



BUDGET ESTIMATES 2024–2025

Climate Change, Energy, the Environment and Heritage Portfolios

Portfolio Committee No. 7 – Planning and Environment

Answers to Supplementary Questions

Hearing: 29 August 2024

Climate Change, Energy, the Environment, Heritage Portfolio

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?

Answer

1	
(a)	The NSW Environment Protection Authority (EPA) engaged with the licensee of Bayswater power station on 24 May 2024 and Mt Piper on 24 May 2024 to work towards compliance with the Protection of the Environment Operations (Clean Air) Regulation 2022 by 2027.
(b)	The EPA expects licensees to comply with applicable laws and licence conditions.
2	In accordance with the Protection of the Environment Operations (Clean Air) Regulation 2022, power stations operating beyond 2030 need to meet Group 6 limits unless they apply for a licence variation to include legacy and other conditions 12 months before the requirement comes into effect and the EPA grants it.

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?

Answer

3	<p>The NSW Plastics Action Plan was released by the former NSW Government in 2021. It sets out a range of actions to meet the NSW Waste and Sustainable Materials Strategy: Stage 1 2021–2027 targets. Some actions have timeframes attached while others do not so implementation timeframes differ. The NSW Plastics Action Plan is publicly available and outlines implementation timeframes.</p>
4	<p>The <i>NSW Plastics: The Way Forward</i> paper seeks feedback on a range of proposed actions. These include product stewardship initiatives to make brand owners responsible for a product across its lifecycle.</p>
5	<p>In November 2023, Environment Ministers agreed that the Australian Government will regulate new packaging standards mandating how packaging is designed, setting minimum recycled content requirements, and prohibiting harmful chemicals and other contaminants in packaging. The NSW Government is supporting the Australian Government to advance these reforms.</p> <p>Brand owners of consumer products have mandatory obligations under Part 8 of the Protection of the Environment Operations (Waste) Regulation 2014 to manage the environmental impact of packaging wastes. These requirements can be met individually by brand owners, or collectively by joining the industry-wide product stewardship scheme led by the Australian Packaging Covenant Organisation (APCO). Businesses currently liable under the NSW regulation must continue to meet their current mandatory obligations while the national reforms are progressing.</p> <p>The NSW Environment Protection Authority is working closely with the Australian Government, state and territory regulators and APCO to harmonise national compliance and engagement approaches, to better enable organisations to comply with their obligations under the co-regulatory framework.</p>

Questions from Ms Abigail Boyd MLC

ENERGY**Coal-fired power stations**

6	<p>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.</p>
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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?

Answer

6	<p>The final report of the inquiry into the costs for remediation of sites containing coal ash repositories was tabled in March 2021 and made 16 recommendations to the NSW Government. The NSW Environment Protection Authority (EPA) is tracking the implementation of these recommendations and providing updates as they become available.</p> <p>Of the 16 recommendations, 11 are complete as of August 2024.</p> <p>Work in progress:</p> <p>In response to the inquiry recommendations, the EPA has engaged the Department of Climate Change, Energy, the Environment and Water (DCCEEW) to conduct a monitoring project in Lake Macquarie to assess the current environmental condition and potential impacts of coal ash dams on the lake (recommendation 3 and 7). A report on surface water quality and sediment quality is expected to be finalised later in 2024 and will be released on the EPA's website.</p> <p>NSW Health is also liaising with the EPA and DCCEEW on the finalisation of the Lake Macquarie and Lake Munmorah Conceptual Site Model report, which is an action resulting from recommendation 6.</p> <p>Work is underway to satisfy the intent of recommendations 8 and 9 through procurement and resource recovery initiatives under the Waste and</p>
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	<p>Sustainable Materials Strategy.</p> <p>The reason for any deviation between what was recommended and what has been or intended to be implemented is set out in the NSW Government response to the inquiry report and recommendations.</p>
7	<p>The NSW Government has committed \$3.25 million to support the beneficial reuse of coal ash in cement production. Currently there are several initiatives that the EPA is progressing to reduce carbon emissions and mitigate climate change by improving the management of materials.</p> <p>On 17 October 2023, the EPA entered a memorandum of understanding with the Ash Development Association of Australia. This allows the NSW Government to leverage industry experience and knowledge to ensure project outputs are fit-for-purpose and will unlock genuine supply chain barriers, considering health and environmental risks.</p> <p>Work has commenced on Stage 1 of the ‘Coal Ash Pathways Research Partnership’ and the Ash Development Association of Australia has been engaged as the delivery partner.</p> <p>Under the agreement between the NSW Government and Origin Energy Limited to extend the operations of Eraring power station, the Government will introduce potential new customers interested in acquiring ash to Origin and explore reforms to standards that could enable more coal ash to be used in road and pavement projects.</p>
8	<p>In May 2024, the NSW Government announced it had reached agreement with Origin Energy Limited to extend the operations of Eraring power station to August 2027. The agreement requires Origin to adhere to its licence conditions, which includes environmental protections and emissions of air pollutants.</p> <p>The NSW Government engaged with Origin in confidence and did not consult stakeholders on its proposal before reaching an agreement.</p>
9	<p>The EPA has a comprehensive and robust framework for regulating power stations in NSW. This framework includes a contemporary and innovative range of enforcement tools complemented by strong penalties and the ability to seek court orders to redress environmental impacts and recover any monetary benefits from non-compliance.</p> <p>Air monitoring (to ensure compliance with environment protection licence emissions limits) is undertaken across all four remaining NSW coal-fired power stations’ exhaust stacks. In general, the environment protection licences require the gaseous pollutants nitrogen oxides and sulphur dioxide to be monitored in real-time using ‘continuous emissions monitoring systems’ (CEMS), while the remaining pollutants are measured every six-months (except solid particles or dust which is every three-months). All sampling must</p>

	<p>be undertaken in strict adherence to the EPA's 'Approved Methods for the Sampling and Analysis of Air Pollutants in NSW'.</p> <p>The EPA is also progressing PM-CEMS monitoring across all four coal fired power stations.</p> <p>The EPA's regulatory framework under the <i>Protection of the Environment Operations Act 1997</i> is enforced through environment protection licences, includes strict limits on pollutant discharges and requires extensive monitoring of surface and groundwater for currently operating coal-fired power stations.</p> <p>The EPA continuously reviews data and reporting associated with the operation of coal-fired power stations and undertakes regular routine site inspections as well as inspections undertaken in response to concerns or environmental incidents. EPA officers attended power stations as part of routine site-inspections but also conduct unannounced inspections to check on performance. Any non-compliances that are identified are investigated and regulatory action is taken as appropriate.</p>
10	<p>The EPA is committed to ensuring that coal ash, including the millions of tons stored in unlined dams, is safely managed to protect both the environment and human health.</p> <p>As the coal-fired power stations transition to closure, the EPA will continue regulating ash repositories through environment protection licences under the <i>Protection of the Environment Operations Act 1997</i> or under the <i>Contaminated Land Management Act 1997</i>. This includes overseeing ongoing remediation at sites like the former Munmorah and Wallerawang power stations, parts of which have been declared by the EPA as significantly contaminated land and are now progressing through assessment, management and remediation where required.</p>

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?

Answer

11	This question should be referred to the Minister for Industrial Relations.
12	The Energy Policy Framework and Benefit Sharing Guideline is being finalised and will be released in the coming months.
13	<p>The Department of Planning, Housing and Infrastructure (DPHI) works with local councils regarding Voluntary Planning Agreements with renewable energy proponents. The Energy Corporation of NSW (EnergyCo) facilitates this connection between agencies if required.</p> <p>DPHI has prepared a draft Renewable Energy Policy Framework to support councils, communities and industry interacting with the planning system. This includes guidance on how impacts can be managed and benefits shared. The final framework will be released in the coming months.</p>
14	<p>EnergyCo has a program of commissioning agreements with a number of councils impacted by renewable energy transition infrastructure and the activities of EnergyCo. EnergyCo currently has agreements in place with nine councils, with the program soon to be opened to more councils.</p> <p>This is not a grant or a stipend, rather it is an in-arrears reimbursement for council activities where those activities are required or increased due to the activities of EnergyCo as the Infrastructure Planner for Renewable Energy Zones (REZ) and transmission projects.</p> <p>Councils may also seek reimbursement for activities that help facilitate the delivery of a REZ, for example, procuring work that assists the delivery of a REZ or improves community outcomes such as economic development due to REZ delivery.</p> <p>This funding assists councils manage their activities and is separate to any agreements reached with development proponents or grant programs.</p> <p>The Electricity Infrastructure Roadmap Steering Committee coordinates whole-of-government action to address local impacts. Through this process Transport for NSW is working with councils to understand the impact of renewable development on local roads.</p>
15	The Australian Energy Market Operator (AEMO) is responsible for forecasting demand across the National Electricity Market, including from data centres. The Department of Climate Change, Energy, the Environment and Water is working with AEMO as it consults on updates to its Electricity Demand Forecasting Methodology. The consultation paper seeks feedback on

	improvements to forecasting of data centre demand, among other items.
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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?
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Answer

16	<p>The NSW Government is committed to implementing the Electricity Infrastructure Roadmap to support the delivery of at least 12 gigawatts of renewable generation and two gigawatts of long-duration storage projects in NSW.</p> <p>Assessment of whether there is sufficient capacity in the electricity network for anticipated demand is undertaken by the Australian Energy Market Operator (AEMO). AEMO's 2024 Electricity Statement of Opportunities (ESOO) provides reliability forecasts against the reliability standard and interim reliability measure for each of the five regions of the National Electricity Market over a 10-year outlook period.</p> <p>The new renewable energy generation and storage projects that are planned to come online (including projects in commissioning) in NSW between now and 2027 included in the 2024 ESOO Federal and State Schemes sensitivity are listed in the table at Appendix 1.</p> <p>However, in addition to the list in the table at Appendix 1, further projects are intended to be delivered as part of the Electricity Infrastructure Roadmap tenders or the Australian Government's Capacity Investment Scheme tenders.</p>
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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?

