



BUDGET ESTIMATES 2024–25

# Climate Change, Energy, the Environment and Heritage Portfolios

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**Portfolio Committee No. 7 – Planning and Environment**

Answers to Supplementary Questions

Hearing: 3 March 2025

Climate Change, Energy, the Environment, Heritage Portfolio

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

Energy

Widgets and Smart Meters

1	Are there plans to encourage consumers to install widgets in home air conditioning unites to lessen power use in peak times?
(a)	Is this something that you could consider in the future, either using widgets or smart meter technology?
(b)	Are NSW Smart Meters currently equipped to power down air conditioners or heaters if that feature was switched on?
(c)	Would this technology be limited to those using the power grid (not solar or battery customers)?
(d)	In QLD, the state-owned power grid remotely turned down almost 170,000 air conditioners six times this past summer using smart meters. Is the same technology a consideration for NSW?

Answer

1	Incentives are available within the NSW Peak Demand Reduction Scheme (PDRS) which encourage consumers to invest in technologies that reduce power in peak times, including installing more efficient air conditioners. This is detailed in the PDRS Rule, available at <a href="http://www.energy.nsw.gov.au/sites/default/files/2024-12/NSW-Peak-Demand-Reduction-Scheme-Amendment-No.3-Rule-2024.pdf">www.energy.nsw.gov.au/sites/default/files/2024-12/NSW-Peak-Demand-Reduction-Scheme-Amendment-No.3-Rule-2024.pdf</a> .
(a)	The NSW Government supports customers being rewarded for reducing their energy demand at peak times by participating in demand response programs. There are several voluntary demand response programs available on the market via energy retailers.
(b)	No.
(c)	No. Solar and battery consumers who are connected to the power grid would be able to use demand response technologies, if available.
(d)	See answer to question 1 (a).

## Environment

### Landcare

2	Why is Thurlow Guiren no longer the CEO of NSW Landcare?
(a)	Has he been replaced?

### Answer

2 (a)	This question should be referred to the Minister for Agriculture.
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### BLER Funding

3	What progress is being made with trying to determine where the BLER funding has gone in the Snowy Valleys Council LGA?
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### Answer

3	This question should be referred to the Minister for Regional NSW.
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### Mandala Partners

4	Were you aware that the exact same team at Mandala responsible for delivering the economic and social assessment for the GKNP was working for the Australian Climate and Biodiversity Foundation?
5	Do you agree that even if measures were put in place to prevent data leaking between both organisations it is still inappropriate to have the same team working across these two projects?
6	Was it appropriate that the industry advisory panel for the GKNP was not told that Mandala Partners was also contracted to work for the Australian Climate and Biodiversity Foundation?
7	How can we have any faith in the objective outcome of Mandala's work while at the same time they were advising an activist group on how the government could exit from public native forestry.
8	Given this serious concern, will you commit to an external review of the probity and transparency of this process?

### Answer

4	Yes. Mandala Partners notified the Department of Climate Change, Energy, the Environment and Water of its intention to undertake new work for the Australian Climate and Biodiversity Foundation. Mandala Partners requested adherence to protocols to manage any perception of a potential conflict.
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5	No.
6	No actual conflict of interest was identified for disclosure.
7	See answer to question 6.
8	No.

**Improved Native Forestry Carbon Method**

9	Is Tasmania going to participate in your Improved Native Forestry Carbon Method?
10	The Tasmanian Minister for Forestry said: “Tasmania will not support any carbon credit scheme proposal that undermines the value of our native forestry sector and puts at risk local jobs in an attempt to placate extremist environmental groups”. Has the Tasmanian Minister for Forestry written to you saying Tasmania will not participate in your scheme?
11	What is the impact of NSW’s Improved Native Forestry Carbon Method without Tasmania’s participation?
12	If NSW intends to continue with an Improved Native Forestry Carbon Method, what requirements are needed to make it viable?

**Answer**

9	That is a matter for Tasmania. Use of any approved method is optional.
10	Yes.
11	There is no impact.
12	A final decision on whether to make an Improved Native Forestry Carbon Method will be made by the Australian Minister for Climate Change and Energy under the <i>Carbon Credits (Carbon Farming Initiative) Act 2011</i> (Cth). If approved, any decision to use it will be considered then.

**Great Koala National Park Cost**

13	How much of the \$80 million allocated to the creation of a GKNP has been spent? Can you itemise what it has been spent on?
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**Answer**

13	The NSW Government is committed to creating the Great Koala National Park as part of its strategy to protect koalas and biodiversity. Work on establishing
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	the park is already well underway and further announcements will be made in due course.
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### Koala Hubs cost

14	How many hectares have been set aside on the NSW mid-coast as koala hubs?
15	How much will those hubs cost NSW taxpayers in compensation to the forestry industry for non-delivery of timber under wood supply agreements?
16	Was this funded as new money or will it come from the \$80 million set aside for the Great Koala National Park?
17	When will this compensation be finalised?
18	Do you accept, decisions from your agencies made in this term of government, including major changes to the Coastal IFOA, creation of Koala Hubs, and a delayed decision on the Great Koala National Park, are the main reason Forestry Corporation reported an annual loss last financial?
(a)	If the answer is no, can you please outline which of the above factors outlined above, for which you have oversight, have contributed to Forestry Corporation's reported annual loss?

### Answer

14	Approximately 8,592 hectares of native state forest are designated as koala hubs.
15	Compensation discussions are ongoing and commercial in confidence.
16	Compensation will come from the \$80 million allocated to the Great Koala National Park election commitment.
17	Compensation discussions are ongoing and commercial in confidence.
18 (a)	Questions about the financial performance of the Forestry Corporation of NSW should be directed to the relevant portfolio and shareholding Ministers.

### International Illegal Logging

20	Do you agree illegal logging is a global problem and one of the most profitable trans-border environmental crime, with wide-reaching and devastating impacts on climate, nature and people?
21	Do you accept a reduction in native hardwood timber supply, effectively increases demand for imported hardwood products and exposes Australia to this horrific environmental crime?

