



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 7

# Budget Estimates 2023-2024

Report 21

June 2024

7



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Portfolio Committee No. 7 – Planning and Environment

# **Budget Estimates 2023-2024**

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Budget Estimates 2023-2024

"June 2024"

Chair: Ms Sue Higginson MLC



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## Terms of reference

The Budget Estimates resolution and schedule was agreed to by the House on 12 September 2023, referring the Budget Estimates and related papers for 2023-2024 to the Portfolio Committees for inquiry and report and is reproduced, as amended on 11 October 2023 and 30 November 2023, as follows:

### Initial hearings

1. That, upon tabling, the Budget Estimates and related papers for the financial year 2023-2024 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.
2. That, further to the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar,<sup>1</sup> the 2023-2024 initial budget estimates hearings be scheduled as follows:

**Day One: Tuesday 24 October 2023**

PC 3 Education and Early Learning, Western Sydney

PC 4 Small Business, Lands and Property, Multiculturalism, Sport

**Day Two: Wednesday 25 October 2023**

PC 1 Premier

PC 4 Agriculture, Regional New South Wales, Western New South Wales

**Day Three: Thursday 26 October 2023**

PC 2 Health, Regional Health, the Illawarra and the South Coast

PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

**Day Four: Tuesday 31 October 2023**

PC 1 Treasurer

PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

**Day Five: Wednesday 1 November 2023**

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast

PC 6 Regional Transport and Roads

PC 3 Skills, TAFE and Tertiary Education

**Day Six: Thursday 2 November 2023**

PC 7 Climate Change, Energy, the Environment, Heritage

PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural Resources

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<sup>1</sup> *Minutes*, NSW Legislative Council, 10 May 2023, pp 64-65.

**Day Seven: Friday 3 November 2023**

PC 7 Planning and Public Spaces  
 PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

**Day Eight: Tuesday 7 November 2023**

PC 1 The Legislature  
 PC 6 Transport  
 PC 5 Police and Counter Terrorism, the Hunter

**Day Nine: Wednesday 8 November 2023**

PC 1 Industrial Relations, Work Health and Safety  
 PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

**Day Ten: Thursday 9 November 2023**

PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism  
 PC 5 Families and Communities, Disability Inclusion

**Day Eleven: Friday 10 November 2023**

PC 5 Attorney-General  
 PC 8 Local Government

3. That the remainder of the Budget Estimates 2023-2024 hearings be held during the first half of 2024, as determined by further resolution of the House.
4. That for the purposes of the 2023-2024 initial budget estimates hearings:
  - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm
  - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 2.00 pm until 5.30 pm.
5. That for the purposes of the 2023-2024 initial budget estimates hearings:
  - (a) the committees must hear evidence in public
  - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
  - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
  - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions

- (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
- (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.

6. That the committees report by 28 June 2024.<sup>2</sup>

### **Supplementary hearing**

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023- 2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, Portfolio Committee No. 4 - Regional NSW hold a supplementary hearing in 2023 to examine the portfolios of Agriculture, Regional New South Wales, Western New South Wales.
2. That for the purposes of the 2023-2024 supplementary budget estimates hearing:
  - (a) each portfolio be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
  - (b) the committee must hear evidence in public
  - (c) the committee may ask for explanations from the minister, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
  - (d) the minister be invited to appear for the morning session only unless requested by the committee to appear also for the afternoon session
  - (e) witnesses, including the minister, may not make an opening statement before a committee commences questions
  - (f) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
  - (g) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.<sup>3</sup>

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<sup>2</sup> *Minutes*, NSW Legislative Council, 12 September 2023, pp 446-450; amended, *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

<sup>3</sup> *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

**Additional hearings**

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023-2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 21 November 2023 adopting the 2024 sitting calendar,<sup>4</sup> the 2023-2024 additional budget estimates hearings be scheduled as follows:

**Day One: Tuesday 20 February 2024**

PC 3 Education and Early Learning, Western Sydney  
 PC 4 Small Business, Lands and Property, Multiculturalism, Sport

**Day Two: Wednesday 21 February 2024**

PC 1 Premier  
 PC 4 Agriculture, Regional New South Wales, Western New South Wales

**Day Three: Thursday 22 February 2024**

PC 2 Health, Regional Health, the Illawarra and the South Coast  
 PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

**Day Four: Friday 23 February 2024**

PC 6 Transport  
 PC 5 Police and Counter Terrorism, the Hunter

**Day Five: Tuesday 27 February 2024**

PC 7 Planning and Public Spaces  
 PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

**Day Six: Wednesday 28 February 2024**

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast  
 PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

**Day Seven: Thursday 29 February 2024**

PC 1 Industrial Relations, Work Health and Safety  
 PC 6 Regional Transport and Roads

**Day Eight: Friday 1 March 2024**

PC 1 Treasurer  
 PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

**Day Nine: Monday 4 March 2024**

PC 5 Families and Communities, Disability Inclusion  
 PC 1 The Legislature

<sup>4</sup> *Minutes*, NSW Legislative Council, 21 November 2023, pp 666-667.

**Day Ten: Tuesday 5 March 2024**

PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy,  
Jobs and Tourism

PC 3 Skills, TAFE, Tertiary Education

**Day Eleven: Wednesday 6 March 2024**

PC 5 Attorney-General

PC 8 Local Government

**Day Twelve: Thursday 7 March 2024**

PC 7 Climate Change, Energy, the Environment, Heritage

PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural  
Resources

2. That for the purposes of the 2023-2024 additional budget estimates hearings:
  - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
  - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 9.15 am to 11.00 am, and from 11.15 am to 1.00 pm.
3. That for the purposes of the 2023-2024 additional budget estimates hearings:
  - (a) the committees must hear evidence in public
  - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
  - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
  - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions
  - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
  - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.<sup>5</sup>

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<sup>5</sup> *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

## Committee details

### Committee members

<b>Ms Sue Higginson MLC</b>	The Greens	<i>Chair</i>
<b>Hon John Ruddick MLC</b>	Libertarian Party	<i>Deputy Chair</i>
<b>Hon Mark Buttigieg MLC</b>	Australian Labor Party	
<b>Hon Anthony D'Adam MLC</b>	Australian Labor Party	
<b>Hon Scott Farlow MLC</b>	Liberal Party	
<b>Hon Jacqui Munro MLC</b>	Liberal Party	
<b>Hon Peter Primrose MLC</b>	Australian Labor Party	