Answer

17	
(a)	The Government is in the early stages of policy development.

(b)	The terms of reference are under development.
(c)	The roadmap will be released in the current term of government.
(d)	The Government is in the early stages of policy development and will provide updates on the process as it progresses.

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 won't 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?

Answer

18 (a-c)	<p>The date referenced in the 2022 Integrated System Plan, published by Australian Energy Market Operator in June 2022, was developed prior to the Energy Corporation of NSW (EnergyCo) being appointed Infrastructure Planner for the Hunter Transmission Project and a project team being established to support development activities.</p> <p>The Hunter Transmission Project remains urgent and is critical for energy security in NSW. EnergyCo is pursuing a delivery date of late 2028.</p>
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Questions from the Hon Chris Rath MLC

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?

Answer

19	Yes.
(a)	The Coastal Integrated Forestry Operations Approvals (IFOA) commenced on 16 November 2018.
20 (a-d)	I am advised that there is no legislative requirement for a review of the Coastal IFOA, given there is no NSW Forest Agreement in force. Nonetheless, the NSW Environment Protection Authority is in discussions with the Department of Primary Industries and Regional Development around the scope, timing, and budget for a Coastal IFOA review.
(e)	Yes.
(f)	No.
(g-h)	See response to question 20 (a-d).

Pilot Bird – Atticus Fleming (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?

Answer

21	<p>There are two recognised subspecies of pilotbird. The upland pilotbird, <i>Pycnoptilus floccosus floccosus</i>, has been recorded in Kosciuszko National Park (NP), Bimberi Nature Reserve and other surrounding parks and reserves within the Snowy Mountains region. The lowland pilotbird, <i>P. f. sandlandi</i> has been recorded in Blue Mountains NP, Gardens of Stone State Conservation Area, Wollemi NP, Royal NP, Morton NP, Monga NP and South East Forest NP as well as other surrounding parks and reserves.</p> <p>The pilotbird is also found on State forests and private land.</p>
(a)	<p>The pilotbird, <i>Pycnoptilus floccosus</i>, was found to be Vulnerable in accordance with the following provisions in the Biodiversity Conservation Regulation 2017: Clause 4.2 (1)(c)(2)(b)(c) because:</p> <ul style="list-style-type: none"> • a population reduction of 30-50% is suspected to have occurred over the past three-generation period of 11 years; and • this reduction was caused by adverse fire regimes reducing the numbers of mature individuals and increased severity and frequency of drought reducing the extent and quality of habitat, and these causes have not ceased.
22	In the 2019–20 Black Summer Fires, around 38% (2.7 million hectares) of the national park estate burnt.
23	<p>The threat of wildfires in our national parks is addressed through effective fire management and wildfire response.</p> <p>In partnership with the NSW Rural Fire Service, the National Parks and Wildlife</p>

	Service typically undertakes 75% of all hazard reduction burning in NSW.
24	See response to question 23.
25	Yes. Effective fire management is a high priority for NPWS to protect human life and property, to protect important ecological and cultural values within the national park estate and to promote a healthy landscape.

Kosciusko National Park Transmission Lines – Atticus Fleming (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?

Answer

26	Yes, as approved by the former Minister for Planning, the Hon Anthony Roberts MP.
(a)	Six threatened species were identified in the Snowy 2.0 Transmission Connection Infrastructure Approval as having direct impacts from the project. These include the Mountain Spider Orchid, Gang-gang Cockatoo, Masked Owl, Eastern Pygmy-possum, Yellow-bellied Glider and Booroolong Frog.
(b)	Transgrid has a Biodiversity Management Plan in place which includes a monitoring program.
(c)	The conditions of approval include conditions to minimise impacts and rehabilitate areas after construction.
(d)	Yes.

(e)	Vegetation clearing is approved under the Snowy 2.0 Transmission Connection Infrastructure Approval. The conditions of approval ensure Transgrid is required to minimise the impacts of the project.
(f)	The Snowy 2.0 Transmission Connection project was approved by the former Minister for Planning, the Hon Anthony Roberts MP, on 2 September 2022.
(g)	No.

Trail Bike Riding in GKNP – Atticus Fleming (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?

Answer

27	Yes, consistent with the provisions of the <i>National Parks and Wildlife Act 1974</i> .
(a)	This is being considered in the Great Koala National Park (GKNP) assessment process.

(b-c)	See response to questions 27 and 27 (a).
(d)	The National Parks and Wildlife Service (NPWS) has met with mountain biking clubs operating within the GKNP assessment area to inform them about the assessment process, and better understand existing uses.
(e)	See response to questions 27 and 27 (a).
(f)	The GKNP assessment process is taking into account existing commercial activities.
i-iii.	See response to question 27 (f).
(g)	There are 50 commercial licence holders operating in the NPWS North Coast Branch, covering the Clarence, Coffs Coast and Hastings-Macleay areas.

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?

Answer

28	On 3 June 2024, Essential Energy provided a written briefing to the Minister on its pricing proposal for 2024–25.
29	The Australian Energy Regulator (AER) is responsible for regulating electricity networks, including Essential Energy, by setting the maximum amount of revenue they can recover from consumers. The AER regulates network prices so customers pay no more than necessary for the safe and reliable supply of energy services.
(a)	Questions regarding the operation of a State owned corporation under the <i>State Owned Corporations Act 1989</i> should be referred to the Treasurer as the responsible Minister and as the shareholding Minister for Essential Energy.
30	The Department of Climate Change, Energy, the Environment and Water (DCCEE) provides regular briefings on the retail energy market, including findings and insights from the AER's quarterly reports on retail electricity performance.
(a)	<p>The AER is responsible for regulating electricity networks, including Essential Energy, by setting the maximum amount of revenue they can recover from consumers. The AER regulates network prices so customers pay no more than necessary for the safe and reliable supply of energy services.</p> <p>The NSW Government has a range of supports available for customers who need support with energy bill debt relief including ongoing NSW energy</p>

	rebates, the Energy Accounts and Payment Assistance scheme for customers experiencing short-term financial crisis and a new debt relief trial.
31	Essential Energy's plans to transition to composite poles have been public since September 2022.
(a)	There is no national study comparing sustainability for different pole materials. A study on crossarm material types (similar rationale to poles) (<i>Composites: Calculating their embodied energy</i> available at www.wagner.com.au/media/1189/unsw-life-cycle-analysis.pdf) showed composite crossarms emit less greenhouse gases during their lifecycle and have less impact on the environment than timber crossarms.
(b)	See response to question 31 (a).
(c)	That is a matter for Essential Energy.
i.	See response to question 31 (c).
(d)	Yes.
i.	Essential Energy has provided test results from composite poles exposed to the 2019–20 bushfires, research and testing from RS Technologies in North America (demonstrating fire resistance of composite poles from the North American bushfire experience), real life experience and testing from Southern California Edison and 2023 University of Melbourne testing on the performance of power poles when subjected to severe bushfire exposure.
(e)	There are research papers and academic reviews around the world that consider the durability of composite poles including an <i>Assessment of Commercial Composite Power Pole Performance report</i> commissioned by the US Department of Energy May 2021 and a 2013 energycentral.com paper <i>Composite transmission and distribution poles new trend</i> . Essential Energy and its pole manufacturers have undertaken accelerated ageing, mechanical and electrical tests to validate the performance of composite poles over an extended service life of 80 years. The AER reviewed Essential Energy's composite poles transition business case as part of its approval of the 2024–29 regulatory submission.
(f)	Relating to research noted above in 31 (e), this information is available publicly.
(g)	See response to question to 31 (a).

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 ' <i>State heritage assets</i> ', 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?

Answer

32	It is anticipated that a draft Heritage Strategy, outlining a range of proposed actions including legislative reform, will be released for public consultation in the coming months.
(a)	Yes.
(b)	Final reforms proposals will be considered following the draft Heritage Strategy public consultation process.
33	Heritage NSW has received no additional funding to implement the reforms recommended by the Auditor-General. The reforms will be implemented within existing resources.
(a)	89%
(b)	12%
(c)	65%

(d)	Heritage NSW is reviewing the Statement of Regulatory Intent. It will be released on the Department of Climate Change, Energy, the Environment and Water's website.
(e)	Heritage NSW builds awareness of its priorities, projects, processes and expectations through a range of activities, including through the Department's online content, engagement and social media platforms, and hosting and participating in events, meetings and consultations.

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

Answer

34 (a-e)	The annual budget that is allocated to the Heritage Grants program is \$3,038,000 which is awarded in full at each grant round.
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Union membership

35	Are you a member of a union?
(a)	If yes, what union?

Answer

35 (a)	<p>I am advised:</p> <p>The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.</p> <p>Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union.</p> <p>Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance</p>
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	provided to Members.
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TikTok

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

Answer

36	I am advised:
(a)	The Circular DCS-2023-01 Cyber Security NSW Directive - Protecting NSW Government information on government-issued devices sets out how NSW Government agencies are to manage the risk of using TikTok. More information is available at arp.nsw.gov.au/dcs-2023-01-cyber-security-nsw-directive-protecting-nsw-government-information-on-government-issued-devices .

