



LEGISLATIVE COUNCIL

2019-20-21-22

FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 853

MONDAY 24 OCTOBER 2022

(The Questions and Answers Paper published on Monday to Friday of each week will contain, by number and title, all questions to which answers have been received the previous day and any new questions asked that day. Consequently, the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown.

Publication of Questions	Answer to be lodged by
Q & A No. 838 (Questions—Nil)	-
Q & A No. 839 (Including Question Nos 9572 to 9615)	25 October 2022
Q & A No. 840 (Including Question Nos 9616 to 9617)	26 October 2022
Q & A No. 841 (Including Question Nos 9618 to 9629)	27 October 2022
Q & A No. 842 (Including Question Nos 9630 to 9634)	28 October 2022
Q & A No. 843 (Including Question Nos 9635 to 9637)	31 October 2022
Q & A No. 844 (Including Question Nos 9638 to 9638)	1 November 2022
Q & A No. 845 (Including Question Nos 9639 to 9640)	2 November 2022
Q & A No. 846 (Including Question Nos 9641 to 9646)	3 November 2022
Q & A No. 847 (Including Question Nos 9647 to 9648)	4 November 2022
Q & A No. 848 (Including Question Nos 9649 to 9651)	7 November 2022
Q & A No. 849 (Including Question Nos 9652 to 9657)	8 November 2022
Q & A No. 850 (Including Question Nos 9658 to 9659)	9 November 2022
Q & A No. 851 (Including Question Nos 9660 to 9664)	10 November 2022
Q & A No. 852 (Including Question Nos 9665 to 9667)	11 November 2022
Q & A No. 853 (Questions—Nil)	-

4 OCTOBER 2022

(Paper No. 839)

* 9574 ENVIRONMENT AND HERITAGE—LAND AREA OF NATIONAL PARKS—The Hon. Mark Latham to ask the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism representing the Minister for Environment and Heritage—

- (1) Further to the Minister's answer to Question 9362, what is the combined land area of the NSW National Parks and State Conservation Areas mentioned in the Minister's answer?
- (2) How much money has the Government spent on the following for the listed financial years:
 - (a) National Parks?
 - (i) 2019-20?
 - (ii) 2020-21?
 - (iii) 2021-22?
 - (b) State Conservation Areas?
 - (i) 2019-20?
 - (ii) 2020-21?
 - (iii) 2021-22?

Answer—

- (1) The combined land area of NSW national parks and state conservation areas, mentioned in Question 9362, are from 31 December of each given year (except 2022, which is to 19 October 2022) as follows:
 - 1980 - 2,499,892 hectares.
 - 1990 - 3,249,350 hectares.
 - 2000 - 4,336,656 hectares.
 - 2010 - 5,987,265 hectares.
 - 2022 - 6,563,232 hectares.

Note: The response to question (1) relates to the reserve category for national park and state conservation area under the National Parks and Wildlife Act 1974. It does not include areas not yet gazetted, nor the area of other reserve categories reserved under the National Parks and Wildlife Act 1974, including nature reserve, regional park, Aboriginal area, historic site and karst conservation reserve.

- (2) The Government has spent the following amounts to acquire land for national parks and state conservation areas:
 - (a) National parks:
 - (i) 2019-20 - \$15,880,616.
 - (ii) 2020-21 - \$8,530,000.
 - (iii) 2021-22 - \$2,094,630.
 - (b) State conservation areas:
 - (i) 2019-20 - \$282,600.
 - (ii) 2020-21 - \$9,650,000.
 - (iii) 2021-22 - \$22,600,000.

Note: The response to question 2 relates to the reserve category for national park and state conservation area under the National Parks and Wildlife Act 1974 and includes expenditure for some areas where

the formal gazettal as national park or state conservation area has not yet concluded. It does not include the area of other reserve categories reserved under the National Parks and Wildlife Act 1974, including nature reserve, regional park, Aboriginal area, historic site and karst conservation reserve.

* 9575 ENVIRONMENT AND HERITAGE—BIODIVERSITY STEWARDSHIP INSPECTIONS—The Hon. Mark Latham to ask the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism representing the Minister for Environment and Heritage—

- (1) Further to the Minister's answer to Question 9404, among the 719 'site inspections' of the 235 Biodiversity Stewardship sites by Biodiversity Conservation Trust staff over the past three years:
 - (a) Were these inspections in-person or desktop assessments?
 - (i) Could the Minister please provide the details?
- (2) In which inspections and on which sites were the following practices identified:
 - (a) Installing gravel roads through the site?
 - (b) The dumping of rubble and other waste materials?
 - (c) The riding of trail bikes across-country?
 - (d) Storage of shipping containers and their contents on-site?
 - (e) Land clearing?
 - (f) Evidence of land clearing equipment on-site?
 - (g) Degradation of the land through the practices above?
 - (h) Other commercial use of the land?
- (3) With respect to the answers provided to (2)(a)-(h), what action was taken in response?
- (4) What concerns were raised about the ownership of the land and management of the Biodiversity Stewardship Sites by land clearing and woodchopping companies?
 - (a) Were there any criteria in the site agreements prohibiting the involvement of such companies for the reason that their commercial activities are inconsistent with biodiversity conservation objectives?
- (5) In which local government areas were the inspections undertaken?

Answer—

- (1) 477 Biodiversity Stewardship Agreement (BSA) in-person site inspections were undertaken by Biodiversity Conservation Trust (BCT) personnel.
- (2) Due to privacy constraints it is not possible to provide specific site information, however, BCT personnel identified the following practices during their site inspections:
 - (a) At two site inspections, gravel roads had been installed.
 - (b) At 32 site inspections, there was evidence of the dumping of rubble and other waste materials within the BSA area.
 - (c) At 31 site inspections, there was evidence of trail bike riding within the BSA area.
 - (d) During all the site inspections, the storage of shipping containers or their contents was not observed.
 - (e) At 11 site inspections, land clearing within the BSA area was observed.
 - (f) At five site inspections, land clearing equipment was observed.
 - (g) At 20 site inspections, degradation of the land through the above practices was observed.
 - (h) During all the site inspections, other commercial usage of the land was not observed.
- (3) With respect to the answers provided above the following actions were undertaken:

- (a) For the two instances of newly installed gravel roads, the Agreement Holder was directed to remove and remediate the new track, or to vary the Agreement; and the gravel was added to existing tracks within the BSA area to address erosion issues, and to enable continued use of the track for site management activities.
 - (b) In all 32 instances, the Agreement Holder was required to remove the rubble or other waste materials.
 - (c) In all 31 instances, the Agreement Holder was required to close off access to trail bikes, including repairing fencing, installing gates or padlocks on gates, improving signage, and the Agreement Holder was required to remediate damage created by the trail bike activity.
 - (d) Not applicable.
 - (e) In all 11 instances land clearing was undertaken by external parties. The BCT required the Agreement Holder to improve security to the site by repairing fencing, installing gates or padlocks on gates, and improving signage.
 - (f) In all five instances, BCT investigations identified that the land clearing equipment was on-site to use for track maintenance, to clear illegal bike trails, or to remove illegal waste. In one instance, a security camera was required to be installed to assist with management of illegal access.
 - (g) In all 20 instances, the Agreement Holder was required to remediate damage created by the above practices.
 - (h) Not applicable.
- (4) No concerns were raised about the ownership of the land and management of the BSA sites by land clearing and woodchopping companies.
- (a) Commercial land clearing activities are inconsistent with the purpose of a BSA; which is to contribute to the conservation of biodiversity and biodiversity values, and to generate biodiversity credits under the Biodiversity Offset Scheme.
- (5) Site inspections were undertaken in the following local government areas:
- Ballina Shire Council.
 - Balranald Shire Council.
 - Bathurst Regional Council.
 - Bourke Shire Council.
 - Byron Shire Council.
 - Cabonne Council.
 - Camden Council.
 - Campbelltown City Council.
 - Canterbury Bankstown Council.
 - Central Coast Council.
 - Cessnock City Council.
 - City of Lithgow Council.
 - Clarence Valley Council.
 - Cobar Shire Council.
 - Coffs Harbour City Council.
 - Coolamon Shire Council.
 - Coonamble Shire Council.

- Cootamundra-Gundagai Regional Council.
- Dungog Shire Council.
- Eurobodalla Shire Council.
- Fairfield City Council.
- Gilgandra Shire Council.
- Glen Innes Severn Council.
- Goulburn Mulwaree Council.
- Greater Hume Shire Council.
- Gunnedah Shire Council.
- Hawkesbury City Council.
- Inverell Shire Council.
- Kempsey Shire Council.
- Ku-ring-gai Council.
- Lake Macquarie City Council.
- Liverpool City Council.
- Maitland City Council.
- Mid-Coast Council.
- Mid-Western Regional Council.
- Moree Plains Shire Council.
- Muswellbrook Shire Council.
- Narrabri Shire Council.
- Narrandera Shire Council.
- Northern Beaches Council.
- Oberon Council.
- Penrith City Council.
- Port Stephens Council.
- Queanbeyan-Palerang Regional Council.
- Richmond Valley Council.
- Shellharbour City Council.
- Shoalhaven City Council.
- Singleton Council.
- Snowy Monaro Regional Council.
- Tamworth Regional Council.
- The Council of the Municipality of Kiama.
- The Council of the Shire of Hornsby.
- The Hills Shire Council.
- Upper Hunter Shire Council.

- Upper Lachlan Shire Council.
- Warrumbungle Shire Council.
- Weddin Shire Council.
- Wollondilly Shire Council.
- Woolongong City Council.

6 OCTOBER 2022

(Paper No. 841)

* 9618 ENVIRONMENT AND HERITAGE—NSW CLEAN AIR STRATEGY—Ms Sue Higginson to ask the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism representing the Minister for Environment and Heritage—

- (1) How many submissions were received for the NSW Clean Air Strategy Consultation?
- (2) Of the submissions received, how many called for:
 - (a) Weaker regulations on wood heater pollution than those in the NSW Clean Air Strategy 2021-30?
 - (b) The current wood heater regulations to be kept?
 - (c) Stricter proposals to reduce wood heater pollution than found in the NSW Clean Air Strategy 2021-30?
- (3) Of the stricter proposals of (2)(c), how many of them called for:
 - (a) Wood heaters to be removed when houses are sold?
 - (b) A stricter emissions limit than the current limit of 1.5g/kg?
 - (c) An obligation to consult neighbours before installing new wood heaters?
 - (d) Improved procedures for dealing with complaints about wood heater pollution?
 - (e) Any other additional measures to reduce wood heater pollution?
 - (i) What additional measures were called for?

Answer—

- (1) 282.
- (2)
 - (a) None.
 - (b) None.
 - (c) There were 71 submissions calling for regulatory actions to reduce or manage wood heater pollution in response to consultation on the draft NSW Clean Air Strategy 2021-30.
- (3)
 - (a) 20.
 - (b) Two.
 - (c) None.
 - (d) None.
 - (e) 67.
 - (i) The following measures were called for:

- Banning and phasing out of wood heaters. The details of the submissions varied including in respect of the timing and areas covered.
- Removing all open fireplaces.
- Prohibiting the sale and installation of second-hand non-compliant wood heaters.
- Wood smoke to be declared a public health risk in the Public Health Act.
- Health warnings and information on wood heating products to be provided at point of sale.
- Tightening approval of wood heaters.
- Licensing wood heaters, including an annual fee.
- A pollution levy on wood burning devices.
- Tightening maintenance and operation of wood heaters, including continuous monitoring of flue emissions and removal of wood heater if emission standards breached.
- Additional powers for local council regulation, including increasing council powers to manage repeat offenders.
- Obligating councils to perform their enforcement duties.

24 OCTOBER 2022

(Paper No. 853)

Nil Questions submitted.

David Blunt
Clerk of the Parliament