22	What action are you taking to address the illegal and illicit trade in timber products?
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Answer

20	Not applicable. This question is asking for an opinion.
21	Not applicable. This question is asking for an opinion.
22	This is a matter for the Australian Government.

Support for native forestry

23	Can you tell regional communities and timber workers on the South Coast and in Bega that you personally support our public native forestry industry?
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Answer

23	Not applicable. This question is asking for an opinion.
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Heritage

Me-Mel (Goat Island) Transfer – Exclusion of Aboriginal Businesses in Key Contracts

24	Minister, your Government has awarded \$800,000 to Primary Communications Partners Pty Ltd for a “Communication and Engagement Services Project” for the Me-Mel Transfer Project. What are the KPIs under this contract?
25	Separately, \$1 million has been invested “focused on ensuring the Aboriginal community remains at the heart of engagement while shaping the vision and future options for Me-Mel Goat Island.” What are the KPIs for that contract?
26	How many Aboriginal businesses submitted tenders for these projects?
27	What efforts did your Government make to ensure Aboriginal-owned businesses had a fair opportunity to compete for these contracts?
28	Why was the Me-Mel Master Plan contract awarded through a limited tender process instead of an open competitive tender?
29	Was there Aboriginal representation on the evaluation panel that awarded this contract?

Answer

24	<p>The Key Performance Indicators (KPIs) for the Me-Mel Goat Island Communications and Engagement Services Project are:</p> <ul style="list-style-type: none"><li>• Delivery of all identified milestones and deliverables within timeframes set out in the implementation plan, including a communications and</li></ul>
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	<p>engagement plan, risk management framework, communication and engagement activities, Aboriginal community engagement activities, communications and engagement reports, and communications content.</p> <ul style="list-style-type: none"> <li>• Successfully support co-designed and meaningful and culturally appropriate Aboriginal community engagement, to be demonstrated through feedback and evaluation from participants.</li> <li>• Build and maintain a trusted relationship between the service providers, National Parks and Wildlife Service (NPWS) and the Me-Mel Transfer Committee, to be demonstrated through feedback and evaluation from the Committee and NPWS.</li> <li>• Work collaboratively with other service providers on communications and engagement services to support the Me-Mel Transfer project.</li> </ul>
25	<p>The KPIs for the Me-Mel Goat Island Master Plan contract are:</p> <ul style="list-style-type: none"> <li>• Delivery of all identified milestones and deliverables within timeframes set out in the implementation plan.</li> <li>• Delivery of a final draft design master plan and prospectus.</li> <li>• Deliverables reflect the outcomes of co-designed and meaningful and culturally appropriate Aboriginal community engagement, to be demonstrated through feedback from the Me-Mel Transfer Committee.</li> <li>• Work collaboratively with other service providers to support the Me-Mel Transfer project.</li> <li>• Work collaboratively with NPWS and the Committee.</li> </ul>
26	<p>One Aboriginal business and three businesses that partnered with an Aboriginal business applied for the Me-Mel Goat Island Communications and Engagement Services tender.</p> <p>Six tender proposals for the Me-Mel Goat Island Master Plan contract included Aboriginal businesses or suppliers as part of the larger master plan team.</p>
27	<p>NPWS invited suppliers and Aboriginal-owned businesses from both the Performance and Management Services Prequalification Scheme (SCM0005) and Supply Nation to participate in the open tender for the Me-Mel Goat Island Communications and Engagement Services contract.</p> <p>The Communications and Engagement Services tender statement of requirements and assessment criteria included that the Aboriginal community engagement services component must be delivered by an Aboriginal business or an Aboriginal person. If a supplier responded to both the strategic services and Aboriginal communication engagement components, they had to be partnered with or subcontracted to an Aboriginal supplier or person or employ</p>

	<p>Aboriginal personnel for the Aboriginal community and stakeholder engagement component.</p> <p>The statement of requirements for the Me-Mel Goat Island Master Plan tender included that the NSW Government Architect Connecting Country Framework should be applied in the context of Me-Mel Transfer project governance, and the team must demonstrate strong skills in collaboration and co-design with Aboriginal stakeholders and communities, and cultural competency.</p> <p>The tender evaluation panels included Aboriginal representatives.</p>
28	A select tender was used for the Me-Mel Goat Island Master Plan contract to ensure experienced suppliers applied. All suppliers were on the Government Architect's Strategy and Design Prequalification Scheme (SCM0801).
29	Yes. There were two Aboriginal people.

### Me-Mel (Goat Island) Contracts Oversight

30	What role does the department have in monitoring the implementation of the two Me-Mel contracts?
31	What specific reporting requirements do Primary Communications Partners Pty Ltd and TyrellStudio Pty Ltd have to ensure Aboriginal engagement is central to the project?
32	What percentage of subcontracting or consultancy work within these contracts has been allocated to Aboriginal-led organisations?

### Answer

30	The Department of Climate Change, Energy, the Environment and Water monitors implementation of the contracts in accordance with the contract requirements and associated implementation plans.
31	<p>Both Primary Communications Partners Pty Ltd and TyrellStudio Pty Ltd collaborate with and report to the Me-Mel Transfer Committee and the National Parks and Wildlife Service (NPWS) by providing updates. Of the Committee's 14 members, 10 are non-government Aboriginal members, and include four representatives from the Aboriginal community, four from the Metropolitan Local Aboriginal Land Council and two from the NSW Aboriginal Land Council.</p> <p>Primary Communications Partners Pty Ltd is working with NPWS and the Committee to implement the communications and engagement plan (including Aboriginal engagement) that it developed collaboratively with the Committee. TyrellStudio Pty Ltd's engagement is integrated within this broader communication and engagement plan for the project.</p>

32	<p>Of the total Me-Mel Goat Island Communications and Engagement Services contract (Primary Communications Partners Pty Ltd) budget, 39% is allocated to an Aboriginal-led organisation.</p> <p>Of the total Me-Mel Goat Island Master Plan Project contract (TyrellStudio Pty Ltd) budget, 6.5% has been allocated to subcontracts for Aboriginal suppliers.</p>
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**General questions**

**CFMEU meetings**

33	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**

33	Yes. See diary disclosures.
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**ETU meetings**

34	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**

34	Yes. See diary disclosures.
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**Ministerial disclosures to The Cabinet Office**

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

35	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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**Department(s)/Agency(s) Employees**

36	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?
(c)	On what page are redundancies published in the respective Department(s)/Agency(s) Annual Reports?

**Answer**

36 (a-c)	Redundancies are published in the respective Department(s)/Agency(s) Annual Reports under employee related expenses.  Published Annual reports can be accessed on respective Departmental websites.
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**Department(s)/Agency(s) Annual Reports**

37	On what date were the annual report(s) from 2023-24 for each department / agency in your portfolio published?
38	Were the annual report(s) from 2023-24 for each department / agency in your portfolio printed?
(a)	If yes, what was the printing cost(s) for each department / agency?
39	Did the annual report(s) from 2023-24 for each department / agency in your portfolio use in part or full an external production / body / consultant to draft?
(a)	If yes, what was the cost(s) for each department / agency?
40	In what month will the 2024-25 annual report(s) for each department / agency in your portfolio be published?
41	Will the 2024-25 annual report(s) for the department / agency in your portfolio include a printed copy?
(a)	If yes, how much is budgeted for printing in 2024-25 for each department / agency?

**Answer**

37	The annual reports were tabled in accordance with the requirements of the <i>Government Sector Finance Act 2018</i> .
38 (a)	Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

39 (a)	In accordance with the Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements, an agency's annual report must contain the total external costs incurred in the production of the report, including fees for consultants.
40	The annual report of a reporting GSF 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 Annual reporting requirements.
41 (a)	Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

### State Records Act

42	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

42 (a)	<p>The Ministers' Office Handbook provides guidance in relation to recordkeeping obligations under the <i>State Records Act 1998</i>.</p> <p>The Cabinet Office also provide guidance, advice, training and support on these obligations for Ministers' offices.</p> <p>Further information is available on State Records NSW's website (<a href="http://www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw">www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw</a>).</p>
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### Advertising

43	On what page is advertising published in the respective Department(s)/Agency(s) annual report(s)?
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### Answer

43	Advertising is published in the annual reports. I suggest the use of control 'f' on the digital copy of these reports where this information can be found.
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### Department(s)/Agency(s) Gifts and Hospitality Register

44	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 website URL?
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**Answer**

44	Yes.
(a)	The Department of Climate Change, Energy, the Environment and Water's (DCCEEW) gifts, benefits and hospitality register is available online.  The NSW Environment Protection Authority and Taronga Conservation Society Australia maintain separate registers, which are not available online.
(i)	The DCCEEW gifts, benefits and hospitality register is available at <a href="http://www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback/gifts-benefits-and-hospitality-register">www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback/gifts-benefits-and-hospitality-register</a> .

**Ministerial staff disclosure of gifts and/or hospitality**

45	Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?
(a)	If yes, what is the website URL?
46	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**

45 (a)	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.
46 (a-b)	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.  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.  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.

## Ministerial Code of Conduct

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

### Answer

47	No.
(a)	Not applicable.

## Credit Cards

48	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?
49	Do public servants in your portfolio department(s)/agency(s) been issued with department/agency credit cards?
(a)	If yes, what is the website URL of the credit card policy?

### Answer

48 (a-b)	<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 a NSW Government-issued credit card is provided, the credit card must only be used for official overseas business trips and official business purposes. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed.</p> <p>Credit cards are a useful means of expenditure control, but their use should never be for personal purposes.</p> <p>Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.</p>
49 (a)	The use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government.

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

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

50	No.
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Senior Executive Drivers

51	As at 1 February 2025, how many senior executives in your portfolio department(s) / agency(s) have a driver?
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Answer

51	None.
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GIPA Applications – Ministerial Office

52	Has your Ministerial Office received a GIPA Application(s) since 28 March 2023?
(a)	If yes, how many?
(b)	If yes, what is the website URL of the disclosure log?

Answer

52 (a-b)	The open access information of a Minister may, without limiting section 6 of the Act, be made publicly available on a website maintained by a Government Department for which the Minister is responsible. My office determines whether any information released may be considered of interest to other members of the public under section 25 of the <i>Government Information (Public Access) Act 2009</i> . If we determine that such information has been released, it will be published by my office.
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GIPA Applications – Department(s)/Agency(s)

53	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

53	The <i>Government Information (Public Access) Act 2009</i> 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
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	<p>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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**GIPA Act – Disclosure Log Website URL**

54	What is the website URL for the GIPA Act disclosure log each of your portfolio department(s) / agency(s)?
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**Answer**

54	<p>The Department of Climate Change, Energy, the Environment and Water disclosure log is located at <a href="http://www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback/disclosure-log">www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback/disclosure-log</a>.</p> <p>The NSW Environment Protection Authority disclosure log is located at <a href="http://www.epa.nsw.gov.au/About-us/Access-to-information/disclosure-log">www.epa.nsw.gov.au/About-us/Access-to-information/disclosure-log</a>.</p> <p>The Taronga Conservation Society Australia disclosure log is located at: <a href="http://taronga.org.au/about/governance/obtaining-information">taronga.org.au/about/governance/obtaining-information</a>.</p>
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**TikTok**

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

**Answer**

55 (a)	The Circular DCS-2025-01 Cyber Security NSW Directive - Restricted Applications List advises how NSW Government agencies are required to appropriately manage risks to NSW Government information on government-issued devices, or personal devices that are used for government business.
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**Signal**

56	Are you and/or your ministerial staff on Signal?
(a)	If yes, do you and/or your ministerial staff access Signal from a NSW Government device?
(b)	If yes, does Signal comply with the State Records Act?

Answer

56 (a-b)	Like the former Coalition Government, a range of communications are used by the NSW Government.  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> .
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Training

57	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

57 (a-b)	Ministers have undertaken a program of Ministerial induction training. Ministers have undertaken Respectful Workplace Policy Training. 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. Ministerial Office Budgets are managed in accordance with the Ministers' Office Handbook.
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Cabinet documents

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

58	No.
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Parliamentary Secretary

59	Does your Parliamentary Secretary have pass access to your ministerial office?
60	Does your Parliamentary Secretary have a desk in your ministerial office?
61	Has your Parliamentary Secretary ever used your Ministerial Vehicle?

Answer

59	Security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass
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	Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.
60	No.
61	<p>The Ministers' Office Handbook provides that:</p> <ul style="list-style-type: none"> <li>• Premier's Department will provide each Minister with a designated vehicle, which may be used by other drivers nominated by the Minister from time to time</li> <li>• Premier's Department transport services may be used by Parliamentary Secretaries for official business trips in connection with their duties as Parliamentary Secretaries, with costs paid from the Ministers' office budget.</li> </ul>

### Media releases and statements

62	Are all the ministerial media releases and statements issued by you publicly available at <a href="https://www.nsw.gov.au/media-releases">https://www.nsw.gov.au/media-releases</a> ?
(a)	If no, why?

### Answer

62 (a)	<p>The Department of Customer Service is responsible for managing <a href="http://www.nsw.gov.au/media-releases">www.nsw.gov.au/media-releases</a> and the publication of media releases.</p> <p>Ministerial media releases are publicly available on the Department of Climate Change, Energy, the Environment and Water's website.</p>
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### Overseas Travel

63	As Minister, do you approve overseas travel for public servants from your portfolio department(s)/agency(s)?
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### Answer

63	<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 at <a href="http://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy">www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy</a>.</p>
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### Data Breaches

64	Does your portfolio department(s)/agency(s) keep a register of data breaches in accordance with the Privacy and Personal Information Protection (PPIP) Act?
65	If yes to 64, what is the website?

**Answer**

64	Yes.
65	<p>The Department of Climate Change, Energy, the Environment and Water register is available at <a href="http://www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback">www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback</a>.</p> <p>The NSW Environment Protection Authority register is available at <a href="http://www.epa.nsw.gov.au/About-us/Contact-us/Website-service-standards/privacy">www.epa.nsw.gov.au/About-us/Contact-us/Website-service-standards/privacy</a>.</p> <p>The Taronga Conservation Society Australia register is available at <a href="http://taronga.org.au/about-taronga/publications/tarongas-data-breach-policy">taronga.org.au/about-taronga/publications/tarongas-data-breach-policy</a>.</p>

**Discretionary Fund**

66	As Minister, do you have a discretionary fund?
(a)	If yes, what department(s) / agency(s) administer it?
(b)	If yes, what is the website URL detailing expenditure?

**Answer**

66	No.
(a)	Not applicable.
(b)	Not applicable.

**Qantas Chairman's Lounge**

67	Are you a member of the Qantas Chairmans Lounge?
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**Answer**

67	Yes. It has been disclosed in accordance with the rules.
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**Local Government Councillors**

68	How many of your Ministerial staff is a local government councillor(s)?
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**Answer**

68	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> . All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for
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	secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).
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## Questions from Ms Abigail Boyd MLC

### Wamberal seawall

69	Manly Hydraulics Laboratory (MHL), in association with the Water Research Laboratory (WRL) of UNSW Sydney and Balmoral Group Australia (BGA) was commissioned by Central Coast Council to undertake the Wamberal Terminal Coastal Protection Assessment in 2020. The Office of Local Government has advised that the Draft Wamberal Terminal Coastal Protection Assessment would have been prepared as part of the then Minister for Local Government's obligations under the <i>Coastal Protection Act 1979</i> , and the then Minister would have received advice from the Environment and Heritage Division of the then Department of Planning and Environment, which is now part of the Department of Climate Change, Energy, the Environment and Water.
(a)	Did the Wamberal Beach Seawall Advisory Taskforce (the Taskforce), the Central Coast Council or its Administrator provide drafts of this document to the Department? If so, please provide those drafts.
(b)	Did the Department provide any comments or feedback on any draft of this document prior to it being finalised?
70	Stage 6 of this work undertaken by MHL/WRL/BGA involved "cost benefit analysis and distributional analysis of options" (the MHL CBA).
(a)	Was the Department informed as to why the MHL CBA was not released for public review in the same way that reports from other stages of this work were?
(b)	Did the Department provide any comments or feedback on the MHL CBA report, or communicate with the Taskforce, Central Coast Council or its Administrator in relation to the process for consulting on that stage of the work?
(c)	Is the Department aware that significant changes occurred through successive drafts of the MHL CBA before it was finalised?
(i)	Did the Department receive any of those drafts? If so, please provide those drafts.
(d)	What actions will the Department now take to ensure full transparency over the process that was undertaken in relation to this work?

(i)	Will the Department ask the Central Coast Council to immediately release to the public all draft documents?
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**Answer**

69	
(a)	Yes. These studies were commissioned by Central Coast Council. Document drafts will not be released without express written permission from the Council.
(b)	Yes.
70	
(a)	<p>Central Coast Council released the Manly Hydraulics Laboratory (MHL) cost benefit analysis (CBA) report for public exhibition alongside six other technical reports supporting the Wamberal Terminal Protection and Sand Nourishment – Investigation and Concept Design project. This occurred between 17 February and 20 March 2022 as part of Council’s Phase 3 community consultation period and provided the community with an opportunity to provide feedback on the technical reports via an online form. Feedback collected was used to inform the development of the draft Wamberal Beach Terminal Protection Structure Engineering Design Requirements.</p> <p>Council’s Phase 3 consultation summary identified that 113 feedback forms were completed. The consultation summary is available at <a href="https://engagement.yourvoiceourcoast.com/sites/default/files/2022-06/engagement_phase_3_wamberal_beach_tpsn.pdf">engagement.yourvoiceourcoast.com/sites/default/files/2022-06/engagement_phase_3_wamberal_beach_tpsn.pdf</a>.</p>
(b)	The NSW Government provided extensive technical advice throughout all stages of the project, including on the MHL CBA report.
(c)	Yes, changes to a working document throughout successive drafts are a normal part of any report writing exercise.
(i)	<p>The Department of Climate Change, Energy, the Environment and Water received draft documents for review and comment.</p> <p>These studies were commissioned by Central Coast Council. Document drafts will not be released without express written permission from the Council.</p>
(d)	No further action will be taken at this time
(i)	This is a matter for Council.

Cockatoo poisonings in the Sutherland Shire

71	In November last year, I wrote to the Minister about the large number of sulphur crested cockatoos being poisoned in the Sutherland Shire. Since then, members of the public have continued reporting additional instances of cockatoos being poisoned in the area. Has the EPA concluded investigations in relation to this?
(a)	If yes, what were the outcomes of the investigation?
(b)	Are you confident that investigations were comprehensively adequate?
(c)	What communication has the EPA engaged in with members of the public in relation to this?
(d)	Given continuing reports, will the EPA be conducting further investigations?

Answer

71	The most recent reports the NSW Environment Protection Authority (EPA) is aware of about sulphur-crested cockatoo poisonings in this area occurred in late December 2024. Due to this being a repeat event, the EPA investigation remains open pending further evidence. No further reports have been received in 2025 that the EPA is aware of.
(a)	This investigation remains open as a person of interest has yet to be identified.
(b)	The investigation has been comprehensive. The EPA had samples of the impacted birds analysed to identify the pesticide used. The EPA also met with WIRES, the National Parks and Wildlife Service, Taronga Zoo’s Australian Registry of Wildlife Health and Sutherland Shire Council to share evidence and intelligence. In cases like this where persons causing the harm cannot be identified, the EPA is unable to take enforcement action.
(c)	The EPA organised targeted letterbox drops to the local community in October 2024 to elicit evidence, provide information on the importance of handling pesticides correctly and outline potential actions such as fines that may apply for pesticide misuse. The EPA also issued a media release appealing for information and conducted media interviews.
(d)	This investigation remains open.

Kangaroos

72	Given the 2024 commercial kangaroo harvest quota was only 27% utilised and aerial surveys estimate biologically improbable population increases, what specific evidence has informed the NSW Government’s decision to continue commercial kangaroo harvesting?
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73	Will the NSW Government commit to an independent peer-reviewed review of survey methodology and a moratorium on vulnerable species?
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**Answer**

72	Quotas for commercial harvest of kangaroos are set to limit harvests, whereas utilisation below the quota amount is determined by the commercial market for kangaroo products. Long term monitoring of populations demonstrates commercial harvesting in NSW has not negatively impacted populations.
73	<p>The kangaroo survey methodology was independently reviewed in 2023 by the Centre for Research into Ecological and Environmental Monitoring, of the University of St Andrews, Scotland. Overall, the review found the kangaroo management program “to be very thorough in its approach, to have considered all relevant aspects of the surveys and to be willing to make improvements and consider new technologies to ensure that the abundance estimates are as reliable as possible”. The report is available at <a href="http://www2.environment.nsw.gov.au/publications/centre-research-ecological-and-environmental-modelling-creem-review-kangaroo-survey-methods">www2.environment.nsw.gov.au/publications/centre-research-ecological-and-environmental-modelling-creem-review-kangaroo-survey-methods</a>.</p> <p>No macropod threatened species listed under NSW or Commonwealth legislation, are commercially harvested in NSW.</p>

**Chemical misuse involving animals**

74	In relation to reports by the EPA of the six peacock deaths in Ourimbah following ingestion of brodifacoum and sulfotep, has the EPA’s investigation into whether this was due to intentional or reckless pesticide misuse concluded?
(a)	If so, what were the outcomes of the investigation?
(b)	Animal rescue organisations, such as Feathers and Fur Small Animal Rescue in this particular case, have reported that it is very common to have birds and other small animals surrendered with pesticide poisoning. What is the EPA doing to mitigate and prevent the misuse of pesticides that have unintended, or in some cases purposeful, impacts on animals?
75	What is the EPA’s protocol when reports are received of chemical misuse involving animals, in relation to communicating with, sharing information between and referring matters to organisations such as WIRES, the RSPCA NSW and AWL NSW?
76	In each of the last five years, how many reports of chemical misuse involving animals has the EPA received in relation to brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?

(a)	What species were involved?
(b)	In which LGA did each reported incident occur?
(c)	How many animals were injured or found dead with the above chemicals in their systems, according to toxicology reports?
(d)	What actions did the EPA take in each case?
(e)	How many cases were dismissed, and what was the reason?
(f)	Were any of the incidents referred to another organisation for action, and if so which organisation was it?
(g)	How many involved individual pesticide misuse?
(h)	How many involved pesticide use by the EPA or another government agency or department?
(i)	How many involved private pesticide misuse?
(j)	How many involved council pesticide misuse?
77	In each of the last five years, how many clean-up notices for pesticide pollution has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
78	In each of the last five years, how many prevention notices has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
79	In each of the last five years, how many penalty infringement notices (PINs) has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
80	In each of the last five years, how many on-the-spot fines has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
81	In each of the last five years, how many warning letters has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
82	In each of the last five years, how many enforceable undertakings has the EPA issued in relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
83	In the last five years, how many prosecutions has the EPA commenced in

	relation to misuse of brodifacoum, bromadiolone, difenacoum, difethialone and/or flocoumafen?
84	Given that Second-generation Anticoagulant Rodenticides (SGARs) have been identified as a significant threat to biodiversity, will the NSW Government take action to nominate SGARs as a Key Threatening Process under the <i>Biodiversity Conservation Act 2016</i> ?
85	In each of the last five years, what penalties has the EPA imposed on councils for breaching Crown land biodiversity obligations and how many relate to pesticide misuse?
86	Given the admission of councils such as Blayney Shire Council for purchasing SGARs from supermarkets in breach of their own Procurement Policy (in the instance of Blayney Shire Council's Procurement Policy, Section 5: Sustainable Procurement), what steps is the NSW Government taking to audit council compliance with:
(a)	Clause 4.2 of the Local Government (General) Regulation 2021 requiring 'ethical and environmentally responsible procurement'?
(b)	Section 439 of the <i>Local Government Act 1993</i> , given SGARs' documented harm to threatened species like the Powerful Owl under the <i>Biodiversity Conservation Act 2016</i> ?
87	Section 344 of the Work Health and Safety Regulation 2017 exempts retailers from providing Safety Data Sheets ('SDS') for hazardous chemicals sold as consumer products, even when councils purchase SGARs directly from supermarkets for rodent management in or around Council assets. This loophole allows toxic chemicals to bypass procurement risk assessments, contradicting Councils' sustainable procurement policies and undermining compliance with state legislation, including the <i>Biodiversity Conservation Act 2016</i> and <i>Protection of the Environment Operations Act 1997</i> . What data does the EPA hold in regards to councils purchasing hazardous consumer products without SDS?
(a)	How many instances of non-compliance with WHS or environmental laws have been linked to this exemption?
(b)	Given this, will the NSW Government commit to amending the WHS Regulation to remove the Section 344 exemption for hazardous chemicals purchased by councils or businesses for non-household use, ensuring SDS requirements apply irrespective of retail origin?
88	How does the EPA coordinate with SafeWork NSW to address systemic risks created by SDS exemptions, such as secondary poisoning of threatened

	species or improper chemical storage by councils?
89	What data does the EPA hold on retailers selling SGARs to councils or businesses in NSW?

**Answer**

74	See answer to question 74 (a).
(a)	<p>The NSW Environment Protection Authority's (EPA's) investigation concluded on 24 February 2025.</p> <p>The investigation did not conclusively identify any suspects, or if the event was intentional or accidental.</p> <p>The EPA has not received any further information since undertaking a community letterbox drop in the locality of the peacock deaths, and wider media engagement.</p>
(b)	<p>EPA authorised officers are authorised to investigate pesticide misuse and this may lead to prosecution if appropriate evidence is obtained. Offences under the <i>Pesticides Act 1999</i> are criminal offences, so the EPA must be able to prove an offence beyond reasonable doubt.</p> <p>Depending on the details of the reported incident, EPA regulatory action (such as fines) may not be appropriate. Instead, the EPA may:</p> <ul style="list-style-type: none"> <li>• provide advice that the action was within the law</li> <li>• direct pesticide users to advice on best practice use of pesticides</li> <li>• issue a warning to the pesticide user</li> <li>• refer the incident to another authority</li> <li>• facilitate communication among the people involved.</li> </ul>
75	The EPA does not have a specialised protocol for interacting specifically with organisations such as WIRES over matters related to chemical misuse and animals. Incidents notified by such organisations are acted upon according to standard procedures.
76	Five.
(a)	<ul style="list-style-type: none"> <li>• 2019 (one incident) – Domestic Dog.</li> <li>• 2021 (one incident) – Australian Magpie.</li> <li>• 2024 (two incidents) – Sulphur Crested Cockatoo and Australian Magpie.</li> <li>• 2025 (one incident) – Peacock.</li> </ul>

(b)	<ul style="list-style-type: none"> <li>• 2019 – Tweed Local Government Area (LGA).</li> <li>• 2021 – Orange LGA.</li> <li>• 2024 – Sutherland and Port Macquarie-Hastings LGAs.</li> <li>• 2025 – Central Coast LGA.</li> </ul>
(c)	<ul style="list-style-type: none"> <li>• 2019 – one animal (one dog affected. No testing undertaken at request of owner, but product identified via other means).</li> <li>• 2021 – one bird (one bird affected, tested and found positive).</li> <li>• 2024 – two (first incident – 27 birds impacted four tested, two positive) and five (second incident – 12 birds impacted, five tested and five positive).</li> <li>• 2025 – one (four birds impacted, one tested and positive).</li> </ul>
(d)	<ul style="list-style-type: none"> <li>• 2019 – Nil – Caller did not want matter investigated, but preferred to resolve via other means.</li> <li>• 2021 – EPA investigated but did not have sufficient evidence to take further action.</li> <li>• 2024 (first incident) – EPA investigated and dropped an educational letter in mailboxes in the area surrounding the incident. Perpetrator could not be identified.</li> <li>• 2024 (second incident) – EPA investigated and sent an advisory letter to all residents in the general area. Perpetrator could not be identified.</li> <li>• 2025 – EPA investigated and sent/delivered an advisory letter to all residents in the general area. Perpetrator could not be identified.</li> </ul>
(e)	None of these incidents could be pursued for the reasons outlined in response to question 76 (d) above.
(f)	None of these matters were referred to other agencies by the EPA for regulatory investigation/action.
(g)	It was not possible for the EPA to prove that any of these incidents resulted from pesticide misuse.
(h)	It was not possible for the EPA to identify the perpetrator in four of these matters. The 2019 matter involved private use of a rodenticide, but the caller did not want the matter investigated.
(i)	See answer to question 76 (h).
(j)	See answer to question 76 (h).
77	Nil.

78	Nil.
79	Nil.
80	<p>The EPA has the power to issue Penalty Notices on-the-spot, but it does not generally do this, as it takes time to gather the evidence required to support a decision to issue a penalty notice carrying a fine (e.g. for sample analysis, consideration of pesticide records etc.).</p> <p>Penalty Notice figures for 'all pesticide offences' are published in the EPA's Annual Reports but are not broken down into specific chemicals.</p>
81	Nil.
82	Nil.
83	Nil.
84	No.
85	The EPA does not regulate those obligations. The EPA regulates pesticide misuse under the <i>Pesticides Act 1999</i> . Information on the EPA's regulatory actions can be found in the Annual Report.
86 (a-b)	Please refer this question to the Minister for Local Government.
87	The EPA does not hold this information as its role is to regulate the use of pesticides after their point of sale. The Australian Pesticides and Veterinary Medicines Authority regulate the sale of pesticides.
(a)	See answer to question 87.
(b)	Please refer this question to the Minister for Industrial Relations, and Work Health and Safety.
88	The EPA has entered into a Memorandum of Understanding (MoU) with SafeWork NSW to share information and to facilitate staff communicating potential breaches of legislation or risks observed to the appropriate agency to respond. The EPA and SafeWork NSW meet on a regular basis to ensure a consistent approach to co-regulation which includes issues of handling, storage and management of chemicals. As the EPA does not have a regulatory role in the retail of pesticides, issues relating to Safety Data Sheets exemptions are not captured by this MoU.
89	None.

Accessible electric vehicle (EV) chargers

90	Can you provide any detail in regards to the status of the NSW Government’s work with Austroads’ recent project to develop Accessibility Guidelines for EV charging?
(a)	NSW has been identified as being ahead of some other jurisdictions in terms of the disability accessibility requirements under grant programs for EV charging infrastructure, however Australia is still lacking consistent mandatory standards for ensuring all public EV charging infrastructure is accessible to the same standard. What are you doing to advocate for consistent national standards?
(b)	In the absence of consistent national standards, will you consider creating statewide standards for ensuring all public EV charging infrastructure in NSW is accessible?
91	In relation to the EV Destination Charging grants, why has the NSW Government not imposed any scrutiny or oversight over the roll out of each approved project, to ensure each project follows the accessibility considerations they were approved on the basis of?
(a)	Noting that there are some considerations of disability accessibility in the application process, what guarantee can you provide that approved projects will follow through with these considerations in the absence of NSW Government oversight of projects’ monitoring and maintaining site accessibility?
(b)	What percentage of stations installed under the grants program so far are fully accessible?
92	Will the NSW Government conduct an audit of existing public EV charging stations, including privately funded projects engaged by councils, to determine their level of accessibility?

Answer

90	<p>The Department of Climate Change, Energy, the Environment and Water and Transport for NSW (TfNSW) are collaborating to represent the NSW Government on work related to Accessibility Guidelines for Electric Vehicle (EV) charging.</p> <p>TfNSW has participated in the review of Austroads Accessibility Guidelines for EV charging by La Trobe University carried out through the iMOVE Collaborative Research Centre. The outcome of this work has not yet been published.</p> <p>TfNSW is progressing a stream of work to understand how the Austroad</p>
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	<p>Accessibility Guidelines will work in practice and developing Accessible EV Charging Policy and Specifications for people with disabilities in NSW.</p> <p>TfNSW is consulting with Accessible Transport Advisory Committee on this project.</p>
(a)	<p>The NSW Government is engaging with work at the national level to progress accessibility standards for public EV charging infrastructure, through:</p> <ul style="list-style-type: none"> <li>the Austroads Accessibility Guidelines for EV charging</li> <li>the development of a Standards Australia project on EV Charging Facilities standards, as part of an Australian Government led interjurisdictional National EV Action Plan Implementation Group.</li> </ul>
(b)	<p>The NSW Government includes eligibility requirements in all public EV charging programs for applicants to demonstrate how access for people with disability has been considered at each location. This includes the height and access to user screens, and the usability of digital and physical infrastructure.</p> <p>Grant applications are assessed in line with the following standards and best practice:</p> <ul style="list-style-type: none"> <li>Australian Standard 1428 Design for access and mobility. Part 1: General requirements for access – New building work. 2009 (AS1428.1)</li> <li>Australian Standard 2890 Parking facilities. Part 6: Off-street car parking for people with disabilities. 2022 (AS2890.6:2022).</li> </ul>
91	<p>All grant applicants funded through the EV Destination Charging Program must provide evidence that EV chargers are delivered according to the approved requirements.</p> <p>The first two rounds of the program supported the installation of lower capacity (between 7 and 22 kilowatts) EV chargers at tourist destinations in regional NSW and did not have accessibility requirements mandated.</p> <p>Round 3, which opened in October 2024, will support direct current chargers to support regional tourist routes. This round does include eligibility requirements related to accessibility and applicants are required to provide periodic status reports throughout project construction to provide oversight and monitor risks.</p> <p>To provide additional assurance, an external audit will be undertaken in 2025 for commissioned sites across all EV charging NSW Government programs.</p>
(a)	<p>To claim the grant funding, applicants need to provide a range of evidence to prove that the charger has been installed in a way that meets the grant requirements including providing photographic evidence of the charger installation.</p>

	Grant recipients also need to demonstrate ongoing compliance for a period of six months following installation to receive final payment for their projects.
(b)	In relation to the EV Destination Charging program, the NSW Government does not have information on the accessibility of sites funded in the first two rounds.
92	The NSW Government will audit installed public EV charging stations co-funded by the NSW Government.

**Energy Security Target Monitor report**

93	The Energy Security Target Monitor report released over Christmas showed a reliability gap in 2027. What measures is the NSW Government taking to close that gap?
(a)	The same report shows an excess of capacity from 2029 to 2033. Doesn't this indicate that Vales Point Power Station could close in 2029 while NSW would still meet its energy security target?

**Answer**

93	<p>The actions taken to address a potential shortfall in firm capacity for 2027–28 summer include:</p> <ul style="list-style-type: none"><li>• The Capacity Investment Scheme Tender 3, which opened in November 2024, is allocating a minimum of 900 megawatts of dispatchable capacity to NSW.</li><li>• Incentivising the installation of new batteries in homes and small businesses under the Peak Demand Reduction Scheme from 1 November 2024.</li><li>• Establishing the Energy Security Corporation to make investments in storage projects, address gaps in the current market, and improve the reliability of our electricity network.</li><li>• Delivering the Waratah Super Battery as a network standby battery to ensure a reliable supply of energy, especially during times when it is needed the most, like in the event of power surges during a storm or bushfire.</li><li>• Providing grants to Transgrid and the Australian Energy Market Operator for additional grid connection engineering resources.</li></ul> <p>More information on actions underway can be found at <a href="http://www.energy.nsw.gov.au/nsw-plans-and-progress/major-state-projects/electricity-infrastructure-roadmap/entities-delivering/target-monitor">www.energy.nsw.gov.au/nsw-plans-and-progress/major-state-projects/electricity-infrastructure-roadmap/entities-delivering/target-monitor</a>.</p>
(a)	The report considers a range of scenarios to assess whether there will be sufficient firm capacity to meet the Energy Security Target for the next 10 years.

	<p>It highlights that timely delivery of new infrastructure is critical and includes additional analysis showing the impact of delays in building transmission networks, dispatchable generation and storage.</p> <p>The closure schedule of existing coal power stations would be dependent on sufficient replacement capacity being in place and is a matter for those private power stations.</p>
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**Questions from Ms Cate Faehrmann MLC**

**Lead Remediation Strategy**

94	Is it correct that The EPA has been tasked with developing a lead remediation strategy for Broken Hill, including a targeted home remediation for children with high blood levels?
(a)	Will you be required to do the same if the Bowdens Silver mine project goes ahead?

**Answer**

94	<p>No, the NSW Environment Protection Authority (EPA) has not been tasked with developing a lead remediation strategy for Broken Hill.</p> <p>Premier's Department is leading a whole of government response to address environmental lead in Broken Hill.</p> <p>The existing EPA Broken Hill Environmental Lead Program contracts Public Works to manage contractor-delivered spot remediation on prioritised homes where children have particularly high blood lead levels.</p>
(a)	This is a matter for the relevant planning consent authorities.

**Broula King Gold Mine**

95	<p>Cath Sullivan and Craig Day, who own a mixed farming property in Bumbaldry in Central West NSW, have been battling for compensation for the losses of \$967,000 from damage to their property by Broula King Gold Mine. In November you told me a meeting had occurred between the parties to attempt to reach a solution. Since then I have been informed no outcome has been reached. In a situation where the damage has come about because licence conditions were flouted for years, with the EPAs knowledge, shouldn't Ms Sullivan and Mr Day be able to seek redress from the government for the damage?</p>
96	Does the government hold a rehabilitation bond from the mine?

(a)	If so, could this be used to rehabilitate the property and redress the damages to Cath and Craig’s property?
97	Will you order the EPA to provide Ms Sullivan and Mr Day with the full testing report completed by hydrologists that was carried out after the handing down of the recommendation that the regulators work with the Day-Sullivans?
98	When EPA officers visited Shadelands and were taken to areas of concern by Mr Day to investigate actual and potential pollution problems, obvious sites were not tested due to a lack of testing bottles brought with the officers on the day. Why were the EPA officers not properly equipped to test all of the sites of concern at Shadeland?

**Answer**

95	The NSW Environment Protection Authority (EPA) is using all available and appropriate regulatory powers to address environmental issues at the site. In regard to the request for financial compensation, in December 2024, the EPA wrote to Ms Sullivan and Mr Day advising mining-related impacts are the primary responsibility of the mine owner.
96	The NSW Resources Regulator is the lead for mine-related security bonds. This question should be referred to the Minister for Natural Resources.
(a)	See answer to question 96.
97	The EPA has provided Ms Sullivan and Mr Day with the groundwater assessment report.
98	The EPA has undertaken extensive water sampling on Shadelands on multiple occasions at the request of Ms Sullivan and Mr Day. The sampling has been undertaken in accordance with water sampling guidelines to assess potential impacts on the property. On one occasion the EPA ran out of sampling bottles in their vehicle due to the number of samples taken however, this did not impact the overall sampling program across the entire site. All water sampling results have been provided to Ms Sullivan and Mr Day.

**Belanglo Flora Reserve**

99	Can you advise why the government cancelled the Belanglo Flora Reserve?
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**Answer**

99	As flora reserves are declared under the <i>Forestry Act 2012</i> , this is a matter for the Minister for Agriculture.
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Cadia Valley Operations (CVO)

100	In August 2024, I wrote to EPA CEO, Mr Tony Chappel about transparency concerns surrounding the Cadia Valley Operations. In June 2024, the EPA attended Frances Retallack’s property, which is alongside Cadia Valley Operations mine site, to undertake testing of the ponds on her property. Has the EPA yet provided Ms Retallack with the results of this testing?
101	Will the EPA release all documents relating to testing undertaken of samples taken since May 2024, including but not limited to results of monitoring bores, creeks and rivers on the property of, and adjacent to CVO?

Answer

100	<p>The NSW Environment Protection Authority (EPA) conducted water sampling in May, July, August October and December 2024. The EPA did not conduct any water sampling in June 2024.</p> <p>The results have been published on the EPA’s website at: <a href="http://www.epa.nsw.gov.au/Working-together/Community-engagement/updates-on-issues/The-Cadia-region">www.epa.nsw.gov.au/Working-together/Community-engagement/updates-on-issues/The-Cadia-region</a> and <a href="http://www.epa.nsw.gov.au/sites/default/files/24p4538-belubula-river-water-sampling-4-july-2024.pdf">www.epa.nsw.gov.au/sites/default/files/24p4538-belubula-river-water-sampling-4-july-2024.pdf</a>.</p>
101	<p>The results of all water sampling undertaken by the EPA are published on the EPA’s website at <a href="http://www.epa.nsw.gov.au/Working-together/Community-engagement/updates-on-issues/The-Cadia-region">www.epa.nsw.gov.au/Working-together/Community-engagement/updates-on-issues/The-Cadia-region</a>.</p> <p>The EPA is seeking technical advice from the NSW PFAS Technical Advisory Group and will release the December results once that advice is received.</p> <p>The EPA releases reports of sampling data as soon as possible and will continue this transparent approach.</p>

Boggabri Coal

102	Boggabri Coal is transferring three of their offset properties (Mallee, Myall Plains and Merriendi) to the NSW National Parks and Wildlife Service. Could you please provide an update on the timeline of when these properties will be signed over?
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Answer

102	The National Parks and Wildlife Service is working with Boggabri Coal to transfer Mallee, Myall Plains and Merriendi to the national park estate. There are complex considerations being worked through and, while an exact transfer date has not been set, the parties are aiming to finalise by the end of 2025.
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**Peabody Metropolitan Coal Mine Offsets**

103	In Peabody’s Metropolitan Coal Longwalls 311-316 Extraction Plan - Response to Submissions’, dated 3 July 2024, Condition 1, Schedule 3 of Project Approval (08_0149) requires Metropolitan Coal to ‘have no greater than negligible impact to threatened species, populations, or ecological communities (i.e. including upland swamps)’, however their original conditions of approval allow them to purchase offsets if they cause irreparable damage to swamps. What offsets are available to compensate for potential impacts on upland swamps?
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**Answer**

103	Upland swamps are part of the endangered ecological community, Coastal Upland Swamp in the Sydney Basin Bioregion. There are biodiversity credits that have been created for this ecological community.
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