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?

Answer

37 (a-u) i.	<p>In 2023, Property and Development NSW, with the assistance of The Cabinet Office, conducted an audit to identify available government property that may be suitable for housing.</p> <p>Further questions about this audit should be referred to the Minister for Lands and Property.</p>
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Signal

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

Answer

38 (a)	<p>I am advised:</p> <p>Like the former Coalition Government, a range of communications are used by the NSW Government.</p> <p>I comply with the <i>State Records Act 1998</i> and I expect all staff members to comply with their obligations under the <i>State Records Act 1998</i>.</p>
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CFMEU membership

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

Answer

39	I am advised:
(a)	<p>The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.</p> <p>Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union.</p> <p>Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.</p>

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?

Answer

40	<p>I am advised:</p> <p>The annual report of a reporting Government Sector Finance agency is to be prepared, submitted and tabled in accordance with requirements under the <i>Government Sector Finance Act 2018</i> and Treasurer's Direction 23-11.</p>
41	I am advised:
(a)	As per the NSW Treasury Policy and Guidelines – Annual Reporting Requirements TPG23-10, agencies in the portfolio will be providing two printed copies of the annual report (via in house printing) to the Minister for tabling in both houses of Parliament.

ETU membership

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

Answer

42	I am advised:
(a)	<p>The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.</p> <p>Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union.</p> <p>Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.</p>

Paper shredder

43	Does your ministerial office have a paper shredder?
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Answer

43	<p>I am advised:</p> <p>When the NSW Government was elected in 2023, shredders used by the former Liberal and National Government were left in Ministerial and Parliament offices.</p> <p>Office equipment is purchased in line with NSW Government procurement rules.</p>
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Department(s)/Agency(s) in Portfolio

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

44	Details are contained in the annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage's portfolio responsibilities.
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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?

Answer

45	<p>I am advised:</p> <p>(a) The employment of former Ministerial office staff is not tracked.</p> <p>Under the <i>Government Sector Employment Act 2013</i>, the Secretary of a Department exercises the employer functions of the Government in relation to departmental employees. The Secretary is not subject to the direction or control of a Minister in the exercise of those functions. Similarly, the head of a Public Service agency exercises the employer functions of the Government in relation to non-Public Service senior executives of the agency. A head of a Public Service agency is not subject to the direction or control of a Minister in the exercise of those functions.</p> <p>All NSW Government sector employees must comply with the Code of Ethics and Conduct for NSW government sector employees. Employees must also have regard to their relevant agency's code of conduct.</p> <p>Ministerial office staff must comply with their ethical obligations under the NSW Office Holder's Staff Code of Conduct, including after the cessation of the employment.</p>
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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?

Answer

46	<p>I am advised:</p> <p>(a-e) The Constitution (Disclosures by Members) Regulation 1983 (Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.</p> <p>The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics Report on Review of the Code of Conduct, Aspects of Disclosure of Interests, and Related Issues (December 2010) notes that:</p> <p style="padding-left: 40px;">“Advice has been received from the Crown Solicitor that use of the Chairman's Lounge by invitation is not a "gift" for the purposes of</p>
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	<p>clause 10 of the Regulation, as it does not involve disposition of property. However, when the membership leads to an upgrade valued at more than \$250, it becomes disclosable as a contribution to travel, and should be reported under clause 11 of the Regulation.”</p> <p>Clause 16 of the Regulation allows a Member to, at their discretion, disclose any direct or indirect benefit, advantage or liability, whether pecuniary or not.</p> <p>Relevant disclosures have been made to The Cabinet Office and to Parliament.</p>
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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?

Answer

47	<p>I am advised:</p> <p>Ministerial staff are employed by Ministers, on behalf of the State, in their capacity as ‘political office holders’ under Part 2 of the <i>Members of Parliament Staff Act 2013</i>.</p> <p>All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).</p>
48	See response to question 47.

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?
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Answer

49	<p>I am advised:</p> <p>In accordance with Premier’s Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals. Ministers are not required to disclose details of the following meetings:</p> <ul style="list-style-type: none"> meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)
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	<ul style="list-style-type: none"> • meetings that are strictly personal, electorate or party political • social or public functions or events • meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Memorandum), and • matters for which there is an overriding public interest against disclosure. <p>Ministers' diary disclosures are published quarterly on The Cabinet Office's website (www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures).</p>
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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?

Answer

50	I am advised:
(a)	<p>The Ministers' Office Handbook provides guidance in relation to these obligations to assist each Minister's office.</p> <p>The Premier's Department and The Cabinet Office also provide guidance, advice, training and support on these obligations for all Ministers' offices.</p>

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?

Answer

51	I am advised:
(a)	<p>Legal costs are included in the Other Operating Expenses of an agency's financial statement and further categorised in the note to Other Operating Expenses in accordance with the guidance in TPG24-05 Policy and Guidelines: Financial Reporting Code for NSW General Government Sector Agencies. The Department and its network agencies report legal expenses in their respective Annual Reports.</p>

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?

Answer

52	I am advised:
(a)	The Department of Customer Service is responsible for managing www.nsw.gov.au/media-releases and the publication of media releases. Ministerial media releases are all publicly available on the Department of Energy, Climate Change, the Environment and Water's website.

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)

Answer

53	I am advised:
(a-f)	Department and agency expenditure is published in the annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage's portfolio responsibilities and on OpenGov NSW.

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?

Answer

54	<p>I am advised:</p> <p>Catering provided for official purposes may be funded from the Ministerial office budget.</p> <p>As Members of Parliament, Ministers have credit facilities extended to them for dining and hospitality at Parliament House. The facilities may be used for business or private purposes.</p>
55 (a)	<p>I am advised:</p> <p>Catering provided for official purposes may be funded from the Ministerial office budget. As Members of Parliament, Ministers have credit facilities extended to them for dining and hospitality at Parliament House. The facilities may be used for business or private purposes.</p>

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?

Answer

56	<p>I am advised:</p> <p>Security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.</p>
57	No.
58	<p>I am advised:</p> <p>The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources.</p> <p>The Handbook can be found here: www.nsw.gov.au/sites/default/files/noindex/2023-12/Ministers-Office-Handbook.pdf.</p>

Gin

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

59	<p>I am advised:</p> <p>The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources.</p> <p>The Handbook can be found here: www.nsw.gov.au/sites/default/files/noindex/2023-12/Ministers-Office-Handbook.pdf.</p>
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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?

Answer

60	<p>I am advised:</p> <p>Ministers, the Leader of the Opposition, other nominated public office holders, and certain former office holders are provided with official cars and drivers.</p> <p>Office holders may drive themselves whenever they choose. Cars should be driven only by the office holder, officially employed drivers, the office holder's spouse or approved relative and any other person authorised by the office holder in those circumstances considered to be appropriate.</p>
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61	I am advised:
(a-e)	Ministers, like all members of the community are subject to the laws of New South Wales, including Road Rules 2014.
i.	Where a fine is incurred, the payment of the fine is the responsibility of the driver of the 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)?

Answer

62	I am advised: Department and agency staff may contribute to factual information for speaking notes as part of their duties in line with longstanding practices in place under successive governments.
63	See response to question 62.

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?

Answer

64	I am advised:
(a)	Ministers are to comply with the appropriate use of personal protective equipment as per Work Health and Safety Regulation 2017. The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources. State resources are not to be subject to wasteful or extravagant use.

Ministerial Advisers

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

65	I am advised: Ministerial Staffing numbers are proactively published on the NSW website - www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premier-and-ministers-staff-numbers .
66	See response to question 65.

Ministerial disclosures to The Cabinet Office

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

67	I am advised: The Ministerial Code of Conduct (Ministerial Code) requires Ministers to make certain disclosures to the Premier and the Secretary of The Cabinet Office. I comply with my obligations under the Ministerial Code.
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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?

Answer

68	I am advised:
(a)	The Cabinet Office provides training for Ministerial staff on their obligations under the <i>Government Information (Public Access) Act 2009</i> and the requirements for responding to orders for papers under Standing Order 52 of the Legislative Council.
69	I am advised: Information concerning the obligations of a Minister's office as an agency

	under the <i>Government Information (Public Access) Act 2009</i> (the Act) is required to be submitted to the Attorney General in accordance with section 125(2) of the Act. The information is included in the annual report of the Department of Communities and Justice in accordance with sections 125(3) and (5) of the Act.
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Police Commissioner Gin

70	Have you received gin from the Police Commissioner?
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Answer

70	No.
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Cabinet Sub Committees

71	What cabinet sub committees are you a member of?
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Answer

71	<p>I am advised:</p> <p>Details of individual Cabinet committee members and the work of Cabinet committees are not generally made public. This reflects the longstanding Cabinet conventions of confidentiality and collective Ministerial responsibility, which are central to the Westminster system of government.</p> <p>The NSW Cabinet Practice Manual is publicly available on the NSW Government website (www.nsw.gov.au) and provides information on operation of Cabinet and committees in NSW.</p>
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E-Toll

72	Does your ministerial vehicle have an E-Toll?
(a)	If yes, is expenditure paid by your by your ministerial budget?

Answer

72	I am advised:
(a)	<p>Ministers, the Leader of the Opposition, other nominated public office holders, and certain former office holders are provided with official cars and drivers. All costs associated with these vehicles need to be paid from the relevant approved budget.</p> <p>Costs for e-tolls form part of the Premier's Department Annual Report.</p>

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?

Answer

73	Yes.
(a)	The Department of Climate Change, Energy, the Environment and Water's (DCCEEW) gifts, benefits and hospitality register is available online.
i.	The DCCEEW gifts, benefits and hospitality register is available at www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback/gifts-benefits-and-hospitality-register .

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?

Answer

74	I am advised: Any complaint or disclosure made under the Respectful Workplace Policy is confidential. The Respectful Workplace Policy applies to all Ministerial Offices and staff. As noted in the Goward review, a key aspect of effective workplace complaint policies is confidentiality in the complaint and investigation process. Confidentiality ensures that staff feel safe about raising concerns and confident that action will be taken in response.
75	See response to question 74.

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?

Answer

76	<p>I am advised:</p> <p>All Ministerial staff are required to comply with the Gifts, Hospitality and Benefits Policy for Office Holder Staff attached to the Ministers' Office Handbook and available on the NSW Government website.</p>
77 (a-b)	<p>I am advised:</p> <p>All Ministerial staff are required to comply with their disclosure obligations under the Gifts, Hospitality and Benefits Policy for Office Holder Staff and I expect them to do so.</p> <p>A breach of the Policy may be a breach of the Office Holder's Staff Code of Conduct. The Policy includes disclosure obligations for Ministerial staff in respect of gifts, hospitality and benefits over \$150.</p> <p>If a Ministerial staff member is required by their role to accompany their Office Holder at an event that the Office Holder is attending as the State's representative, or where the Office Holder has asked the staff member to attend, then attendance at that event would not constitute a gift or benefit for the purposes of the Policy.</p>

Ministerial Code of Conduct

78	Since 28 March 2023, have you breached the Ministerial Code of Conduct?
(a)	If yes, what was the breach?

Answer

78 (a)	<p>I am advised:</p> <p>All Ministers are expected to comply with their obligations under the NSW Ministerial Code of Conduct (Ministerial Code) at all times.</p> <p>The Ministerial Code sets the ethical standards of behaviour required of Ministers and establishes practices and procedures to assist with compliance.</p> <p>Among other matters, the Ministerial Code requires Ministers to:</p> <ul style="list-style-type: none"> • disclose their pecuniary interests and those of their immediate family members to the Premier • seek rulings from the Premier if they wish to hold shares, directorships, other business interests or engage in secondary employment (known as 'prohibited interests')
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	<ul style="list-style-type: none"> • identify, avoid, disclose and manage conflicts of interest • disclose gifts and hospitality with a market value over \$500. <p>A substantial breach of the Ministerial Code (including a knowing breach of any provision of the Schedule) may constitute corrupt conduct for the purposes of the <i>Independent Commission Against Corruption Act 1988</i>.</p>
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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?
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Answer

79	<p>I am advised:</p> <p>In accordance with the Premier's Memorandum 2015-05, all Ministers publish extracts from their diaries summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals. Ministers are not required to disclose details of the following meetings:</p> <ul style="list-style-type: none"> • meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions) • meetings that are strictly personal, electorate or party political • social or public functions or events • meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Memorandum), and • matters for which there is an overriding public interest against disclosure. <p>Ministers' diary disclosures are published quarterly on The Cabinet Office's website (www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures).</p>
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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?

Answer

80 (a-b)	<p>I am advised:</p> <p>Ministers and Ministerial Staff are not eligible to receive Departmental credit cards except in the case of overseas travel. In cases of overseas travel short-term cards will be issued and returned at the completion of official travel together with a travel diary for fringe benefit tax purposes.</p> <p>Where an NSW Government-issued credit card is provided the credit card must only be used for official overseas business trips and official business purposes, this includes for transport to/from the airport when departing/returning from the trip. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed. Credit cards are a useful means of expenditure control, but their use should never be for personal purposes.</p>
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	Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.
81 (a-i) i-ii.	I am advised: The use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government. Further, each Department / Agency within the portfolio have a specified policy.

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

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

82	I am advised: I make use of an office in 52 Martin Place and NSW Parliament.
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Senior Executive Drivers

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

83	I am advised: No senior executives employed by the Department or relevant agencies have a driver.
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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?

Answer

84	I am advised: Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes. Minister's staff may use mobile telephones for business and (reasonable use) private purposes. Under the current mobile plans, all local and Australia-wide
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	<p>calls to land lines/mobiles and texts are included in the plan. Premium service calls, international calls and global roaming services are outside of the plan and may be still chargeable based on the principles below.</p> <p>Minister's staff mobile phone charges are paid from the Minister's office budget except for the items listed below, which need to be paid as a private expense:</p> <ul style="list-style-type: none"> • personal international calls from within Australia • personal travel related global roaming charges • personal premium number service calls. <p>Any personal calls which are outside the plan need to be declared and paid for monthly. Declarations are not required otherwise.</p> <p>The purchasing of technology items is in accordance with standard procurement arrangements. The costs form part of the Premier's Department Annual report.</p>
85	<p>I am advised:</p> <p>Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes.</p> <p>Minister's staff may use mobile telephones for business and (reasonable use) private purposes. Under the current mobile plans all local and Australia-wide calls to land lines/mobiles and texts are included in the plan. Premium service calls, international calls and global roaming services are outside of the plan and may be still chargeable based on the principles below.</p> <p>Ministers' staff mobile phone charges are paid from the Ministers' office budget except for the items listed below, which need to be paid as a private expense:</p> <ul style="list-style-type: none"> • personal international calls from within Australia • personal travel related global roaming charges • personal premium number service calls. <p>Any personal calls which are outside the plan need to be declared and paid for monthly. Declarations are not required otherwise.</p> <p>The purchasing of technology items is in accordance with standard procurement arrangements. The costs form part of the Premier's Department Annual report.</p>

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?

Answer

86	I am advised:
(a-b)	The Budget papers include detailed information on budgeted expenses, revenue and capital expenditure. This includes detailed financial statements for individual agencies.
i-ii.	

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)?

Answer

87	I am advised: Spending on office stationery is in accordance with standard procurement arrangements. The costs of stationery are contained within the Premier's Department Annual Report.
88	I am advised:
(a-b)	The Ministers' Office Handbook outlines that the decision to present a gift is at the discretion of the Minister, having regard to both appropriateness and economy. Gifts may be appropriate, for example, where given as a memento of an official visit or as a small token of appreciation. However, gifts should not be given with the purpose, or in circumstances where they could be perceived as having the purpose, of inducing favourable treatment. Gifts may be purchased as needed on an occasional basis or purchased and stored for future use. Gifts need to be purchased in accordance with NSW

	Government procurement policy.
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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?

Answer

89 (a-d)	<p>I am advised:</p> <p>Consultancy expenditure, including details of consulting engagements over \$50,000, are included in the annual reports of agencies and departments in accordance with the NSW Treasury Policy and Guidelines TPG23-10 - Annual Reporting Requirements.</p>
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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)?
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Answer

90	<p>I am advised:</p> <p>The <i>Government Information (Public Access) Act 2009</i> (the Act) provides that agencies are not subject to the direction or control of any Minister in the exercise of the agency's functions in dealing with a particular access application under the Act (subsection 9(2)). The Act also contains offences prohibiting agency officers from acting unlawfully, and prohibiting persons from directing agencies to make an unlawful decision in relation to an access application (sections 116 and 117 of the Act).</p> <p>It is, however, generally appropriate for agencies to inform the responsible Minister where documents are to be released under the Act, for the Minister's information.</p>
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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?

Answer

91	I am advised:
(a)	<p>The NSW Government Travel and Transport Policy provides a framework for NSW Government travelling employees and covers official air and land travel by public officials using public money.</p> <p>Section 2.1 of that Policy sets out approvals required in relation to overseas travel. Further information in relation to the Policy can be found here: www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy.</p> <p>NSW Treasury Policy and Guidelines – Annual Reporting Requirements (TPG-10) requires agencies to include information on overseas visits by officers and employees in agency annual reports. Information for the period prior to 30 June 2023 is available in departmental and agency annual reports for 2022–23. Information for the period between 1 July 2023 and 30 June 2024 will</p>

	be available in departmental and agency annual reports for 2023–24.
92	<p>Charter air flight costs include various operational activities, including bushfire hazard reduction, aerial surveying, and aerial feral and pest management. Agency travel is conducted in accordance with relevant NSW Government policies and guidelines including the Treasury Direction TD23-11 Annual reporting requirements.</p> <p>The travel costs for the period to 30 June 2023 form part of departmental and agency annual reports for 2022–23.</p> <p>Travel costs for the period 1 July 2023 to 30 June 2024 will form part of departmental and agency annual reports for 2023–24.</p>
93 (a)	<p>I am advised:</p> <p>Domestic travel is contained within the travel costs category in the Other Operating Expenses note of the audited financial statements within the Department / Agency’s Annual Report. This is in accordance with the Treasury Direction TD23-11 Annual reporting requirements.</p> <p>The travel costs for the period prior to 30 June 2023 form part of the departmental and agency annual reports for 2022–23.</p> <p>Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the departmental and agency annual reports for 2023–24.</p> <p>Official travel is taken in accordance with the NSW Government travel policy.</p>
94 (a-b)	<p>I am advised:</p> <p>The NSW Government Travel and Transport Policy provides a framework for all NSW Government travelling employees and covers all official air and land travel by public officials using public money. Further information in relation to the Policy can be found here: www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy.</p> <p>The travel costs for the period prior to 30 June 2023 form part of the departmental and agency annual reports for 2022–23.</p> <p>Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the departmental and agency annual reports for 2023–24.</p>
95 (a-d)	<p>I am advised the items are contained within the travel costs category in the Other Operating Expenses note of the audited financial statements within the annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage’s portfolio responsibilities.</p> <p>This is in accordance with the Treasury Direction TD23-11 Annual reporting requirements.</p> <p>The travel costs for the period prior to 30 June 2023 form part of the</p>

	<p>departmental and agency annual reports for 2022–23.</p> <p>Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the departmental and agency annual reports for 2023–24.</p>
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Union membership fees

96	What was the expenditure for you to join a union in:
(a)	2022-23?
(b)	2023-24?
(c)	2024-25?

Answer

96	I am advised:
(a-c)	<p>The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.</p> <p>Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union.</p> <p>Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.</p>

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?

Answer

97	I am advised:
(a-b)	<p>Ministers have undertaken a program of Ministerial induction training.</p> <p>Ministers have undertaken Respectful Workplace Policy Training.</p> <p>Members of Parliament are provided with a Skills Development Allowance that may be used in a manner consistent with the Parliamentary Remuneration Tribunal Annual Determination.</p>

Cabinet documents

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

98	<p>I am advised:</p> <p>The conventions and practice for access to Cabinet documents are outlined in Premier's Memorandum M2006-08 - Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions (M2006-8).</p> <p>M2006-08 provides that the unauthorised and/or premature disclosure of Cabinet documents undermines collective ministerial responsibility and the convention of Cabinet confidentiality. It is essential that the confidentiality of Cabinet documents is maintained to enable full and frank discussions to be had prior to Cabinet making decisions.</p>
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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?

Answer

99	<p>I am advised:</p> <p>All acceptable use of network services must be lawful, appropriate and ethical. The Ministers' Staff Acceptable Use of Network Services Policy is available in the Ministers' Office Handbook.</p>
100	See response to question 99.

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?

Answer

101 (a-d)	Numbers of senior executives are publicly reported in the annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage's portfolio responsibilities as per standard practice.
102	Numbers and remuneration of senior executives are published in the annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage's portfolio responsibilities.
103 (a-b)	I am advised: All redundancies are managed in accordance with M2011-11 Changes to the Management of Excess Employees. Redundancy information is included in the financial statements of agency annual reports for the Departments and agencies within the Minister for Climate Change, Energy, the Environment and Heritage's 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)?

Answer

104	I am advised:
(a-u)	Ministers' diary disclosures are publicly available.
i.	Premier's and Ministers' domestic travel information is published on the Premier's Department's website at www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premier-and-ministers-domestic-travel .

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?

Answer

105	I am advised:
(a-c)	Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes.
i.	The purchasing of technology items is in accordance with standard procurement arrangements. The costs form part of the Premier's Department Annual Report.

Questions from Ms Sue Higginson MLC**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 or 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?

Answer

106 (a-b)	Peter Duncan has extensive leadership experience across a wide range of industries, and government sectors. I am satisfied that he has the appropriate experience and qualifications to chair the Independent Forestry Panel.
107	Consultation for the Forestry Industry Action Plan is underway. We expect a

(a-b)	wide range of stakeholders to be consulted. This may include: representatives from the timber industry, forest growers, environment groups, unions, Aboriginal communities, local government, business, related industries, tourism, scientific experts and the Australian Government.
(c) i-ii.	The Independent Forestry Panel has been established to engage with stakeholders to inform the development of the Forestry Industry Action Plan.
108 (a-f)	The establishment and appointment of the Independent Forestry Panel was a decision of Government.
109 i-ii.	The Independent Forestry Panel will report to Government.
110	29.
(a)	42.
(b)	42.
(c)	<ul style="list-style-type: none"> • Barrington Tops 28, 29, 30 • South Brooman 66, 60 • Bendandarah 109 • Bondo 8101, 8102, 8103 • Bulga 41, 43 • Clouds Creek 48, 49, 50, 51, 52, 53, 54, 55 • Clouds Creek CCK048-CCK055 • Clyde 206A467A • Conglomerate 23 • Conglomerate 18, 19, 20, 21, 22 • Currowan 216 • Currowan 216A • Flat Rock 34A • Flat Rock 35 • Kiwarrak 10, 11, 12, and 13 • Nadgee 86, 87, 88 • Newry 21, 22, 26, 27 and 28 • Oakes 18, 19, 20 and 21 • Olney 49, 50, 51, 52

	<ul style="list-style-type: none"> • Orara East 22 • Pine Creek 15, 16, 17,18 • Riamukka 48, 49, 50 • Shallow Crossing 212, • Shallow Crossing 214, 215 • Sheas Nob 3, 4,5 • Styx River 31, 32, 36, 38, 41, 42 • Styx River 33 • Tallaganda 2428 • Tallaganda 2447A, 2448A, 2449A, 2450A, 2451A, 2208A, 2209A • Wild Cattle Creek 43, 44, 45
(d)	19.
i.	15.
ii.	Two.
iii.	Zero.
iv.	Zero.
111	18.
(a)	23.
(b)	23.
(c)	<ul style="list-style-type: none"> • Benandarah 109A • Bulga 41, 43 • Currowan 490A, 502A, 503A • Doubleduke DOU005, DOU006, DOU007, DOU008 • East Boyd 209A, 210A, 211A, 219A, • Ellis ELL003, ELL004, ELL005, ELL006, ELL007 • Gibraltar 6 • Nadgee 86A • Nadgee 125A • Orara East ORE010, ORE011 • Orara East WBE004, WBE006, WBE007, WBE008, WBE009, WBE010,

	<p>WBE011, WBE012, WBE013, WBE014</p> <ul style="list-style-type: none"> • Shallow Crossing 210 • Shallow Crossing 211A • South Brooman 66A • Styx River 28, 29, 34, 35 • Tallaganda 2447A, 2448A, 2449A, 2450A • Wild Cattle Creek WCC039, WCC040, WCC042, WCC044 • Yambulla 294A, 295A, 300A
(d)	22.
i.	13.
ii.	Zero
iii.	One.
iv.	Zero.
112	Nine.
(a)	10.
(b)	10.
(c)	<ul style="list-style-type: none"> • Tamban 12, 13 • Cherry Tree 3, 4 • Girards 9 • Sunny Corner 806 • Mogo 180A • Mogo 146 • Shallow Crossing 502A, 503A • Conglomerate 22 Campbell's Island 1, 2
(d)	Six.
i.	Four.
ii.	Zero.
iii.	Zero.
iv.	Zero.

113	29.
(a)	29.
(b)	29.
(c)	<ul style="list-style-type: none"> • Bago 46A, 47A, 48A • Ballengarra • Barham Perricoota • Campbell's Island Bolaro 242, 243 • Bulga 94, 95 • Dampier 3121/1 • East Boyd Timbilica 209A, 210A, 211A • Kalang • Lorne 2, 3, 4, 8 • Mogo 180 • Mogo 161A • Mogo 173 • Mogo 174 • Mogo 80A • Nadgee 95A • Nadgee 116, 117 • Newry • Norwood • Oakes 17-21 • Roses Creek • South Brooman 58A, 60A • South Brooman 62/2 • South Brooman 58A • Styx 519 • Styx 19 • Woodmount • Yambulla 303A • Yambulla 423

(d)	37.
i.	18.
ii.	One (Wild Cattle Creek).
iii.	Zero.
iv.	One.
114	13.
(a)	18.
(b)	18.
(c)	<ul style="list-style-type: none"> • Bodalla 3006 • Nambucca 12, 13, 14 • Buckenbowra 517 • Mogo 174A • Nambucca 12, 13, 14 • South Brooman 52, 53, 54 • Tantawangalo 2407 • Bodalla 3006 • Styx River 540, 541, 542 • Mogo SF 159 • Comboyne 145 • Nambucca Tantawangalo 2407, 2400, 2402 • Mogo 147
(d)	12.
i.	Eight.
ii.	Zero.
iii.	Zero.
iv.	One.
115	12.
(a)	27.

(b)	27.
(c)	<ul style="list-style-type: none"> • Benandarah 116 • Boyne 100 • Buckenbowra 517 • Buladelah • Cooperabung 854 • Corunna 3058 • Ewingar 6, 7, 8 • Gibberagee 104, 105, 106 • Mogo 144 • Mogo 145 • Mogo 159 • Wedding Bells 540, 546, 547
(d)	21.
i.	Four.
ii.	Zero.
iii.	Zero.
iv.	Zero.
116	50.
(a)	15.
(b)	Three.
(c)	Yes, however it depends on the type of alleged breach.
(d)	No.

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?

Answer

117	Yes.
(a)	The NSW Environment Protection Authority (EPA) became aware of the results two years after the samples were collected and it was not possible to follow up for any regulatory action.