### Non-substantive members who attended the hearings

<b>Ms Abigail Boyd MLC</b>	The Greens
<b>Dr Amanda Cohn MLC</b>	The Greens
<b>Ms Cate Faehrmann MLC</b>	The Greens
<b>Hon Wes Fang MLC</b>	The Nationals
<b>Hon Emma Hurst MLC</b>	Animal Justice Party
<b>Hon Tania Mihailuk MLC</b>	Pauline Hanson's One Nation
<b>Hon Cameron Murphy MLC</b>	Australian Labor Party
<b>Hon Natalie Ward MLC</b>	Liberal Party

### Contact details

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## Chair's foreword

I am pleased to present this report on the inquiry into Budget Estimates 2023-2024. The annual inquiry into the Budget Estimates ensures parliamentary oversight of the Budget, and provides an important mechanism for the accountability of the executive government to the Legislative Council.

Portfolio Committee No. 7 – Planning and Environment is responsible for the scrutiny of the following portfolio area:

- Climate Change, Energy, the Environment, Heritage
- Planning and Public Spaces.

The primary evidence gathering mechanism of this inquiry is through the conduct of public hearings. This report lists the key issues raised during the hearings. Transcripts, tabled documents and additional answers provided after the hearings are published on the [inquiry's webpage](#).

On behalf of the committee, I would like to thank the ministers and their officers who assisted the committee during this important inquiry. I am grateful to my fellow committee members and the secretariat staff for their contributions to the inquiry process.

Ms Sue Higginson MLC  
**Committee Chair**

## Chapter 1 Introduction

The inquiry into Budget Estimates is one of the key mechanisms for parliamentary committees to scrutinise government expenditure, performance and effectiveness. It holds ministers and government officials to account and provides a greater level of transparency to the public.

The inquiry is conducted annually by the Legislative Council's Portfolio Committees. Each committee examines the budget estimates of its responsible portfolios, with ministers and senior public servants as the primary witnesses. The evidence taking process of the inquiry consists of answers provided during public hearings, including answers to questions on notice, and answers to post-hearing written questions (known as supplementary questions). There is no provision for written submissions.

### Budget Estimates 2023-2024

- 1.1 On 12 September 2023, the Legislative Council referred the Budget Estimates for the 2023-2024 financial year to the portfolio committees for inquiry and report.<sup>6</sup>
- 1.2 On 10 May 2023, the Legislative Council resolved that initial hearings for Budget Estimates 2023-2024 be held over 12 days from 24 October to 26 October and 31 October to 10 November 2023.<sup>7</sup> The hearing schedule was amended by the House on 12 September 2023 to provide that initial hearings for Budget Estimates 2023-2024 be held over 11 days from 24 October to 26 October, 31 October to 3 November, and 7 November to 10 November 2023.<sup>8</sup> The hearing schedule was further amended by the House on 11 October 2023 to add an additional hearing and make consequential amendments.<sup>9</sup>
- 1.3 On 22 November 2023, the Legislative Council resolved to hold a supplementary hearing for the portfolios of Agriculture, Regional New South Wales, and Western New South Wales in 2023.<sup>10</sup>
- 1.4 On 30 November 2023, the Legislative Council resolved that additional hearings for Budget Estimates 2023-2024 be held over 12 days from 20 February to 23 February, 27 February to 1 March, and 4 March to 7 March 2024.<sup>11</sup>
- 1.5 The Budget Estimates resolution establishing the inquiry, which sets out the rules for the inquiry, is reproduced on pages iv-viii.

<sup>6</sup> *Minutes*, NSW Legislative Council, 12 September 2023, pp 448-450.

<sup>7</sup> *Minutes*, NSW Legislative Council, 10 May 2023, p 64.

<sup>8</sup> *Minutes*, NSW Legislative Council, 12 September 2023, p 449.

<sup>9</sup> *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

<sup>10</sup> *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

<sup>11</sup> *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

## Hearings

1.6 The committee held four public hearings as follows:

- Thursday 2 November 2023 and Thursday 7 March 2024: Climate Change, Energy, the Environment, Heritage
- Friday 3 November 2023 and Tuesday 27 February 2024: Planning and Public Spaces.

## Transcripts, questions on notice and supplementary questions

1.7 Transcripts of the hearings, questions taken on notice, supplementary questions and answers to these questions are available on the Budget Estimates webpage at: [www.parliament.nsw.gov.au/budgetestimates](http://www.parliament.nsw.gov.au/budgetestimates).

## Chapter 2 Issues raised during hearings

This chapter provides a brief summary of key issues raised during the hearings.

### Climate Change, Energy, the Environment, Heritage

**2.1** A hearing examining the portfolios of Climate Change, Energy, the Environment, Heritage was held on Thursday 2 November 2023. The following issues were raised during the committee's examination of these portfolios:

- Renewable Energy Zones
- Kosciuszko National Park Wild Horse Management Plan
- Net Zero Plan
- operation of the NSW Environment Protection Authority
- remediation of sites containing coal ash repositories
- koala habitats
- use of consultants at EnergyCo
- NSW Forestry Industry Roadmap
- operation of the Biodiversity Offsets Scheme
- Aboriginal Cultural Heritage.

**2.2** An additional hearing examining the portfolios of Climate Change, Energy, the Environment, Heritage was held on Thursday 7 March 2024. The following issues were raised during the committee's examination of these portfolios:

- EnergyCo's engagement with landholders in Dunedoo
- transition to renewable energy
- State Environmental Planning Policies and Transport Oriented Development Program policies
- government response to Dr Ken Henry's Statutory review of the *Biodiversity Conservation Act 2016*
- contamination of mulch, and contaminated recovered fines
- remediation of sites, including underground petroleum storage systems, and other legacy contaminate sites
- Consumer Energy Strategy
- Eraring Power Station
- air quality and the Clean Air Strategy
- Cumberland Plain Conservation Plan

- roll out of Electric Vehicles to Ministers
- consideration of nuclear energy for New South Wales.
- acquisition of lands under part 11 of the *National Parks and Wildlife Act 1974*.

## Planning and Public Spaces

**2.3** A hearing examining the portfolio of Planning and Public Spaces was held on Friday 3 November 2023. The following issues were raised during the committee's examination of this portfolio:

- housing targets – modelling, how targets are set and will be met, impact of migration
- Northern Rivers flood response – flood mapping, funding, buy-backs and land-swaps
- Hawkesbury-Nepean flood evacuation model
- additional land to be added to Centennial Park
- referral of matters before the Independent Planning Commission to a public hearing vs a public meeting
- probity measures for former departmental staff member
- complaints about the NSW Planning Portal
- local infrastructure contributions levy
- Housing and Productivity Contribution
- zombie development applications
- use of AI in development applications and planning system.

**2.4** An additional hearing examining the portfolio of Planning and Public Spaces was held on Tuesday 27 February 2024. The following issues were raised during the committee's examination of this portfolio:

- Transport Oriented Development program, including the selection of priority growth areas
- low and mid-rise housing in Sydney
- declarations of conflicts of interests from public officials
- status of the Sydney International Speedway
- environmental impacts of developments
- mechanisms for making modifications to development proposals
- zombie development applications
- approvals of coal mine developments
- ministerial powers in relation to development proposals

- heritage conservation
- Indigenous land rights claims
- administration of disaster management funding
- 'Planned retreat' policy for coastal areas.

## Appendix 1 Witnesses at hearings

Date	Name	Position and Organisation
<b>Thursday 2 November 2023</b> <b>Macquarie Room</b> <b>Parliament House, Sydney</b>	Hon Penny Sharpe MLC	Minister for Climate Change, Energy, the Environment, Heritage
	Ms Kiersten Fishburn	Secretary, Department of Planning and Environment
	Mr Atticus Fleming	A/Coordinator General, Environment and Heritage Group, Department of Planning and Environment
	Mr Brendan Bruce	Deputy Secretary, Biodiversity, Conservation and Science, Department of Planning and Environment
	Ms Naomi Stephens	A/Deputy Secretary, National Parks and Wildlife Service, Department of Planning and Environment
	Mr Sam Kidman	Executive Director, Heritage NSW, Department of Planning and Environment
	Dr Erin Giuliani	Chief Executive Officer, Biodiversity Conservation Trust, Department of Planning and Environment
	Mr Andrew Lewis	A/Deputy Secretary, Energy, Climate Change and Sustainability, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
	Mr James Hay	Chief Executive Officer, Energy Corporation of NSW, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)

Date	Name	Position and Organisation
	Mr Tony Chappel	Chief Executive Officer, NSW Environment Protection Authority
	Ms Sharon Molloy	Executive Director, Biodiversity and Conservation Division, Department of Planning and Environment
	Ms Trish Harrup	Executive Director, Conservation and Aboriginal Partnerships, National Parks and Wildlife Service, Department of Planning and Environment
	Dr Louisa Mamouny	A/Executive Director, Credit Supply Taskforce, Department of Planning and Environment
	Ms Alison Pepper	Executive Director, Strategy and Implementation, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
	Mr Liam Ryan	Advising Executive Director, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
	Mr Mark Westbrook	Chief Project Officer, Energy Corporation of NSW, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
	Ms Nancy Chang	Executive Director, Strategy and Policy, NSW Environment Protection Authority
	Mr Stephen Beaman	Executive Director, Regulatory Practice and Services, NSW Environment Protection Authority

Date	Name	Position and Organisation
<b>Friday 3 November 2023</b> <b>Macquarie Room</b> <b>Parliament House, Sydney</b>	Hon Paul Scully MP	Minister for Planning and Public Spaces
	Ms Monica Gibson	A/Deputy Secretary, Planning, Land Use Strategy and Housing, Department of Planning and Environment
	Ms Anthea Sargeant	A/Deputy Secretary, Development Assessments and Systems, Department of Planning and Environment
	Ms Amanda Fairley	A/Deputy Secretary, Programs, Infrastructure and Digital, Department of Planning and Environment
	Ms Melanie Hawyes	Deputy Secretary, Crown Lands and Public Spaces, Department of Planning and Environment
	Mr Shaun Smith	Chief Operating Officer, Department of Planning and Environment
	Mr Chris Hanger	Chief Executive Officer, Greater Cities Commission, Department of Planning and Environment
	Mr Simon Draper	Chief Executive Officer, NSW Reconstruction Authority and Secretary, Premier's Department
	Mr Matt Conrow	Chief Financial and Operating Officer, NSW Reconstruction Authority
	Mr Kieron Hendicott	Executive Director - Northern Rivers Reconstruction Corporation, NSW Reconstruction Authority
	Mr Alex Wendler	Chief Executive Officer, Landcom

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Maree Abood	Executive Director - Adaptation and Mitigation, NSW Reconstruction Authority
	Ms Kiersten Fishburn	Secretary, Department of Planning and Environment
	Ms Valentina Misevski	Secretary, Chief Executive, Hunter and Central Coast Development Corporation, Department of Planning and Environment
<b>Tuesday 27 February 2024 Macquarie Room Parliament House, Sydney</b>	Hon Paul Scully MP	Minister for Planning and Public Spaces
	Ms Kiersten Fishburn	Secretary, Department of Planning, Housing and Infrastructure
	Ms Melanie Hawyes	Deputy Secretary, Crown Lands and Public Spaces, Department of Planning, Housing and Infrastructure
	Mr David Gainsford	Deputy Secretary, Development Assessments and Infrastructure, Department of Planning, Housing and Infrastructure
	Ms Monica Gibson	Deputy Secretary, Planning, Land Use Strategy and Housing, Department of Planning, Housing and Infrastructure
	Mr James Hebron	A/Chief Operating Officer, Department of Planning, Housing and Infrastructure
	Ms Simone Walker	Deputy Chief Executive Officer, NSW Reconstruction Authority
	Ms Amanda Leck	Head, Adaptation, Mitigation and Reconstruction Group, NSW Reconstruction Authority

Date	Name	Position and Organisation
	Ms Joanna Quilty	Head, Preparedness and Recovery Group, NSW Reconstruction Authority
	Mr Clay Preshaw	Executive Director, Energy, Resources and Industry Executive Director, Energy, Resources and Industry
	Mr Simon Draper	Chief Executive Officer, NSW Reconstruction Authority and Secretary, Premier's Department
	Mr Matt Conrow	Chief Financial and Operating Officer, NSW Reconstruction Authority
	Mr Alex Wendler	Chief Executive Officer, Landcom
<b>Thursday 7 March 2024</b> <b>Macquarie Room</b> <b>Parliament House, Sydney</b>	Hon Penny Sharpe MLC	Minister for Climate Change, Energy, the Environment, Heritage
	Mr Anthony Lean	Secretary, Department of Climate Change, Energy, the Environment and Water
	Mr Brendan Bruce ( <i>Via videoconference</i> )	Deputy Secretary, Biodiversity, Conservation and Science, Department of Planning and Environment
	Mr Matthew Clark	A/Executive Director, Heritage NSW, NSW Department of Climate Change, Energy, the Environment and Water
	Dr Erin Giuliani	Chief Executive Officer, Biodiversity Conservation Trust, NSW Department of Climate Change, Energy, the Environment and Water
	Mr James Hay	Chief Executive Officer, Energy Corporation of NSW, NSW Department of Climate Change,

Date	Name	Position and Organisation
		Energy, the Environment and Water
	Ms Alison Pepper	A/Deputy Secretary, Energy, Climate Change and Sustainability, NSW Department of Climate Change, Energy, the Environment and Water.
	Mr Tony Chappel	Chief Executive Officer, NSW Environment Protection Authority
	Professor Hugh Durrant-Whyte	Deputy Chair, Net Zero Emissions and Clean Energy Board
	Mr Robert Smith (Via videoconference)	Executive Director, Park Operations Inland, NSW Department of Climate Change, Energy, the Environment and Water
	Ms Naomi Stephens	Executive Director, Park Operations (Coastal), National Parks and Wildlife Service, NSW Department of Climate Change, Energy, the Environment and Water
	Ms Sharon Molloy	Executive Director, Biodiversity and Conservation Division, NSW Department of Climate Change, Energy, the Environment and Water
	Ms Trish Harrup	Executive Director, Conservation and Aboriginal Partnerships, National Parks and Wildlife Service, NSW Department of Climate Change, Energy, the Environment and Water
	Mr Liam Ryan	Advising Executive Director, Energy, Climate Change and Sustainability, NSW Department

Date	Name	Position and Organisation
		of Climate Change, Energy, the Environment and Water
	Mr Mark Westbrook	Chief Project Officer, Energy Corporation of NSW, NSW Department of Climate Change, Energy, the Environment and Water
	Mr Jason Gordon	Executive Director, Operations, NSW Environment Protection Authority
	Ms Nancy Chang	Executive Director, Strategy and Policy, NSW Environment Protection Authority
	Mr Stephen Beaman	Executive Director, Regulatory Practice and Services, NSW Environment Protection Authority

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## Appendix 2 Minutes

### Minutes no. 5

Thursday 21 September 2023

Portfolio Committee No. 7 – Planning and Environment

Room 1136, Parliament House, Sydney at 12.40 pm

#### 1. Members present

Ms Higginson, *Chair*

Mr Ruddick, *Deputy Chair*

Mr Buttigieg

Mr Farlow

Dr Kaine (substituting for Mr D'Adam)

Ms Munro

Mr Murphy (substituting for Mr Primrose)

#### 2. Previous minutes

Resolved, on the motion of Mr Ruddick: That draft minutes no. 4 be confirmed.

#### 3. Inquiry into Budget Estimates 2023-2024 – procedural resolutions

The committee noted that the Budget Estimates timetable for 2023-2024 was agreed to by the House, with hearings generally commencing at 9.15 am and concluding by 5.30 pm. Below is a table of Portfolio Committee No. 7 hearings:

Date	Portfolio
Thursday 2 November 2023	Climate Change, Energy, the Environment, Heritage
Friday 3 November 2023	Planning and Public Spaces

##### 3.1 Allocation of question time and total hearing time

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

##### 3.2 Witness requests

Resolved, on the motion of Mr Murphy: That:

- the secretariat write to the ministers of the relevant portfolios being examined by the committee to request that they nominate witnesses to appear at each hearing, for the committee's consideration
- upon receipt, the nominated witnesses be circulated to the committee
- members be given two days from when the nominated witnesses are circulated to make amendments or nominate additional witnesses
- the committee agree to the witness list by email, unless a meeting of the committee is required to resolve any disagreement.

Resolved, on the motion of Mr Murphy: That the committee not invite parliamentary secretaries to appear as witnesses at the hearings.

##### 3.3 Witness appearance time

The committee noted that under the Budget Estimates 2023-2024 resolution Ministers are invited to appear for the morning sessions only, 9.15 am to 1.00 pm, unless requested by the committee to appear also for the afternoon session.

#### 4. **Adjournment**

The committee adjourned at 12.44 pm until Thursday 2 November 2023, 9.00 am, Parliament House (public hearing – Budget Estimates 2023-2024).

Arizona Hart

**Committee Clerk**

#### **Minutes no. 9**

Thursday 2 November 2023

Portfolio Committee No. 7 – Planning and Environment

Macquarie Room, Parliament House, Sydney at 9.04 am

#### 1. **Members present**

Ms Higginson, *Chair*

Mr Ruddick, *Deputy Chair* (until 3.47 pm)

Ms Boyd (participating from 10.13 am until 10.35 am, and from 2.45 pm until 3.35 pm)

Mr Buttigieg

Dr Cohn (participating from 12.08 pm until 12.32 pm)

Mr D'Adam (until 2.00 pm)

Ms Faehrmann (participating from 11.53 am until 12.29 pm, and from 2.57 pm until 3.35 pm)

Mr Fang (substituting for Ms Munro)

Ms Hurst (participating from 9.16 am until 10.52 am)

Ms Mihailuk (participating from 11.28 am until 12.30 pm, and from 2.24 pm until 2.37 pm)

Mr Primrose

Mrs Ward (substituting for Mr Farlow)

#### 2. **Previous minutes**

Resolved, on the motion of Mr Ruddick: That draft minutes no. 5 be confirmed.

#### 3. **Correspondence**

The committee noted the following items of correspondence:

##### ***Received***

- 21 September 2023 – Letter from Mr Paul Lakatos SC, Commissioner, Independent Commission Against Corruption to Chair, regarding referral about the influence of property developers and others in legal, political and democratic processes in The Hills Shire region
- 5 October 2023 – Email from Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces to Budget Estimates secretariat, providing witness list for hearing on 3 November 2023
- 6 October – Email from Ms Sarah Fuller, Office of the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage to Budget Estimates secretariat, providing witness list for hearing on 2 November 2023
- 19 October 2023 – Email from Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces to Budget Estimates secretariat, requesting additional witness appear at hearing on 3 November 2023.

##### ***Sent***

- 21 September 2023 – Email from Budget Estimates secretariat to the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, issuing request to nominate witnesses for hearing on 2 November 2023

- 21 September 2023 – Email from Budget Estimates secretariat to the Hon Paul Scully MP, Minister for Planning and Public Spaces, issuing request to nominate witnesses for hearing on 3 November 2023
- 10 October 2023 – Email from Budget Estimates secretariat to the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, confirming witnesses for hearing on 2 November 2023
- 10 October 2023 – Email from Budget Estimates secretariat to the Hon Paul Scully MP, Minister for Planning and Public Spaces, confirming witnesses for hearing on 3 November 2023
- 24 October 2023 – Email from Budget Estimates secretariat to Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces, confirming additional witness can attend hearing on 3 November 2023.

#### 4. Inquiry into Budget Estimates 2023-2024

##### 4.1 Amended resolution

The committee noted the resolution of the House of 11 October 2023 amending the Budget Estimates 2023-2024 terms of reference.

##### 4.2 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

##### 4.3 Public hearing - Climate Change, Energy, the Environment, Heritage

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The following witnesses were sworn and examined:

- Ms Kiersten Fishburn, Secretary, Department of Planning and Environment
- Mr Atticus Fleming, A/Coordinator General, Environment and Heritage Group, Department of Planning and Environment
- Mr Brendan Bruce, Deputy Secretary, Biodiversity, Conservation and Science, Department of Planning and Environment
- Ms Naomi Stephens, A/Deputy Secretary, National Parks and Wildlife Service, Department of Planning and Environment
- Mr Sam Kidman, Executive Director, Heritage NSW, Department of Planning and Environment
- Dr Erin Giuliani, Chief Executive Officer, Biodiversity Conservation Trust, Department of Planning and Environment
- Mr Andrew Lewis, A/Deputy Secretary, Energy, Climate Change and Sustainability, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
- Mr James Hay, Chief Executive Officer, Energy Corporation of NSW, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
- Mr Tony Chappel, Chief Executive Officer, NSW Environment Protection Authority.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Penny Sharpe MLC, Minister for Climate Change, Energy, the Environment, Heritage was admitted and examined.

The Chair declared the proposed expenditure for the portfolios of Climate Change, Energy, the Environment, Heritage open for examination.

The Minister withdrew at 12.49 pm.

Ms Higgins tendered the following document:

- Assessment of the Southern Richmond titled 'Protecting the Southern Richmond' by Dailan Pugh, North East Forest Alliance, October 2023.

Mr Fang tendered the following documents:

- Documents containing various emails regarding Kosciuszko National Park Wild Horse Management
- Document entitled 'MO comments'
- Document containing speaking notes for the Hon. Penny Sharpe MLC, Minister for the Environment.

The following witnesses were sworn and examined:

- Ms Sharon Molloy, Executive Director, Biodiversity and Conservation Division, Department of Planning and Environment
- Ms Trish Harrup, Executive Director, Conservation and Aboriginal Partnerships, National Parks and Wildlife Service, Department of Planning and Environment
- Dr Louisa Mamouny, A/Executive Director, Credit Supply Taskforce, Department of Planning and Environment
- Ms Alison Pepper, Executive Director, Strategy and Implementation, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
- Mr Liam Ryan, Advising Executive Director, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
- Mr Mark Westbrook, Chief Project Officer, Energy Corporation of NSW, Office of Energy and Climate Change, NSW Treasury (Office of Energy and Climate Change)
- Ms Nancy Chang, Executive Director, Strategy and Policy, NSW Environment Protection Authority
- Mr Stephen Beaman, Executive Director, Regulatory Practice and Services, NSW Environment Protection Authority.

Mr Tony Chappel tendered the following document:

- NSW Government Response: Inquiry into costs for remediations of sites containing coal ash repositories
- Document entitled 'Progress on implementing the NSW Government response to the coal ash inquiry recommendations'.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.20 pm. The public and the media withdrew.

#### **4.4 Tendered documents**

Resolved, on the motion of Mr Fang: That the committee accept and publish the following documents tabled during the Climate Change, Energy, the Environment, Heritage hearing held on 2 November 2023:

- Assessment of the Southern Richmond titled 'Protecting the Southern Richmond' by Dailan Pugh, North East Forest Alliance, October 2023 tabled by Ms Higginson
- Documents containing various emails regarding Kosciuszko National Park Wild Horse Management tabled by Mr Fang
- Document entitled 'MO comments' tabled by Mr Fang
- Document containing speaking notes for the Hon. Penny Sharpe MLC, Minister for the Environment, tabled by Mr Fang
- NSW Government Response: Inquiry into costs for remediations of sites containing coal ash repositories tabled by Mr Chappel
- Document entitled 'Progress on implementing the NSW Government response to the coal ash inquiry recommendations' tabled by Mr Chappel.

## **5. Adjournment**

The committee adjourned at 5.22 pm until Friday 3 November 2023, 9.00 am, Macquarie Room, Parliament House (public hearing - Budget Estimates 2023-2024).

Madeleine Dowd  
Committee Clerk

## Minutes no. 10

Friday 3 November 2023

Portfolio Committee No. 7 – Planning and Environment

Macquarie Room, Parliament House, Sydney at 9.00am

### 1. Members present

Ms Higginson, *Chair*

Mr Ruddick, *Deputy Chair* (until 2.30 pm)

Mr Buttigieg (from 11.15 am to 1.00 pm)

Mr D'Adam

Ms Faehrmann (participating from 10.15 am to 11.00 am)

Mr Farlow

Ms Mihailuk (participating from 11.15 am to 1.00 pm)

Ms Munro

Mr Murphy (substituting for Mr Buttigieg until 11.00 am)

Mr Primrose

### 2. Inquiry into Budget Estimates 2023-2024

#### 2.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

#### 2.2 Public hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The following witnesses were sworn and examined:

- Ms Monica Gibson, A/Deputy Secretary, Planning, Land Use Strategy and Housing, Department of Planning and Environment
- Ms Anthea Sargeant, A/Deputy Secretary, Development Assessments and Systems, Department of Planning and Environment
- Ms Amanda Fairley, A/Deputy Secretary, Programs, Infrastructure and Digital, Department of Planning and Environment
- Ms Melanie Hawyes, Deputy Secretary, Crown Lands and Public Spaces, Department of Planning and Environment
- Mr Shaun Smith, Chief Operating Officer, Department of Planning and Environment
- Mr Chris Hanger, Chief Executive Officer, Greater Cities Commission, Department of Planning and Environment
- Mr Simon Draper, Chief Executive Officer, NSW Reconstruction Authority and Secretary, Premier's Department
- Mr Matt Conrow, Chief Financial and Operating Officer, NSW Reconstruction Authority
- Mr Kieron Hendicott, Executive Director - Northern Rivers Reconstruction Corporation, NSW Reconstruction Authority
- Mr Alex Wendler, Chief Executive Officer, Landcom
- Ms Maree Abood, Executive Director - Adaptation and Mitigation, NSW Reconstruction Authority.

The following witness was examined on their former oath:

- Ms Kiersten Fishburn, Secretary, Department of Planning and Environment

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Paul Scully MP, Minister for Planning and Public Spaces was admitted and examined.

The Chair declared the proposed expenditure for the portfolios of Planning and Public Spaces open for examination.

Ms Faehrmann tabled the following document:

- Various email correspondence regarding Walker South Appin, dated December 2022.

The Minister withdrew at 12.55 pm.

The following witness was sworn and examined:

- Ms Valentina Misevska, Secretary, Chief Executive, Hunter and Central Coast Development Corporation, Department of Planning and Environment.

The evidence continued.

Mr Wendler withdrew at 3.30 pm.

The evidence continued.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.19 pm. The public and the media withdrew.

### **2.3 Tendered documents**

Resolved, on motion of Mr Primrose: That the committee accept and publish the following document tabled during the Planning and Environment hearing held on 3 November 2023, with appropriate redactions for privacy by the secretariat:

- Various email correspondence regarding Walker South Appin, dated December 2022, tabled by Ms Faehrmann.

### **3. Adjournment**

The committee adjourned at 5.20 pm, *sine die*.

Monica Loftus

**Committee Clerk**

### **Minutes no. 15**

Tuesday 27 February 2024

Portfolio Committee No. 7 – Planning and Environment

Macquarie Room, Parliament House, Sydney at 9.02 am

#### **1. Members present**

Ms Higginson, *Chair*

Mr Ruddick, *Deputy Chair* (via videoconference from 9.07 am)

Mr Buttigieg (until 12.52 pm; from 3.02 pm)

Mr D'Adam (until 3.04 pm; from 4.52 pm)

Mr Farlow

Ms Munro

Mr Murphy (substituting for Mr Primrose) (until 2.35 pm; from 2.58 pm)

## 2. Correspondence

The committee noted the following items of correspondence:

### *Received:*

- 30 November 2023 – Letter from Mr Brendan Bruce, Deputy Secretary, Biodiversity, Conservation and Science, Department of Planning and Environment, seeking clarifications to his evidence given at the Portfolio Committee No. 7 – Climate Change, Energy, the Environment, Heritage hearing on 2 November 2023
- 29 January 2024 – Email from the Office of the Hon Paul Scully MP, to secretariat, responding to the witness invitation for the Planning and Public Spaces hearing on 27 February 2024
- 30 January 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, to secretariat, responding to witness invitation for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 12 February 2024 – Email from Office of the Hon Paul Scully MP, to secretariat, responding to the committee's response to the requested amendments for the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 12 February 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, to secretariat, advising that the Acting Deputy Secretary, Energy, Climate Change and Sustainability is Ms Alison Pepper for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 15 February 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, to secretariat, advising the Minister will respond as soon as possible to the committee's amendments to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 16 February 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, to secretariat, responding to the committee's requests regarding the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 19 February 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, to secretariat, requesting an additional amendment to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 19 February 2024 – Email from Ms Yessie Kuntjoro, Office of the Secretary, Premier's Department, to secretariat, requesting that Mr Simon Draper be excused from attending part of the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 20 February 2024 - Email from Ms Yessie Kuntjoro, Office of the Secretary, Premier's Department, to secretariat, confirming the request that Mr Simon Draper appear until 1.00 pm and then from 2.30 pm for the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 26 February 2024 - Email from the Office of the Hon Paul Scully MP, advising of changes to witness attendance for 27 February 2024, Portfolio Committee No. 7 hearing, requesting the committee is informed of this change.

### *Sent:*

- 9 November 2023 – Email from Budget Estimates secretariat to Hon Paul Scully MP, Minister for Planning and Public Spaces, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 3 November 2023
- 9 November 2023 – Email from Budget Estimates secretariat to Hon Penny Sharpe MP, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 2 November 2023
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, inviting witnesses to the hearing on 7 March 2024
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Paul Scully MP, Minister for Planning and Public Spaces, inviting witnesses to the hearing on 27 February 2024

- 8 February 2024 – Email from Budget Estimates secretariat to the Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces, advising the committee's response to the Minister's proposed amendments to the Budget Estimates Planning and Public Spaces additional hearing on 27 February 2024
- 13 February 2024 – Email from Budget Estimates secretariat to Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, advising the committee's response to the Minister's proposed amendments to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage additional hearing on 7 March 2024
- 20 February 2024 – Email from Budget Estimates secretariat to Ms Yessie Kuntjoro, Office of the Secretary, Premier's Department, requesting the specific times that Mr Simon Draper proposes to appear as a witness at the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 23 February 2024 – Email from Budget Estimates secretariat to Ms Yessie Kuntjoro, Office of the Secretary, Premier's Department advising the committee has agreed that Mr Simon Draper appear until 1.00 pm and then from 2.30 pm for the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 23 February 2024 – Email from Budget Estimates secretariat to the Office of the Hon Paul Scully MP, advising that the committee has accepted the Minister's response to the witness list amendments, advising that the committee agrees to Mr Simon Draper appearing until 1.00 pm and then from 2.30 pm, attaching the final witness list and hearing information for the Budget Estimates Planning and Public Spaces hearing on 27 February 2024.

As previously agreed via email, the committee noted that:

- the correspondence from Mr Brendan Bruce, Deputy Secretary, Biodiversity, Conservation and Science, Department of Planning and Environment, providing clarifications to his evidence at the Portfolio Committee No.7 Climate Change, Energy, the Environment, Heritage hearing on 2 November 2023 has been published
- footnotes at the relevant points in the transcript on 2 November 2023 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence.

### **3. Inquiry into Budget Estimates 2023-2024**

#### **3.1 Answers to questions on notice and supplementary questions – initial hearings**

The committee noted the publication of the following answers to questions on notice and supplementary questions:

- answers to questions on notice and supplementary questions from Hon Penny Sharpe MP, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, received 30 November 2023
- answers to questions on notice and supplementary questions from Hon Paul Scully MP, Minister for Planning and Public Spaces, received 30 November 2023
- updated answers to supplementary questions from Hon Paul Scully MP, Minister for Planning and Public Spaces, received 1 December 2023.

#### **3.2 Resolution for additional hearings**

The committee noted the resolution of the House on 30 November 2023 to conduct additional hearings for the inquiry into Budget Estimates 2023-2024.

#### **3.3 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2023-2024 resolution on 30 November 2023 each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required.

#### **3.4 Witness list**

The committee noted that as agreed via email, arrangements for the additional hearings were agreed to over email in the first instance, rather than holding a meeting (unless a meeting was required to resolve any disagreement).

In addition, it was agreed that:

- the confirmed witness lists from the initial round of hearings (October-November 2023) be the proposed witness lists for the additional round of hearings (February 2024)
- committee members be given two days following receipt of the proposed witness lists to provide any feedback or additional witnesses, as per the practice adopted for the initial round of hearings
- responses from ministers' offices to witness invitations be due by 31 January 2024.

### **3.5 Public hearing – Planning and Public Spaces**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Paul Scully MP, Minister for Planning and Public Spaces was admitted and examined.

The following witnesses were sworn and examined:

- Ms Kiersten Fishburn, Secretary, Department of Planning, Housing and Infrastructure
- Ms Melanie Hawyes, Deputy Secretary, Crown Lands and Public Spaces, Department of Planning, Housing and Infrastructure
- Mr David Gainsford, Deputy Secretary, Development Assessments and Infrastructure, Department of Planning, Housing and Infrastructure
- Ms Monica Gibson, Deputy Secretary, Planning, Land Use Strategy and Housing, Department of Planning, Housing and Infrastructure
- Mr James Hebron, A/Chief Operating Officer, Department of Planning, Housing and Infrastructure
- Ms Simone Walker, Deputy Chief Executive Officer, NSW Reconstruction Authority
- Ms Amanda Leck, Head, Adaptation, Mitigation and Reconstruction Group, NSW Reconstruction Authority
- Ms Joanna Quilty, Head, Preparedness and Recovery Group, NSW Reconstruction Authority
- Mr Clay Preshaw, Executive Director, Energy, Resources and Industry.

The following witnesses were examined on their former oath:

- Mr Simon Draper, Chief Executive Officer, NSW Reconstruction Authority and Secretary, Premier's Department
- Mr Matt Conrow, Chief Financial and Operating Officer, NSW Reconstruction Authority
- Mr Alex Wendler, Chief Executive Officer, Landcom.

The Chair declared the proposed expenditure for the portfolio of Planning and Public Spaces open for examination.

The Hon Paul Scully MP tabled the following document:

- Department of Planning and Environment, Fact sheet, Diverse and well-located housing reforms
- The Hon Scott Farlow MLC tabled the following documents:
- Facebook extract, Troy Boldy, profile posted message commencing '@everyone, Merry Xmas to all Race Fans', dated 23 December 2023
- Facebook extract, Troy Boldy, profile screenshot at '6:57'
- Facebook extract, Troy Boldy, profile screenshot at '7:00'
- Facebook extract, Sydney International Speedway, profile posted message commencing 'The new team who has taken over Sydney International Speedway', dated 18 January 2024
- Extract Name: *Yvonne Boldy*; Ready Search, information extracted from Australian Securities and Investments Commission (ASIC) database, 2.24 pm, 21 January 2024

- Extract name: *Sydney International Speedway Pty Ltd (ACN 673 644 472)*; information extracted from Australian Securities and Investments Commission (ASIC) database, 3.07 pm, 22 December 2023
- Extract name: *Australian Kart Raceways Pty Ltd (ACN 630 379 136)*; information extracted from Australian Securities and Investments Commission (ASIC) database, 6.28 pm, 12 January 2024
- Extract name: *Australian Kart Raceways Pty Ltd (ACN 630 379 136)*; information extracted from Australian Securities and Investments Commission (ASIC) database, 10.21 am, 14 February 2024
- Extract name: *Troy Boldy*; extract ID: NS2414057-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 7.42 pm, 11 January 2024
- Extract name: *Yvonne Helen Boldy*; extract ID: NS2417386-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 11.29 am, 15 January 2024.

The Minister withdrew at 12.52 pm.

Mr Simon Draper withdrew at 12.52 pm and returned at 2.26 pm.

Mr James Hebron withdrew at 3.33 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.17 pm. The public and the media withdrew.

### 3.6 Tendered documents

Resolved, on the motion of Mr D'Adam: That the committee accept and publish the following documents [tendered / tabled] during the public hearing:

- Department of Planning and Environment, Fact sheet, *Diverse and well-located housing reforms*, tabled by the Hon Paul Scully MP
- Facebook extract, Troy Boldy, profile posted message commencing '@everyone, Merry Xmas to all Race Fans', dated 23 December 2023, tabled by the Hon Scott Farlow MLC
- Facebook extract, Troy Boldy, profile screenshot at '6:57', tabled by the Hon Scott Farlow MLC
- Facebook extract, Troy Boldy, profile screenshot at '7:00', tabled by the Hon Scott Farlow MLC
- Facebook extract, Sydney International Speedway, profile posted message commencing 'The new team who has taken over Sydney International Speedway', dated 18 January, tabled by the Hon Scott Farlow MLC
- Extract Name: Yvonne Boldy; Ready Search, information extracted from Australian Securities and Investments Commission (ASIC) database, 2.24 pm, 21 January 2024, tabled by the Hon Scott Farlow MLC
- Extract name: Sydney International Speedway Pty Ltd (ACN 673 644 472); information extracted from Australian Securities and Investments Commission (ASIC) database, 3.07 pm, 22 December 2023, tabled by the Hon Scott Farlow MLC
- Extract name: Australian Kart Raceways Pty Ltd (ACN 630 379 136); information extracted from Australian Securities and Investments Commission (ASIC) database, 6.28 pm, 12 January 2024, tabled by the Hon Scott Farlow MLC
- Extract name: Australian Kart Raceways Pty Ltd (ACN 630 379 136); information extracted from Australian Securities and Investments Commission (ASIC) database, 10.21 am, 14 February 2024, tabled by the Hon Scott Farlow MLC
- Extract name: Troy Boldy; extract ID: NS2414057-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 7.42 pm, 11 January 2024, tabled by the Hon Scott Farlow MLC
- Extract name: Yvonne Helen Boldy; extract ID: NS2417386-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 11.29 am, 15 January 2024, tabled by the Hon Scott Farlow MLC.

## 4. Adjournment

The committee adjourned at 5.18 pm until Thursday 7 March 2024, 9.00 am, Macquarie Room, Parliament House (public hearing – additional round of Budget Estimates 2023-2024).

David Rodwell  
Committee Clerk

## Minutes no. 16

Thursday 7 March 2024

Portfolio Committee No. 7 – Planning and Environment

Macquarie Room, Parliament House, Sydney at 9.01 am

### 1. Members present

Ms Higginson (*Chair*)

Mr Ruddick (*Deputy Chair* until 12.53 pm, from 2.04 pm until 2.46 pm, from 4.32 pm until 4.46 pm)

Ms Boyd (participating from 9.31 am until 10.10 am)

Mr Buttigieg (until 12.53 pm, from 2.05 pm until 3.53 pm, from 4.58 pm)

Mr D'Adam (until 12.53 pm, from 3.09 pm)

Dr Cohn (participating from 12.15 pm until 12.41 pm, from 2.27 pm until 2.50 pm)

Ms Faehrmann (participating from 11.27 am until 11.52 am)

Mr Fang (substituting for Mr Farlow until 10.26 am; from 11.15 am)

Mr Farlow (participating until 10.27 am, from 11.15 am until 1.00 pm, from 4.22 pm)

Ms Mihailuk (participating from 11.15 am until 12.26 pm)

Ms Munro

Mr Primrose (until 11.31 am, from 11.45 am until 3.00 pm, from 3.52 pm)

### 2. Previous minutes

Resolved, on the motion of Ms Munro: That draft minutes no. 15 be confirmed.

### 3. Correspondence

The committee noted the following items of correspondence:

#### *Received*

- 26 February 2024 – Email from Mr Gino Mandarino, Office of the Hon Penny Sharpe, advising that a witness, Mr Kieron Hendicott, is unavailable to give evidence at the Budget Estimates Planning and Public Spaces hearing on 27 February 2024
- 26 February 2024 – Email from Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, advising that he Minister agrees to the committee's response to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024.

#### *Sent*

- 23 February 2024 – Email from Budget Estimates secretariat to Mr Anthony Ardino, advising of the committee's response to the Minister's requested amendments to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 26 February 2024 – Email from Budget Estimates secretariat to Mr Anthony Ardino, Office of the Hon Penny Sharpe MLC, attaching confirmed witness list and hearing information for the Budget Estimates Climate Change, Energy, the Environment, Heritage on 7 March 2024
- 4 March 2024 – Email from Budget Estimates secretariat to the Hon Paul Scully MP, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 27 February 2024.

### 4. Inquiry into Budget Estimates 2023-2024

#### 4.1 Documents tendered at Planning and Public Spaces hearing

Resolved, on the motion of Mr Ruddick: That the committee authorise the publication of the following documents, with the exception of identifying and/or sensitive information which is to remain confidential, as per the recommendation of the secretariat:

- Troy Boldy; extract ID: NS2414057-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 7.42 pm, 11 January 2024

- Yvonne Helen Boldy; extract ID: NS2417386-E1, information extracted from National Personal Insolvency Index, Australian Financial Security Authority, dated 11.29 am, 15 January 2024
- Australian Kart Raceways Pty Ltd (ACN 630 379 136); information extracted from Australian Securities and Investments Commission (ASIC) database, 10.21 am, 14 February 2024
- Australian Kart Raceways Pty Ltd (ACN 630 379 136); information extracted from Australian Securities and Investments Commission (ASIC) database, 6.28 pm, 12 January 2024
- Sydney International Speedway Pty Ltd (ACN 673 644 472); information extracted from Australian Securities and Investments Commission (ASIC) database, 3.07 pm, 22 December 2023
- Yvonne Boldy; Ready Search, information extracted from Australian Securities and Investments Commission (ASIC) database, 2.24 pm, 21 January 2024.

#### **4.2 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

#### **4.3 Public hearing – Climate Change, Energy, the Environment, Heritage**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, Minister for Heritage was admitted and examined.

The following witnesses were sworn and examined:

- Mr Anthony Lean, Secretary, Department of Climate Change, Energy, the Environment and Water
- Mr Brendan Bruce, Deputy Secretary, Biodiversity, Conservation and Science, NSW Department of Climate Change, Energy, the Environment and Water (via videoconference)
- Mr Matthew Clark, A/Executive Director, Heritage NSW, NSW Department of Climate Change, Energy, the Environment and Water
- Dr Erin Giuliani, Chief Executive Officer, Biodiversity Conservation Trust, NSW Department of Climate Change, Energy, the Environment and Water
- Mr James Hay, Chief Executive Officer, Energy Corporation of NSW, NSW Department of Climate Change, Energy, the Environment and Water
- Ms Alison Pepper, A/Deputy Secretary, Energy, Climate Change and Sustainability, NSW Department of Climate Change, Energy, the Environment and Water.

The following witness was examined on their former oath:

- Mr Tony Chappel, Chief Executive Officer, NSW Environment Protection Authority

The Chair declared the proposed expenditure for the portfolios of Climate Change, Energy, the Environment, Heritage open for examination.

The following witness was sworn and examined:

- Professor Hugh Durrant-Whyte, Deputy Chair, Net Zero Emissions and Clean Energy Board.

The Hon Wes Fang MLC tabled the following documents:

- Extract from Hansard transcript dated Friday 1 March 2024
- Extract from Hansard transcript dated Friday 16 February
- An extract from a media article by the Daily Telegraph titled 'Farmers 'held to ransom' on lines', dated 4 March 2024.

The Minister withdrew at 12.53 pm.

The following witnesses were sworn and examined:

- Mr Robert Smith, Executive Director, Park Operations Inland, NSW Department of Climate Change, