Park is announced?

Pilot Bird – Atticus Flemming (NSW NPWS)

- (21) What is the footprint of the Pilot Bird in NSW National Parks?
 - (a) The Pilot Bird was recently uplisted as vulnerable by the NSW Threatened Species Scientific Committee. What were the main reasons for the uplisting?
- (22) What size area of national parks was burnt during the 2019-20 Black Summer Fires?
- (23) What immediate steps are you taking to address the key threat to the Pilot Bird, which is wildfires?
- (24) How are you managing the forest to deal with severe and frequent wildfires?
- (25) Given National Parks are the largest public tenure of forest in NSW and has the largest population of Pilot Birds, is it a top priority for you to manage forests for severe bushfires to prevent the extinction of this bird?

Kosciusko National Park Transmission Lines – Atticus Flemming (NSW NPWS)

- (26) Has work started on clearing 120 hectares of National Park for transmission lines for Snowy Hydro in Kosciusko National Park?

- (a) What native and threatened species will be impacted by clear cutting the forest?
- (b) Are you monitoring these species in that part of the National Park to see what impact it will have on those populations?
- (c) What type of irreparable damage will this have on the National Park estate in Kosciusko?
- (d) Has the Minister been briefed on this issue?
- (e) What steps are being included to avoid this clearing?
- (f) Are these transmission lines opposed by National Parks?
- (g) Will this clearing do greater environmental damage than the presence of brumbies in Kosciusko National Park?

Trail Bike Riding in GKNP – Atticus Flemming (NSW NPWS)

- (27) Will trail bike riding still be allowed in areas of the Great Koala National Park that is converted from State Forest to National Park?
- (a) How many trail bike and cycling tracks are present in the assessment area?
 - (b) How many kilometres of cycling tracks in the assessment area are impacted?
 - (c) Have any provisions been discussed to open new tracks in other locations to make up for lost cycling trails?
 - (d) What feedback and consultation has occurred with mountain bike clubs about the impact of the national park on their routes?
 - (e) Will you commit to keeping areas like Pines Creek State Forest, a popular mountain bike trail, open?
 - (f) Has the department compiled research on the number of businesses undertaking commercial activities in the GKNP assessment area that would be affected by converting State Forest to National Park?
 - i. How many commercial activities and businesses would be unable to continue their operations in the National Park?
 - ii. How many licences would need to be granted to allow affected businesses to operate in the National Park?
 - iii. How many businesses would be able to continue operating in the National Park unaffected?
 - (g) How many commercial activity licences have been issued for National Parks surrounding the GKNP assessment area?

ENERGY & CLIMATE CHANGE

Power Poles – Minister Sharpe

- (28) Minister, were you or your office briefed on the following by Essential Energy: on their final 2024-2029 Revised Revenue Proposal submitted to the Australian Energy Regulator in November 2023?
- (29) In the words of the Australian Energy Regulator “that the total revenue from this final decision would result in an average increase of \$39 per annum to the typical electricity bill for Essential Energy’s residential customers over the 2024-29 period.” Do you think this is fair?
- (a) Why have you allowed a state-owned corporation to increase electricity prices on families in regional NSW during a cost-of-living crisis?
- (30) Minister, do you receive briefings on the Australian Energy Regulators quarterly reports on retail electricity performance?
- (a) The most recent quarterly report found that the proportion of customers with energy debt increased from 2.8% to 3.0%, the average residential energy debt has increased by \$95, and the average energy debt has increased year on year by 15% in NSW. Why is it appropriate for your SOC to increase electricity prices by a further \$39 on families?
- (31) Minister, when did you find out about a decision by Essential Energy to transition its entire network of power poles from hardwood power poles to fiberglass?
- (a) How much will greenhouse gas emissions increase in our electricity network as a direct result of the switch from carbon positive hardwood poles to fiberglass composites?
- (b) Are you comfortable that using composite poles will see an increase in emissions from our electricity network?
- (c) Who will supply Essential Energy with the composite power poles to replace existing power poles?
- i. Are they based in NSW?
- (d) Minister, are fiberglass composite power poles more resilient to bush fires than hardwood power poles?
- i. If so, what evidence have you received to support that view?

- (e) What research has been done to compare the durability of hardwood power poles to composite power poles?
- (f) Will you provide the research presented on the fire resistance of composite poles compared to hardwood?
- (g) What is the carbon footprint of composite poles?

HERITAGE

NSW Heritage Act reforms

- (32) When does the NSW Government anticipate promised reforms of the Heritage Act will be implemented?
 - (a) Are the reforms subject to recommendations from the NSW Heritage Strategy and the NSW Parliamentary 'Review of the Heritage Act 1977'?
 - (b) Will the reforms increase protection requirements for NSW Government agencies and local government?
- (33) In relation to the Auditor General's report '*State heritage assets*', what additional operational funding has been provided to Heritage NSW to implement the reforms recommended by the auditor general?
 - (a) What percentage of assets now contain a statement outlining why the asset is of heritage significance?
 - (b) What percentage of assets now include a physical condition rating?
 - (c) What percentage of assets now have a detailed physical condition description?
 - (d) Could you table a copy of the Heritage NSW statement of regulatory intent?
 - (e) What is Heritage NSW doing to build awareness of Heritage NSW's priorities, projects, processes and expectations?

NSW Heritage Grants Program

- (34) What was the total grant expenditure of the NSW Heritage Grants program in years:
 - (a) 2019/20
 - (b) 2020/21
 - (c) 2021/22

(d) 2022/23

(e) 2023/24

Union membership

(35) Are you a member of a union?

(a) If yes, what union?

TikTok

(36) Are you on TikTok?

(a) If yes, do you access TikTok from a NSW Government device?

Land audit – Department(s)/Agency(s)

(37) Has your portfolio department(s)/agency(s) undertaken a land audit of surplus government property in any of the following postcodes:

(a) 2077?

(b) 2079?

(c) 2080?

(d) 2081?

(e) 2082?

(f) 2083?

(g) 2117?

(h) 2118?

(i) 2119?

(j) 2120?

(k) 2121?

(l) 2125?

(m) 2126?

(n) 2151?

(o) 2154?

(p) 2156?

(q) 2157?

(r) 2158?

(s) 2159?

(t) 2756?

(u) 2775?

i. If yes to (a) to (u), how many properties have been identified?

Signal

(38) Are you on Signal?

(a) If yes, do you access Signal from a NSW Government device?

CFMEU membership

(39) Have you ever been a member of the Construction, Forestry and Maritime Employees Union (CFMEU)?

(a) If yes, when?

Department(s)/Agency(s) Annual Reports

(40) In what month will the 2023-24 annual reports for each department / agency in your portfolio be published?

(41) Will the 2023-24 annual reports for the department / agency in your portfolio include a printed copy?

(a) If yes, how much is budgeted for printing in 2024-25?

ETU membership

(42) Have you ever been a member of the Electrical Trades Union (ETU)?

(a) If yes, when?

Paper shredder

(43) Does your ministerial office have a paper shredder?

Department(s)/Agency(s) in Portfolio

(44) What department(s)/agency(s) are included in your portfolio?

Former Ministerial Employees

(45) Are there any former employee from your ministerial office now employed by any department/agency within your portfolio responsibilities?

(a) If yes, how many?

Qantas Chairman's Club

(46) Are you a Member of the Qantas Chairman's Club?

(a) If no, have you ever previously been a member?

(b) If yes, when did you cease to be a member?

(c) If yes, when did you initially become a member?

(d) If yes, when did you make a declaration to The Cabinet Office?

(e) If yes, how many times since 28 March 2023 have you used the Qantas Chairman's Club?

Ministerial Staff – Local Government Councillors

(47) As at 30 June 2024, how many of your ministerial staff were local government councillors?

(48) What local government(s) did they serve?

ETU meetings

(49) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the ETU?

State Records Act

(50) Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department?

(a) If yes, when?

Legal Costs

(51) How much did the Department/agencies within your portfolio responsibilities spend in legal costs since 28 March 2023?

- (a) For what specific purposes or matters was legal advice sought?

Media releases and statements

- (52) Are all the ministerial media releases and statements issued by you publicly available at <https://www.nsw.gov.au/media-releases>?

- (a) If no, why?

Advertising

- (53) How much has each Department/agency within your portfolio responsibilities spent on advertising or sponsored posts since 28 March 2023 on the following social media platforms:

- (a) Facebook
- (b) Instagram
- (c) LinkedIn
- (d) TikTok
- (e) YouTube
- (f) X (formerly known as Twitter)

Catering

- (54) How much of your ministerial budget was spent on catering in 2023-24?

- (55) Was catering used for external stakeholders?

- (a) If yes, who were these external stakeholders?

Parliamentary Secretary

- (56) Does your Parliamentary Secretary have pass access to your ministerial office?

- (57) Does your Parliamentary Secretary have a desk in your ministerial office?

- (58) Did any catering costs in 2023-24 include expenditure on alcohol?

Gin

- (59) Since 28 March 2023, have you or your ministerial office purchased 'gin' using your ministerial budget?

Ministerial Vehicles and Driving Offences

- (60) Since 28 March 2023, have you personally driven your ministerial vehicle?
- (61) As a driver since 28 March 2023:
- (a) Have you been pulled over by the NSW Police Force?
 - (b) Have you been fined for speeding?
 - (c) Have you been fined for school zone related offence?
 - (d) Have you been fined for red light related offence?
 - (e) Have you been involved in an accident that included the NSW Police attending the scene?
 - i. If yes to a) to e), did this include whilst driving your ministerial vehicle?

Speeches

- (62) Does your portfolio department(s) / agency(s) draft and write speeches for you?
- (63) How many public servants have undertaken writing speeches in your portfolio department(s) / agency(s)?

Hard hats and/or vests

- (64) Do you have a hard hat and/or vest for visiting infrastructure sites?
- (a) If yes, was it paid from your ministerial budget?

Ministerial Advisers

- (65) How many staff members were employed in your ministerial office in 2023-24 FY?
- (66) What is the average salary for staff members in your ministerial office in 2023-24 FY?

Ministerial disclosures to The Cabinet Office

- (67) On what date did you last update/make a ministerial disclosure to The Cabinet Office?