(b)	The EPA has conducted pesticide compliance campaigns within the Richmond River catchment to ensure that pesticide application at selected farms was compliant with the <i>Pesticides Act 1999</i> . No breaches of the Pesticide Act were detected.
i-ii.	The EPA is currently exploring options to improve the real-time digital tracking of agricultural chemical use.
118	No ministerial direction was provided.
(a)	Not applicable.
119	Two.
(a)	Zero.
i.	Zero.
120	Recovered fines that meet the conditions of the resource recovery order and all other legislative requirements are fit for purpose.
(a)	Recovered fines that meet the conditions of the resource recovery order and all other legislative requirements would not pose a risk to the community and the environment.
121	In 2019 and 2021, the EPA found poor rates of compliance with resource recovery orders. Material that does not meet the conditions of the orders is not fit for purpose.
(a)	The decision on the regulation of recovered fines was made by the EPA.
i.	The EPA does not permit material that does not comply with the resource recovery orders to be supplied to the community.
122	<p>The following sites were inspected as part of the Recovered Fines Compliance Campaign.</p> <ol style="list-style-type: none"> 1. Aussie Skips Recycling Pty Ltd - Strathfield South 2. Benedict Recycling Pty Ltd - Chipping Norton 3. Warringah Gravel & Stone Supplies Pty Ltd - Belrose 4. Menangle Sand & Soil Pty Ltd - Menangle 5. KLF Holdings Pty Ltd - Camelia 6. Brandown Pty Ltd, Brandown Recycling Yard - Cecil Park 7. Recycling Parks Pty Ltd - Kemps Creek 8. VE Resource Recovery Pty Ltd - Bringelly

	<ul style="list-style-type: none"> 9. Breen Resources Pty Ltd - Kurnell 10. Canterbury-Bankstown Council - Milperra 11. Gow Street Recycling Centre Pty Ltd - Padstow 12. N. Moit & Sons (NSW) Pty Ltd, Rock and Dirt Recycling - South Windsor 13. MET Recycling Pty Ltd - Silverwater
(a)	<ul style="list-style-type: none"> 1. Benedict Recycling Pty Ltd - Chipping Norton 2. Warringah Gravel & Stone Supplies Pty Ltd - Belrose 3. Menangle Sand & Soil Pty Ltd - Menangle 4. Brandown Recycling Yard - Cecil Park 5. Breen Resources Pty Ltd - Kurnell 6. Gow Street Recycling Centre Pty Ltd - Padstow 7. N. Moit & Sons (NSW) Pty Ltd, Rock and Dirt Recycling - South Windsor
i.	<ul style="list-style-type: none"> 1. Benedict Recycling 2. Benedict Belrose Waste Management Recycling Centre 3. Benedict Sands Menangle 4. As (a) above 5. As (a) above 6. As (a) above 7. Rock & Dirt Recycling/Moits
(b)	<ul style="list-style-type: none"> 1. Aussie Skips Recycling Pty Ltd - Strathfield South 2. Benedict Recycling Pty Ltd - Chipping Norton 3. KLF Holdings Pty Ltd - Camelia 4. VE Resource Recovery Pty Ltd - Bringelly 5. Canterbury-Bankstown Council - Milperra 6. Gow Street Recycling Centre Pty Ltd - Padstow
i.	<ul style="list-style-type: none"> 1. Aussie Industries 2. Benedict Recycling 3. KLF Group Building Waste Recycling 4. Greenlife Resource Recovery Facility 5. Kelso Waste, Storage and Transfer Facility 6. Gow Street Recycling Centre

123	No. The EPA undertook compliance activities in 2019 and again in 2023–24.
124 (a)	The EPA does not have sales records for third party retail suppliers.
125	<p>The NSW <i>Pesticides Act 1999</i> provides a post-sale ‘control of use’ regime for pesticides approved by the Australian Pesticides and Veterinary Medicines Authority. The EPA applies a range of regulatory tools and approaches to ensure that pesticides are used safely. The EPA is continually examining ways to improve the management of pesticides use and the regulatory framework.</p> <p>In early 2024, the NSW Government progressed legislative amendments to allow for NSW to require purchasers of agricultural chemicals to show proof of training at the time of purchase. This occurs in other jurisdictions and can help address some concerns around off-target pesticides spray. The EPA is working with stakeholders to develop a program to implement these requirements.</p> <p>These reforms also significantly increased penalties for serious pesticides off-target harm offences.</p>
(a)	While reports of dieback continue to be received, the compliance and education programs being conducted by the EPA are making a difference, as is the stakeholder engagement work being undertaken with both industry groups and the general public at field events across NSW.
126	Yes.
(a)	There were 41 reports where no culprit was identified across 36 postcodes (see list at Appendix 2).
127	Yes. Air monitoring results are posted on the EPA website and results used to help inform the scoping of a broader pesticides monitoring project currently under discussion.
(a)	These are currently being discussed within the EPA.
(b)	The EPA is using the learnings from the monitoring program and will apply these to any future pesticides monitoring projects. The EPA is currently scoping a broader pesticides monitoring project in other areas of NSW.
(c)	<p>Currently there are 10 matters related to pesticides under investigation with two in Court. For the period of 1 March 2020 to 30 June 2024, the EPA:</p> <ul style="list-style-type: none"> • issued 173 advisory letters, 48 formal warnings, 44 official cautions, 9 clean-up actions and 22 prevention notices for pesticides matters. • issued 36 penalty notices totalling \$68,500 under the Pesticides Act.
128	The EPA has conducted two investigations of alleged unauthorised dumping of

	<p>fire-fighting foams containing PFAS.</p> <p>Lake Macquarie – Rural Fire Service Fire Control Centre</p> <p>The EPA received an anonymous report in 2021 alleging dumping of firefighting foam in 2014 or 2015. The report did not advise if the foam contained PFAS.</p> <p>Since 2021, the Rural Fire Service (RFS) has been conducting detailed investigations of the site with EPA oversight.</p> <p>The detection of PFAS at the site could not be directly attributed to the allegation of PFAS dumping. The presence of PFAS at the site is not unexpected given the historic storage and use of PFAS-containing foams at the site.</p> <p>Oakville</p> <p>On 12 June 2024, a report was received of drums along the fence line between the Oakville RFS brigade station and the neighbouring property.</p> <p>The EPA contacted the reporter and the RFS. RFS consider the drums to be from an unknown source and dumped by an unknown party. The drums have been removed.</p> <p>The EPA has requested RFS investigate and conduct precautionary sampling at the location of the dumped drums. The EPA will review the results of the investigation.</p>
<p>129 (a)</p>	<p>No investigations have been conducted by the EPA in relation to environmental impacts of aerial firefighting foams.</p> <p>The Australian Government PFAS Taskforce advises that foams used to fight bushfires, or fires involving ordinary combustible material, are ‘Class A’ foams. ‘Class A’ foams do not contain PFAS.</p> <p>The foams that historically were used to fight liquid fuel fires (for example: petrol, diesel, avgas, lubrication oil) are ‘Class B’ foams. Some ‘Class B’ foams contain PFAS, but these types of foams are not intended for use on bushfires.</p> <p>The EPA’s PFAS Investigation Program targets sectors and activities that historically stored or used large quantities of fire-fighting foams containing PFAS.</p> <p>The use of fire-fighting foams containing PFAS was banned in 2021.</p>

Threatened Species

<p>130</p>	<p>How many projects are planned to provide for improved koala protection on NSW roads?</p>
<p>(a)</p>	<p>How many projects are there broken down by local Government area?</p>

(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?

Answer

130	Under the current NSW Koala Strategy, the NSW Government has completed 10 projects, and initiated an additional 15, to provide for improved koala protection on NSW roads.
(a)	Projects initiated by local Government area: <ul style="list-style-type: none"> • Byron – One • Lismore – One • Tweed – One • Richmond Valley – One • Mid Coast – One • Wingecarribee – One • Campbelltown – Two • Wollondilly – Four • Wollongong/Sutherland – One • Liverpool/Sutherland – One • Liverpool – One.
(b)	Five.
(c)	Two.
131	The NSW Environment Protection Authority (EPA) advises holders of threatened species records to provide them to BioNet so they can be considered by the Forestry Corporation of NSW when planning for an operation.
(a)	There is no EPA process for this circumstance.
(b)	Yes. This is explained on the Department of Climate Change, Energy, the

	Environment and Water's (DCCEEW) website.
132	Current Saving our Species program funding is to 30 June 2026. The Government will consider future investment decisions through the budget process.
133	The NSW Government has accepted all of the recommendations of the Auditor-General's report. The Government is now working on implementing those recommendations alongside the NSW Plan for Nature.
134 (a) i-ii.	In response to the Auditor-General's report and as outlined in the recently released NSW Plan for Nature, DCCEEW will improve reporting on the status and trajectory of listed entities.
135 (a)	In response to the Auditor-General's report and as outlined in the recently released NSW Plan for Nature, DCCEEW will implement policy and program improvements to improve collaboration and alignment, governance, and information and data sharing.
136	The Government has published the five-year statutory review of the Biodiversity Conservation Program (delivered through the Saving our Species Program). The Saving our Species Program Review 2016–21 is available on the DCCEEW website. The Saving our Species Program Evaluation 2016–21 report is also available on the DCCEEW website.
137	The Saving our Species: a framework for setting priorities is available on the DCCEEW website.
138	By August 2024, NSW had adopted strategies for 1058 entities under the Saving our Species program. The Government is updating 32 strategies made under the <i>Threatened Species Conservation Act 1995</i> and will adopt them before February 2025.
139	See response to questions 133, 134 and 138.

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?

Answer

140	The Great Koala National Park (GKNP) Aboriginal Advisory Panel has met five times (as at 17 September 2024) and held two meetings of Elders and Knowledge Holders. The Elders and Knowledge Holders have also met with the Minister.
(a)	12 December 2023.
(b)	Numerous documents have been prepared to facilitate consultation with GKNP advisory panel meetings as required.
(c)	By the end of 2024, a summary of panel consultation will be provided to Government to inform its decision on the final GKNP boundary.

141	The GKNP Community Advisory Panel has met six times (as at 17 September 2024).
(a)	29 November 2023.
(b)	See response to question 140 (b).
(c)	See response to question 140 (c).
142	The GKNP Industry Advisory panel has met six times (as at 17 September 2024).
(a)	12 December 2023.
(b)	See response to question 140 (b).
(c)	See response to question 140 (c).
143	An end date for GKNP advisory panels has not been set.
(a)	The consultation approach following a decision on the establishment of a GKNP has not yet been determined.
144	The Independent Forestry Panel does not have a specific role in the GKNP process.
145	Management costs are being estimated as part of the GKNP assessment process.

Bioresecurity

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?

Answer

146 (a-c)	The Department of Climate Change, Energy, the Environment and Water (DCCEEW) has provided and continues to provide the Minister for the Environment with a range of information and advice in varying formats which detail its planning and preparation for avian flu (H5N1). This advice has covered potential impacts on wild bird species and populations and other species such as mammals, site-based preparedness plans, communication collateral and messages, and emergency preparedness, response and coordination arrangements.
147	Please see response to question 146.

(a)	DCCEEW is working with stakeholders across Government to develop risk mitigation plans to guide a coordinated response.
(b)	DCCEEW is undertaking risk assessments of species and priority sites in NSW to further understand risks to individual species, populations and consequences of a H5N1 outbreak. Assessments are being undertaken in consultation and liaison with other agencies and jurisdictions which are undertaking similar assessments.
(c)	The Environmental Services Functional Area, established under NSW emergency management arrangements, is supporting the coordination of preparedness work for wildlife for a potential future H5N1 outbreak. This work is being undertaken by DCCEEW's Biodiversity, Conservation and Science Group (BCS), National Parks and Wildlife Service (NPWS), the NSW Environmental Protection Authority (EPA), and Taronga Conservation Society Australia.
(d)	In early 2024, the Wildlife Health Interagency Working group established a high pathogenicity avian influenza (HPAI) preparedness sub-committee with representatives from DCCEEW (EPA, NPWS, BCS), Department of Primary Industries and Regional Development (DPIRD), NSW Health and the Registry of Wildlife Health. The sub-committee has been meeting monthly to develop preparedness and response plans.
i.	The NSW Government is dedicating considerable time, effort and resources to ensure appropriate planning and preparation is being undertaken.
148	The Australian Government is leading multi-agency, cross jurisdictional, scenario-based exercises to improve preparedness across agriculture, environment and health portfolios to manage future HPAI outbreaks. DCCEEW, DPIRD, and NSW Health have been involved in these exercises with senior officer representation from agencies including relevant Directors, Executive Directors, Chief Health Officer and the Chief Veterinary Officer. The NSW Government is also a member of the National Biosecurity Communications Engagement Network that is working on communications relating to HPAI.
149 (a-e)	<p>NPWS has commenced site-based risk assessments for priority sites across the national park estate. These risk assessments are informing surveillance and response planning in line with broader arrangements coordinated by DPIRD as the lead agency for biosecurity management in NSW.</p> <p>Priority sites identified to date are:</p> <ul style="list-style-type: none"> • Barunguba Montague Island Nature Reserve (NR) • Hunter Wetlands National Park (NP)

	<ul style="list-style-type: none"> • Port Stephens offshore islands - Cabbage Tree and Boondelbah Island NRs and Broughton Island in Myall Lakes NP • the Manly little penguin endangered population at North Head in Sydney Harbour NP • Ramsar sites: Towra Point NR, Myall Lakes NP, Macquarie Marshes NR, Paroo River Wetlands in Paroo-Darling NP, Narran Lake NR, NSW Central Murray Forests in Murray Valley NP and Murray Valley Regional Park, Little Llangothlin NR, Gwydir Wetlands State Conservation Area, Caryapundy Swamp in Narriearra Caryapundy Swamp NP, Lake Pinaroo in Sturt NP and Blue Lake in Kosciuszko NP • Lord Howe Island. <p>Additional priority sites for risk assessment will be informed by species risk assessment work underway.</p> <p>Preparation of specific plans has commenced for the Manly little penguin endangered population at North Head in Sydney Harbour NP, Barunguba Montague Island, the group of Cabbage Tree, Boondelbah and Broughton Islands off Port Stephens and Lord Howe Island.</p>
150	An initial impact assessment of waterbirds, seabirds, shorebirds and selected marine mammals has been undertaken with a view to informing priority species and site risk assessment
151	The mortality rate of avian influenza in wild birds varies depending on the strain of the virus and the species of bird affected. H5N1 has caused high mortality rates in wild bird populations around the world, especially in those species that are highly susceptible.
152	The NSW Government's planning and preparation activities are being met within existing resources.
(a)	See response to question 152.

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?

Answer

153	National Parks and Wildlife Service (NPWS) spent \$35.229 million in 2023-24.
(a-c)	All NSW budget papers are publicly available.
154	
(a)	158,298 hectares of land was acquired.
(b)	146,718 hectares of land was acquired.
(c)	161,232 hectares of land was acquired.
(d)	483,453 hectares of land was acquired.

(e)	73,292 hectares of land was acquired.
155	The area of land to be acquired in 2024–25 has not been determined.
156	NPWS regularly consults with Crown Lands about crown land that may be suitable to add to the national parks system.
157	There are a range of ways in which land is assessed for its ecological value.
(a)	NPWS considers all government-owned land identified for disposal via the Strategic Land and Property Framework administered by Property and Development NSW.
158	No.
159	No.
i.	The NSW Government will consider whether the LandiQ system can add value to existing processes.

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?

Answer

160 (a-d)	The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report provides sea level rise projections (not predictions) and data. The NSW and Australian Regional Climate Modelling (NARCLiM) provides projections for the climate, not sea level rise.
161 (a-d)	See response to question 160.
162 (a-d)	Guidance around what constitutes ‘best-case’ from the IPCC is not available.
163	The NSW Government uses the IPCC ARC6 Sea Level Projection Tool.
164	Results for SSP2-4.5 are planned for release in 2025.
(a)	The latest modelling, NARCLiM 2.0, was released in August 2024 and can be found at www.climatechange.environment.nsw.gov.au/news/new-climate-projections-for-nsw .

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?

Answer

165	The Australian Government has not published a timeframe for the key steps in this process.
(a-b)	If the expression of interest submitted by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) is shortlisted, the process for further development is expected to include public consultation.
(c)	Yes.
166	The expression of interest submitted by the NSW DCCEEW proposes the development of a method that would incentivise projects involving the cessation or deferral of harvesting in multiple-use public native forests, to increase removals in, and avoiding emissions from, relevant forest-related carbon pools.
(a)	The scope of works included a request for advice on the forest management activities that were likely to meet the Offset Integrity Standards under the <i>Carbon Credits (Carbon Farming Initiative) Act 2011</i> (Cth).
167	An expression of interest (not a final method) has been submitted to the Australian Government.
168	See response to question 166.
(a)	

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?

Answer

169	No.
170	No.
171	The workplan is determined independently by the Net Zero Commission.

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?

Answer

172	As NSW's independent environmental regulator, the NSW Environment Protection Authority (EPA) places requirements on licensees regarding the management of end-of-life, off-the-road tyres at open-cut coal mines. The EPA has not commissioned or undertaken economic modelling regarding the imposition of economic measures.
173	The EPA has not prepared any reports on a policy for tyre landfilling. Information regarding the regulatory requirements for managing waste tyres in NSW is available on the EPA's website.
174	In relation to end-of-life tyres, the EPA met with Michelin Australia Pty Ltd (via Hawker Britton Group Pty Ltd, a registered lobbyist) on 19 June 2024.

	<p>The Minister's Deputy Chief of Staff has met with the Australian Tyre Recyclers twice on 28 July 2023 and 17 November 2023 (no lobbyist) and Tyre Stewardship Australia once on 31 May 2024 (no lobbyist).</p> <p>The Australian Tyre Recyclers Association (ATRA) (no lobbyist) attended a Waste and Circular Economy roundtable with the Minister on 14 June 2023.</p>
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Coal mine blasting

175	<p>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.</p>
176	<p>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?</p>
177	<p>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?</p>
178	<p>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?</p>

Answer

175	<p>The NSW Environment Protection Authority (EPA) declines to answer as the matter is currently before the Land and Environment Court.</p>
176	<p>All environment protection licences administered by the EPA contain conditions that require licensed activities to be undertaken in a competent manner.</p> <p>All NSW open cut coal mine environment protection licences also currently contain a condition that prohibits the emission of blast fumes from the premises that are either harmful to, or likely to be harmful to, any person outside the premises from which it is emitted.</p> <p>The intent of these conditions is to apply best practice protections to all</p>

	external receivers.
177	Yes.
178	This question should be referred to the Minister for Planning and Public Spaces.

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 are 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?

Answer

179	<p>The NSW Environment Protection Authority (EPA) provided comments to the Department of Planning, Housing and Infrastructure (DPHI) regarding brine disposal in its submission on the Response to Submissions Report for the Moolarben Open Cut 3 Extension Project.</p> <p>A copy of the EPA's submission is available on the NSW Planning Portal.</p>
180	<p>On 8 May 2024, Biodiversity, Conservation, and Science Group (BCS) officers attended a Moolarben Open Cut 3 (OC3) Extension Project site visit with DPHI and the ecological consultants.</p> <p>On 25 June 2024, BCS provided its comments on the OC3 Extension Project Response to Submissions, which included recommendations on protecting Munghorn Gap Nature Reserve. This response followed initial interim advice BCS provided earlier in 2024.</p>

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?

Answer

181 (a)	This question should be referred to the Minister for Planning and Public Spaces.
182	See response to question 181 (a).

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?

Answer

183	The material appears to date back to the 1980s. Given this timing, it is unclear who placed the material in that location. South32 and the National Parks and Wildlife Service (NPWS) are currently working to remove the material.
184	South32 and NPWS are currently working to remove the material.
185	Two fines totalling \$38, 000 (penalty notices) were issued to Wollongong Resources Pty Ltd for alleged breaches of environment protection licence

	conditions in response to the discharge. A new licence condition is proposed requiring a Pollution Reduction Program to investigate and prevent future similar incidents.
186	Mining has been underway for over 100 years in the Hacking River Catchment. Much of this activity occurred before modern environmental legislation and appropriate pollution control approaches. Some of this material is entrained in the banks and bed of the river, which may be remobilised during heavy rain events. The NSW Environment Protection Authority (EPA) considers such material to be historic in nature.
187	The EPA declines to answer as the matter is before the Land and Environment Court
188	The EPA declines to answer as the matter is before the Land and Environment Court
189	Yes.
190	NPWS currently addresses these impacts and takes actions to return impacted locations to safe operating conditions.
191	NPWS currently treats the hazards at each location and returns the sites to safe operating conditions.
192	The EPA licence requires that Metropolitan Collieries operate a real time water quality monitoring system, results of which are published on its website. Data from this system can be downloaded by the public. The monitoring system is relatively new, both in terms of the placement of the monitoring equipment, and systems and processes to operate and maintain it. The EPA will continue to observe and review the information collected and publicly reported to improve understanding of a licensed premise's environmental performance.

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?

Answer

193	As at 10 September 2024, 66 out of the 188 Deed of Option agreements sent out to landholders have been voluntarily finalised. This is 35% of agreements. The remaining agreements are progressing through negotiations.
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194	The Authority to Survey has been renewed following assessment of Santos' application against the requirements of the <i>Pipelines Act 1967</i> . An Authority to Survey relates to the surveying of land for investigating potential pipeline routes, for the purpose of determining a pipeline route, not the acquisition of an easement. The status of Deeds of Option is only relevant to the Authority to Survey in so far as this indicates that surveys will occur or have already occurred voluntarily on those lands. However, the take up of Deed of Option agreements will be considered by the Department of Climate Change, Energy, the Environment and Water at the time a pipeline licence application is submitted.
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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	<p>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:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>How can Mr Chappel justify this response?</p>
205	<p>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 <i>Environmental Research</i> 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.</p> <p>50% of the samples tested by the EPA exceeded that threshold.</p> <p>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?</p>

Answer

195	<p>Yes. The NSW Environment Protection Authority’s (EPA) results are published at www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/cadia-gold-mine.</p> <p>Foam is not an indicator of water quality as chemical levels in foam can be significantly higher than in the surrounding water. There are no guidelines for foam, hence the EPA’s investigations have focused on water sampling using proven sampling methodologies.</p>
196	The EPA’s sampling results are published at www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/cadia-gold-mine .
197	Yes.
198	The EPA’s sampling results are published at www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/cadia-gold-mine .

	The raw sampling data has also been shared with the Cadia Community Sustainability Network.
199	Higher levels of a chemical contaminant in a foam compared to the level in the surrounding water, does not necessarily result in additional risk to human health, if contact is avoided.
200	The EPA has published information about its water sampling program on its website. If any situation involving the water quality changes, the EPA will immediately inform the community.
201	Raw water from rivers and creeks should not be used for drinking or cooking without appropriate treatment. Untreated water may contain disease causing micro-organisms, chemical contaminants or algal blooms.
202	The EPA's sampling provides a snapshot of water quality at a point in time and does not capture variability over time, limiting how the data is interpreted and the conclusions that can be drawn. The EPA has begun a catchment-wide sampling program of the upper Belubula River and will provide ongoing updates to the community as new data becomes available. If any situation involving the water quality changes, the EPA will immediately inform the community.
203	The EPA is considering all matters and options available to it.
204	<p>Mr Chappel provided a partial answer and took the question on notice in order to provide a fulsome response.</p> <p>The water sample collected from Flyers Creek Rock Pools by the EPA on 30 May 2024 was not analysed for PFHxS and PFOS.</p> <p>PFOS was detected in samples collected from the Belubula River on 30 May, with the highest concentration measured in the sample collected from Bakers Shaft Reserve (0.06 µg/L). Concentrations of PFOS were lower in samples collected further downstream in the Belubula River (0.02-0.03 µg/L), south of the Southern Tailings Storage Facility.</p> <p>The PFOS concentration in the water sample collected by the EPA on 4 July 2024 in the Belubula River, just upstream of where Cadiangullong Creek flows into the Belubula River, south of Cadia Valley Operations, was higher (0.071 µg/L) than that measured in the sample collected at Burnt Yards Bridge (0.013 µg/L).</p>
205	No. The EPA's sampling provides a snapshot of water quality at a point in time and does not capture variability over time, limiting how the data is interpreted and the conclusions that can be drawn. The EPA has begun a catchment-wide sampling program of the upper Belubula River and will provide ongoing updates to the community as new data becomes available. If any situation involving the water quality changes, the EPA will immediately inform the

	community.
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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 Cadiangullong 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?

Answer

206	
(a)	On 30 May and 4 July 2024, the NSW Environment Protection Authority (EPA) conducted water sampling in the Belubula River. The results are published at www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/cadia-gold-mine .
(b)	No offences have been detected at this time.

207	The EPA has no direct evidence to support this assertion at this time.
208	The EPA has completed a comprehensive review of the Cadia Mine's environment protection licence. Information about potential future changes to the licence can be found on the EPA's website.
209	The EPA will consider this as part of future licence amendments.
(a)	The EPA will consider this as part of future licence amendments.
210	The EPA will compare water sampling results to all relevant guidelines that are in effect at the time of sampling.

Appendix 1 – New renewable energy generation and storage projects due to come online by 2027 (Supplementary Question 16)

Project	Technology type	Nameplate capacity (MW)	Storage (MWh)	Operational date in 2024 ESOO Federal and State Schemes sensitivity
Sebastopol Solar Farm	Solar PV	90	0	Jan-23 (in commissioning)
Walla Walla Solar Farm	Solar PV	304	0	May-24 (in commissioning)
Wollar Solar Farm	Solar PV	280	0	Jun-24 (in commissioning)
Crookwell 3 Wind Farm	Wind	58	0	Jun-24 (in commissioning)
Capital Battery	Storage – Battery	100	200	Aug-24 (in commissioning)
Stubbo Solar Farm	Solar PV	400	0	Aug-24
Wellington North Solar Farm (Lightsource)	Solar PV	437	0	Oct-24
Waratah Super Battery	Storage – Battery	850	1,680	Mar-25
Lockhart Hybrid Facility - Battery	Storage – Battery	10	20	Jun-25
Lockhart Hybrid Facility – Solar	Solar PV	10	0	Jun-25
Riverina Solar Farm	Solar PV	32	0	Jun-25
Sapphire Wind Farm - BESS	Storage – Battery	30	38	Jun-25
Eraring Big Battery	Storage – Battery	460	920	Dec-25
Quorn Park Hybrid	Solar PV	97	0	Dec-25
Quorn Park Hybrid - BESS	Storage – Battery	28	40	Dec-25
Smithfield BESS	Storage – Battery	65	130	Dec-25
Limondale BESS	Storage – Battery	50	400	Jan-26
Tilbuster Solar Farm	Solar PV	249	0	Mar-26
Tamworth Solar Farm	Solar PV	65	0	Apr-26
Orana BESS	Storage – Battery	415	1,660	Jun-26
Culcairn Solar Farm	Solar PV	350	0	Jul-26
Richmond Valley BESS	Storage – Battery	275	2,200	Oct-26
Tamworth BESS - Valent	Storage – Battery	200	400	Nov-26
New England Solar Farm BESS	Storage – Battery	50	50	Dec-26
Maryvale Solar and Energy Storage System - BESS	Storage – Battery	172	344	Feb-27
Maryvale Solar and Energy Storage System	Solar PV	172	0	Feb-27
Goulburn River BESS	Storage – Battery	49	392	Jul-27

Appendix 2 – Reports of land clearing or vegetation chemical dieback where no culprit was reported (Supplementary Question 126)

Postcode	No. of reports
2131	1
2216	1
2234	1
2264	1
2289	1
2320	1
2324	1
2340	1
2380	1
2423	1
2429	1
2430	1
2447	1
2454	1
2456	2
2460	2
2462	1
2527	1
2529	1
2530	1
2536	1
2539	1
2540	1
2550	1
2565	1
2582	1
2586	1
2627	1
2642	1
2720	1
2756	1
2765	2
2777	1
2798	2
2808	1
2810	1