GIPA Applications / Standing Order 52 – Ministerial Office

- (68) Does your ministerial office have staff member(s) to undertake Government Information (Public Access) Act application(s) and/or Standing Order 52 requests?
- (a) If yes, has that ministerial staffer(s) received formal training about their legal obligations?

(69) How many GIPA Applications have been received by your ministerial office since 28 March 2023?

Police Commissioner Gin

(70) Have you received gin from the Police Commissioner?

Cabinet Sub Committees

(71) What cabinet sub committees are you a member of?

E-Toll

(72) Does your ministerial vehicle have an E-Toll?

(a) If yes, is expenditure paid by your by your ministerial budget?

Department(s)/Agency(s) Gifts and Hospitality Register

(73) Does your portfolio department(s)/agency(s) have a gifts and/or hospitality register?

(a) If yes, is it available online?

i. If yes, what is the URL?

Workplace complaints

(74) Have you been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?

(75) Has any member of your ministerial staff been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?

Ministerial staff disclosure of gifts and/or hospitality

(76) Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?

(77) Have any staff members in your office been the recipient of any free hospitality?

(a) What was the total value of the hospitality received?

(b) Are these gifts of hospitality declared?

Ministerial Code of Conduct

(78) Since 28 March 2023, have you breached the Ministerial Code of Conduct?

- (a) If yes, what was the breach?

CFMEU meetings

- (79) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

Credit Cards

- (80) Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023?

- (a) If yes, under what circumstance?
- (b) If yes, what items and expenditure was undertaken?

- (81) For each department, agency and/or other body in the Minister's portfolio please report:

- (a) How many credit cards are currently on issue for staff? (Please provide a break-down of this information by grade)
- (b) What was the value of the largest reported purchase on a credit card for the last year?
- (c) What was each largest reported purchase for?
- (d) What was the largest amount outstanding on a single card at the end of a payment period?
- (e) And what was the card holder's employment grade?
- (f) How many credit cards have been reported lost or stolen?
- (g) What was the cost to replace them?
- (h) How many credit card purchases were deemed to be illegitimate or contrary to agency policy?
 - i. How many purchases were asked to be repaid on the basis that they were illegitimate or contrary to agency policy and what was the total value thereof?
 - ii. Were all those amounts repaid?
- (i) Are any credit cards currently on issue connected to rewards schemes?
 - i. Do staff receive any personal benefit as a result of those reward schemes?
 - ii. Can a copy of the staff credit card policy please be provided?

Department(s)/agency(s) desk or office

(82) Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?

Senior Executive Drivers

(83) How many senior executives in your portfolio department(s) / agency(s) have a driver?

Mobile phones

(84) How many mobile phones has your ministerial office been allocated as at 1 July 2024?

(85) How many mobile phones in your ministerial office have been lost or stolen since 28 March 2023?

Efficiency dividends

(86) Was an efficiency dividend applied to your portfolio department(s) / agency(s) within your portfolio responsibilities in:

(a) 2023-24?

(b) 2024-25?

i. If so, what was the efficiency dividend applied to each department/agency?

ii. What measures are being considered to achieve this efficiency dividend?

Stationery

(87) How much of your ministerial budget was spent on stationery in 2023-24?

(88) Did your stationery expenditure include gifts for external stakeholders?

(a) If yes, what was the gift(s)?

(b) If yes, who received the gift(s)?

Consultants

(89) Since 28 March 2023, how many consultancy contracts have been signed in your portfolio agencies, broken down by agency?

(a) What was the individual amount of each contract?

(b) What is the purpose of each contract?

(c) Who was the contract with?

- (d) Did the contract go through a competitive tender?

GIPA Applications – Department(s)/Agency(s)

- (90) Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?

Department(s)/Agency(s) Travel

- (91) As Minister, do you approve overseas travel for public servants in your portfolio department(s) / Agency(s)?

- (a) If yes, how many overseas trips have you approved since 28 March 2023?

- (92) Since 28 March 2023, how much has been spent on charter air flights by your portfolio agencies, broken down by agency?

- (93) Since 28 March 2023, how much has been spent on domestic flights by your portfolio agencies, broken down by agency?

- (a) Of these, how many flights were taken in business class?

- (94) Since 28 March 2023, how much has been spent on international flights by your portfolio agencies, broken down by agency?

- (a) Of these, how many flights were taken in business class?

- (b) Of these, how many flights were taken in first class?

- (95) What was the total expenditure since 28 March 2023 by each Department/agency within your portfolio responsibilities on:

- (a) Taxi hire?

- (b) Ridesharing services?

- (c) Limousine/private car hire?

- (d) Hire car rental?

Union membership fees

- (96) What was the expenditure for you to join a union in:

- (a) 2022-23?

(b) 2023-24?

(c) 2024-25?

Training

(97) Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?

(a) If yes, what is the description of training?

(b) If yes, how much?

Cabinet documents

(98) Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?

Website usage

(99) What were the top 20 most utilised (by data sent and received) unique domain names accessed by your ministerial office since 28 March 2023?

(100) What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your ministerial office since 28 March 2023?

Department(s)/Agency(s) Employees

(101) How many senior executive service employees were employed by each Department/agency within your portfolio responsibilities on:

(a) 28 March 2023?

(b) 1 July 2023?

(c) 1 January 2024?

(d) 1 July 2024?

(102) How many public servants within your portfolio department(s)/agency(s) were paid more than the Premier in 2023-24?

(103) How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023?

(a) Of these redundancies, how many were:

- i. Voluntary?
 - ii. Forced?
- (b) What was the total cost of all redundancies in each Department/agency within your portfolio responsibilities?

Ministerial visits

(104) Since 28 March 2023, have you visited any of these postcodes:

- (a) 2077?
- (b) 2079?
- (c) 2080?
- (d) 2081?
- (e) 2082?
- (f) 2083?
- (g) 2117?
- (h) 2118?
- (i) 2119?
- (j) 2120?
- (k) 2121?
- (l) 2125?
- (m) 2126?
- (n) 2151?
- (o) 2154?
- (p) 2156?
- (q) 2157?
- (r) 2158?
- (s) 2159?
- (t) 2756?
- (u) 2775?

- i. If yes to (a) to (u):
 - 1. What was the purpose of the visit(s)?
 - 2. Did you make a funding announcement(s)?

Camera, video recorder and microphones

(105) Does your ministerial office have the following paid by your ministerial budget:

- (a) Handheld camera?
- (b) Handheld video recorder?
- (c) Microphone?
 - i. If yes to (a) to (c), how much is each worth when purchased?

Questions from Ms Sue Higginson MLC
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ENVIRONMENT

Forests

(106) When was the Minister first made aware that the appointed chair of the Independent Forestry Panel was a former CEO of NSW Forests, now the NSW Forestry Corporation?

- (a) Was the chair's professional experience in the forestry industry a contributing factor for their appointment to the panel?
- (b) Was the chair's professional experience in the water industry a contributing factor for their appointment to the panel?

(107) What entities or stakeholders were consulted with in relation to the Forestry Industry Action Plan?

- (a) When did the development of the plan commence?
- (b) When did consultation with entities commence?
- (c) Will the scope of the Forestry Industry Action Plan change over time depending on:
 - i. The results of public consultation?
 - ii. Advice from the Independent Forestry Panel?

(108) What entities were consulted with in relation to the Independent Forestry Panel?

- (a) When did the development of the panel commence?
 - (b) When did consultation with entities commence?
 - (c) What role did the Minister, Minister's Office, Department, or any agency have in the selection of the panel members?
 - i. Were any names for potential panel members submitted by the Minister, Minister's Office, Department, or any agency and who were they?
 - (d) What role did the Forestry Corporation have in the selection of the panel members?
 - i. Were any names for potential panel members submitted by the Forestry Corporation and who were they?
 - (e) Is it possible for the membership of the panel to change over time?
 - i. Will the results of public consultation be considered in any decision about the membership of the panel?
 - ii. Will the advice from the Independent Forestry Panel be considered if they recommend a change to the membership of the panel?
 - (f) How will changes to the panel be considered and who is the decision-making authority in relation to the panel membership?
- (109) Is there a steering group or other Government entity that the Independent Forestry Panel will be reporting to or providing advice through?
- i. What is the name of this group or entity?
 - ii. Who are the members of this group or entity and what are their roles?
- (110) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2023-24?
- (a) How many came from a non-government entity of private citizen?
 - (b) How many complaints relate to a breach of the CIFOA?
 - (c) List the compartment numbers and State Forests that have been subject to a complaint?
 - (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?

- ii. How many of these investigations resulted in a stop work order?
- iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?
- iv. How many of these investigations resulted in a prosecution?

(111) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2022-23?

- (a) How many came from a non-government entity of private citizen?
- (b) How many complaints relate to a breach of the CIFOA?
- (c) List the compartment numbers and State Forests that have been subject to a complaint?
- (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?
 - ii. How many of these investigations resulted in a stop work order?
 - iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?
 - iv. How many of these investigations resulted in a prosecution?

(112) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2021-22?

- (a) How many came from a non-government entity of private citizen?
- (b) How many complaints relate to a breach of the CIFOA?
- (c) List the compartment numbers and State Forests that have been subject to a complaint?
- (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?
 - ii. How many of these investigations resulted in a stop work order?
 - iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?

- iv. How many of these investigations resulted in a prosecution?
- (113) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2020-21?
- (a) How many came from a non-government entity of private citizen?
 - (b) How many complaints relate to a breach of the CIFOA?
 - (c) List the compartment numbers and State Forests that have been subject to a complaint?
 - (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?
 - ii. How many of these investigations resulted in a stop work order?
 - iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?
 - iv. How many of these investigations resulted in a prosecution?
- (114) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2019-20?
- (a) How many came from a non-government entity of private citizen?
 - (b) How many complaints relate to a breach of the CIFOA?
 - (c) List the compartment numbers and State Forests that have been subject to a complaint?
 - (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?
 - ii. How many of these investigations resulted in a stop work order?
 - iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?
 - iv. How many of these investigations resulted in a prosecution?
- (115) How many logging operations in public native forests have been subject to complaint by the public or other entities in the financial year 2018-19?

- (a) How many came from a non-government entity of private citizen?
 - (b) How many complaints relate to a breach of the CIFOA?
 - (c) List the compartment numbers and State Forests that have been subject to a complaint?
 - (d) How many of these complaints resulted in an investigation by the EPA?
 - i. How many of these investigations included an in-person investigation of the area?
 - ii. How many of these investigations resulted in a stop work order?
 - iii. How many of these complaints or investigations resulted in work being paused by the Forestry Corporation on a voluntary basis?
 - iv. How many of these investigations resulted in a prosecution?
- (116) How many compliance checks of private native forestry (PNF) operations have been conducted by the Department or the EPA since 1 March 2023?
- (a) How many PNF operations have been and are being investigated for breaches of approvals?
 - (b) How many PNF operations have been subject to a fine because of unlawful logging?
 - (c) Are logging operators in PNF operations liable for any fines or damages as a result of unlawful logging?
 - (d) Are there any incentives for owners of land where PNF operations are undertaken to report unlawful logging?

Environment Protection Authority

- (117) Is the Environment Protection Authority aware of the report showing up to 174 pesticides in the Richmond River produced by Southern Cross University Researchers?
- (a) What work is the Department or the EPA undertaking in response to traces of a chemical, fungicide benomyl, that was banned almost 20 years ago?
 - (b) Is the Department or the EPA investigating what records of agriculture have been lost because of flooding in the Northern Rivers?
 - i. Would the Department or the EPA be helped if there was a live, centralised and digital tracking of agricultural chemical use?

- ii. Has any work been conducted into establishing that system?
- (118) Was any Ministerial direction provided to the EPA on the issue of recovered fines in the financial year 2021-22?
 - (a) What was the subject of any directions provided?
- (119) How many Ministerial briefings were provided by the EPA to the Government on the issue of recovered fines in the financial year 2021-22?
 - (a) How many of these related to representations or correspondence advocating on behalf of producers of recovered fines?
 - i. How many of these were in response to direct contacts from producers of recovered fines?
- (120) Are recovered fines under the current legislative and regulatory conditions fit for purpose?
 - (a) Can recovered fines currently produced pose a risk to the community and the environment?
- (121) When did the EPA change its position on recovered fines from defining them as “not fit for purpose and (that they) pose a risk to the community and the environment,” to allowing them to continue to be produced and distributed?
 - (a) Was this decision taken by the EPA or the Government?
 - i. Why did the EPA make the decision to allow harmful products to be produced and distributed?
- (122) What were the 13 facilities that produce recovered fines that were visited by the EPA as part of re-testing for contamination in late 2023 and early 2024?
 - (a) What were the seven sites that were found to have asbestos contamination?
 - i. What are the trading names of the companies that were operating these sites?
 - (b) What were the six sites that contained glass, chemicals above the legal limits, or pH levels outside the allowed range?
 - i. What are the trading names for the companies that were operating these sites?
- (123) Is there any evidence that the reviews into recovered fines by the EPA are flawed, or that the EPA is relying on out-of-date data?

- (124) Have any products, produced from recovered fines at facilities with contaminated products, been sold from third party retail outlets?
- (a) What third party retail outlets have purchased or sold products that were produced at facilities using contaminated recovered fines?
- (125) Are the current regulations for the control and monitoring of spraying of chemicals sufficient for the EPA to regulate these activities?
- (a) Why are huge swathes of native bushland, and public and private, still experiencing diebacks due to chemical exposure?
- (126) Have there been reports of either land clearing or vegetation chemical dieback that have been reported to the EPA that could not be traced to a culprit?
- (a) How many reports have there been broken down by postcode?
- (127) Has any report been produced as part of the air monitoring program for chemicals in cotton growing districts?
- (a) What were the recommendations or findings of any report?
- (b) Have any changes occurred as a result of monitoring activities by the EPA?
- (c) Have any investigations or prosecutions been launched as a result of either the air monitoring by the EPA or reports from the public?
- (128) What investigations to date have the EPA undertaken into the unauthorised dumping of firefighting foams including those alleged to have occurred in Lake Macquarie, now a historic RFS PFAS site?
- (129) What investigations to date have the EPA undertaken into the environmental impacts of aerial firefighting foams?
- (a) Are any of these investigations public?

Threatened Species

- (130) How many projects are planned to provide for improved koala protection on NSW roads?
- (a) How many projects are there broken down by local Government area?
- (b) How many of these projects include koala crossings or underpasses?
- (c) How many of these projects include koala fencing without a crossing or underpass?

- (131) How does the Department or the EPA process reports of species and threatened species being present within or adjacent to planned native forest logging and where there are no existing records of that species?
- (a) What is the process used to verify the presence of a species within or adjacent to planned native forest logging where no record of the species exists for the area?
 - (b) Is there any process in place to assist community with contributing to BioNet records for species sightings?
- (132) Will the Government restore funding to the Saving Our Species program to recover the 19% decline in the number of species managed under the program?
- (133) How is the Department planning to deliver conservation outcomes for the 69% of threatened species and ecological communities that have no conservation activities committed to them?
- (134) Are there any plans to change the way performance metrics are displayed for the Saving Our Species program?
- (a) How will these performance metrics be improved to provide a complete view on:
 - i. How many species are protected overall?
 - ii. How many species are responding positively to intervention?
- (135) Has any work been undertaken by the Department to better collaborate and report between teams and programs?
- (a) What is the scope of any work underway in the Department to achieve better inter-team outcomes?
- (136) What work has been undertaken so far to ensure the public reporting on the five-year review of the outcomes and effectiveness of the Saving Our Species program is compliant with the legislation?
- (137) What work has been undertaken so far to develop a program-level framework to document the rationale and priorities for implementing Saving Our Species strategies and allocating funding across all management streams is compliant with the legislation?
- (138) What work has been undertaken so far to ensure conservation strategies under the Saving Our Species program are developed within 2 years of the listing of a threatened species or ecological community as required under the legislation?

(139) What work has been undertaken so far to develop a plan for Saving our Species to address risks associated with incomplete or out-of-date conservation strategies, as well as identifying trigger points for species not under management or those exposed to new threats.?

Great Koala National Park

(140) How many meetings of the Great Koala National Park Aboriginal Advisory Panel have occurred?

- (a) What date did this panel first meet?
- (b) How many reports or documents, excluding minutes, have been produced as a result of consultation with this panel?
- (c) When will the final report be produced for this advisory panel?

(141) How many meetings of the Great Koala National Park Community Advisory Panel have occurred?

- (a) What date did this panel first meet?
- (b) How many reports or documents, excluding minutes, have been produced as a result of consultation with this panel?
- (c) When will the final report be produced for this advisory panel?

(142) How many meetings of the Great Koala National Park Industry Advisory Panel have occurred?

- (a) What date did this panel first meet?
- (b) How many reports or documents, excluding minutes, have been produced as a result of consultation with this panel?
- (c) When will the final report be produced for this advisory panel?

(143) When will the Great Koala National Park Advisory Panels be closed?

- (a) Will the panels continue to meet and provide advice after the boundary of the Great Koala National Park is announced?

(144) Will the Independent Forestry Panel provide any advice on the Great Koala National Park?

(145) Is the government aware of the costs that may be incurred to rehabilitate areas that have been logged in the Great Koala National Park?

Biosecurity

- (146) What was the date of the first Departmental brief prepared on the issue of the H5-N1 bird flu that is expected to arrive in Australia with migratory birds in spring 2024?
- (a) Did this briefing address the impacts on wild bird species and native bird populations?
 - (b) Did this briefing address the impacts on other native species?
 - (c) When was the Minister first provided with a briefing on H5-N1 bird flu?
- (147) How many briefings have been prepared by the Department on the issue of H5-N1 bird flu since March 2023?
- (a) How many of these are cross Departmental briefings?
 - (b) Are there any risk mitigation plans?
 - (c) Have any population impact simulations been undertaken?
 - (d) Has any cross departmental work been undertaken by DCCEEW and DPI?
 - i. Does this include a dedicated taskforce?
- (148) What work has been undertaken between the NSW Government and the Commonwealth in preparation for a bird flu epidemic?
- (149) What priority sites have been identified in preparing for the arrival of bird flu?
- (a) Have any location specific plans been developed?
 - i. What locations have had specific plans prepared?
 - (b) Is there a plan for Montague Island?
 - (c) Is there a plan for any Ramsar listed area?
 - i. Which areas?
 - (d) Is there a plan for the Macquarie Marshes?
 - (e) Is there a plan for Lord Howe Island?
- (150) What priority species have been identified in preparing for the arrival of bird flu?
- (151) What is the estimated mortality rate for native bird species as a result of the bird flu?
- (152) What is the estimated cost of the impacts of bird flu in NSW?

- (a) What is the cost of programs that have been developed to mitigate or track the impacts of the bird flu in NSW?

Protected Area Network

- (153) How much was spent in financial year 2023-24 on the acquisition of land to be added to the protected area network?
 - (a) How much was budgeted in the financial year 2023-24?
 - (b) How much was spent in the financial year 2022-23?
 - (c) How much is budgeted for the financial year 2024-25?
- (154) What area did the protected area network expand by in the financial year:
 - (a) 2019-20?
 - (b) 2020-21?
 - (c) 2021-22?
 - (d) 2022-23?
 - (e) 2023-24?
- (155) What is the area of land that is expected to be delivered to the protected area network in the financial year 2024-25?
- (156) What interaction is there between National Parks, DCCEEW and Crown Lands in relation to areas that have high ecological value and could be incorporated into the protected area network?
- (157) Has the Department given any consideration to the land audit conducted by the Government, specifically to identify lands that have high proportions of threatened species or threatened ecological communities?
 - (a) Is there any plan to develop a process to assess land that is inappropriate for residential development but has high ecological value?
- (158) Has the Department or the Minister's office requested a briefing on the LandiQ systems that has been developed by the NSW Government?
- (159) Have any policies or programs been developed to use this system to identify priority land for inclusion in the protected area network?
 - i. Will investigations into this take place?

CLIMATE CHANGE

Sea level rise and climate modelling

- (160) What is the predicted average sea level increase in NSW, without any further emissions reductions, by the year:
- (a) 2030?
 - (b) 2035?
 - (c) 2050?
 - (d) 2100?
- (161) What is the predicted average sea level increase in NSW, under the Paris Agreement targets, by the year:
- (a) 2030?
 - (b) 2035?
 - (c) 2050?
 - (d) 2100?
- (162) What is the predicted average sea level increase in NSW, under the best-case scenario, by the year:
- (a) 2030?
 - (b) 2035?
 - (c) 2050?
 - (d) 2100?
- (163) What model does the NSW Government use when estimating sea level rise?
- (164) When is the current tranche of updated NARClIM modelling for all shared socioeconomic pathways expected to be completed?
- (a) When does the Government expect the NARClIM modelling will next be updated?

Improved Native Forest Management method

- (165) What is the timeline for the Federal Government to consider the Improved Native Forest Management method and provide feedback to your Department?

- (a) Will the method be made public during this process?
 - (b) Will the method be made available at the conclusion of the process?
 - (c) Could the Great Koala National Park boundaries be announced before the Commonwealth responds to your methodology?
- (166) Did the methodology produced by Australian National University (ANU) include the generation of Australian carbon credit units (ACCUs) in native forests that are still being logged?
- (a) Did the initial instructions from your Department to ANU include a request to include native forest logging as part of the generation of ACCUs?
- (167) Did the final methodology that was submitted to the Federal Government include the generation of ACCUs in native forests that were still being logged or thinned?
- (168) Could this method be applied to public native forests other than those within the proposed Great Koala National Park?
- (a) Has any consideration been given to preparing a method for submission to the Federal Government for a forest outside of the proposed Great Koala National Park?

Net Zero Commission

- (169) Has the Commission provided any advice to the Government so far?
- (170) Has the Government referred any specific project or policy for review by the net-zero commission?
- (171) Has the Commission conducted any work in relation to coal or gas projects that are currently in the planning system?

Questions from Ms Cate Faehrmann MLC

ENVIRONMENT

Off-the-road tyre burial at open cut coal mines

- (172) Will the Minister please provide all economic modelling used to support its policy of not imposing economic measures in relation to the off-the-road mining tyres?
- (173) Can the Minister provide all EPA reports (including internal reports) concerning the regulator's policy on tyre landfilling?

(174) Can the Minister provide details of all lobbyists who have had meetings with the Government in relation to off-the-road tyres?

Coal mine blasting

(175) Maules Creek coal mine is currently being prosecuted for charges relating to blasting practices and impacts outside the mine footprint over a 2.5 year period from August 2020 to February 2022. One large blast is alleged to have injured workers at the nearby Boggabri mine, and blanketed the Leard Forest and Biodiversity Corridor critically endangered ecological community with flyrock, dust and debris. 8 of the charges relate to toxic sulphur dioxide plumes escaping the site. The NSW EPA does not consider persons such as neighbouring mine workers or the EPBC-protected critically endangered ecological community as "sensitive receivers" and therefore has declined to impose monitoring outside of monitors in one quadrant which faces away from the forest, the biodiversity corridor and the neighbouring mines, relying on the Australian Standard for blasting.

(176) When will the NSW EPA re-evaluate blast monitoring arrangements at Maules Creek Coal mine and ensure that all receivers of dangerous blast impacts are covered?

(177) Is the NSW EPA aware that the Australian Standard for Blasting defers to the relevant government of the time and its wording does not presume to override the EPA in relation to what is a sensitive receiver?

(178) Can the Minister provide details of additional economic measures to account for the exclusion zones granted to the Maules Creek and Boggabri Coal mines owing to the dangerous impacts of their blasting practices?

Moolarben Coal Mine

(179) Will the EPA undertake to protect the Goulburn River and associated water dependent ecosystems by refusing to accept the proposal to dispose of brine in underground mining areas in the Moolarben Coal Mine Complex, particularly in regard to the Moolarben Open Cut 3 expansion and brine disposal in the Underground 4 mining area closest to the river system?

(180) What follow up communication has been held with BCS and DPHI in regard to recommendations to protect the Munghorn Gap Nature Reserve and significant biodiversity values under threat from the proposed expansion of Moolarben Coal Mine open cut 3?

Leard State Forest

- (181) There are currently 3 major coal projects within the Leard State Forest - Whitehaven's Maules Creek Mine, Idemitsu's Boggabri Mine and Whitehaven's Tarrawonga Mine. Two of those mines have expansion proposals that involve land clearing in the forest. 34 threatened species reside in the forest. Has surveying been carried out by the government or the proponents to determine the impact of clearing on threatened species?
- (a) If yes, what is the impact?
- (182) How many hectares of the forest are left?

Illawarra Coal Mining

- (183) Unlawful coal wash deposits from the Appin mine have been found in Dharawal National Park. What action is being taken against South32 for their failures to properly contain coal wash?
- (184) What actions are being undertaken to clean up unlawful coal wash deposits?
- (185) Will Wollongong Coal be penalised for discharges from the Russell Vale mine site?
- (186) Could you please advise what the EPA means by "historic" in relation to the recent coal waste spread over Audley and the Upper Causeway?
- (187) Peabody has pleaded guilty to illegal discharges in the recent Land and Environment case brought by the EPA. How has the spread of coal from these illegal discharges been accounted for by the EPA in the court case?
- (188) What information has the EPA supplied to the Court about the extent of the spread of this coal pollution down the Hacking?
- (189) Has the EPA briefed the NSW Environment Minister Penny Sharpe about how far this coal waste has spread through the river?
- (190) Who is responsible for cleaning up the coal waste spread over the Audley Weir precinct?
- (191) Will the public be paying for this (NPWS), or will Peabody?
- (192) Are there specific reasons the EPA has been unable to require Peabody to release summary records of their water monitoring?

Hunter Gas Pipeline

- (193) What percentage of landholders (of the total needed) have signed a Deed of Option for easement with Santos for its Hunter Gas Pipeline?

(194) In relation to the renewal application for Santos' Authority to Survey, will the Minister consider the community opposition and the low take up of landholders in signing a Deed of Option when making a decision to renew?

PFAS Testing - Cadia Mine

(195) CCSN, landholders and WSU scientist Ian Wright have collected numerous samples of foam (along with samples of river water) that have now been analysed in a commercial NATA laboratory. They have tested the foam and river water for hydrocarbons, PFAS and 15 metals.

Has the EPA taken samples of the foam for analysis of the constituents?

(196) What chemical tests did the EPA perform (or other laboratory) perform on the foam?

(197) Have EPA tested the foam for hydrocarbons and a large suite of metals?

(198) What concentration of arsenic, cadmium, mercury, copper, lead and selenium have been detected in the foam?

(199) PFOS is well known to form foam through a process called 'fractionation', and this appears to be occurring in the Belubula River and is triggering hyper-accumulation of clumps of PFOS foam that are binding/coagulating metals and PFOS into foam containing enormous concentrations of metals.

What environmental risk do you think these clumps of PFOS foam and metals accumulating on the Belubula River pose to people, agriculture and wildlife?

(200) What advice has been given or will be given to people playing, living and working near the river regarding the contamination risks?

(201) Many people pump water from the Belubula for watering livestock and irrigating orchards, vineyards, crops and even household vegetables.

Should they be informed about the potential risks from the PFOS and metal-enriched foam on these and other uses?

(202) The Belubula is a high conservation-value river due to Murray Cod and Platypus. Do you think this foam poses substantial risks to these species?

(203) Have you considered deploying clean-up crews and pollution booms to collect and facilitate removal of the contaminated foam?

(204) Tony Chappel has said, at Budget Estimates on 29 August 2024, in relation to testing for PFAS that the "monitoring we did showed the only substantial detection was actually

upstream of the Cadia mine”. However, samples collected by the EPA on 30 May 2024 have shown positive results for:

- PFHxS and PFOS at Flyers Creek Rock Pools, which is located downstream from the Cadia mine; and
- An increase in PFOS concentration between Bakers shaft and Wongalong which are also both south of the Southern Tailings Storage Facility.

Further, samples collected by the EPA on 4 July 2024 shows an increase in PFOS at Burnt Yards Bridge to Millamolong, with Millamolong directly south of Cadia Valley Operations.

How can Mr Chappel justify this response?

- (205) A report titled “Spatio-temporal trends in livestock exposure to per- and polyfluoroalkyl substances (PFAS) inform risk assessment and management measures” published in February 2023 in *Environmental Research* found that sites with mean livestock drinking water concentrations as low as 0.003ug/l of PFOS may exceed the EC ML for PFOS in cattle meat. This report was authored by 4 employees of the Environment Protection Agency in Victoria.

50% of the samples tested by the EPA exceeded that threshold.

Do the results of the May and July testing from the EPA show that there is a contamination risk for cattle producers in the district?

Groundwater - Cadia Mine

- (206) A GHD report on surface water assessment dated 24 May 2024 suggests that there was an extended period when there was an extreme alkalinity event in the Belubula river. There are several highly alkaline bores on CVO land between the STSF and the Belubula. There is no known source of alkalinity to the southern side of the Belubula. This is a massive pollution event.

- (a) Has the EPA investigated this event?
- (b) Why is this event not being prosecuted as an offence under the Protection of the Environment Operations Act?

- (207) In 2007, CVO commissioned Itasca to investigate failure mechanisms at the open pit. Itasca identified that a series of significant faults run through the pit. The report found that the faults and fractured wall rocks would likely be conduits for groundwater flow. Isn't it likely

then that contaminated water from the mine is escaping through faults and fractured wall rocks and making its way downstream to neighbouring properties and the Belubula river?

- (208) Why does the EPA not require pollutant limits for groundwater both on and off site?
- (209) Will the EPA implement a comprehensive real time monitoring program for the Belubula River, including, so far as possible, real time monitoring for pH and EC and monthly monitoring for a wide range of elements, with monitoring points starting at Bakers Shaft to the east and including The Needles and Canowindra to the West and Cadiangulong Creek before the confluence with the Belubula?
- (a) Will stream flows at all monitoring points be included in the data collected?
- (210) Will you ensure that future reporting on the Belubula River compares the river to aquatic, irrigation and livestock standards?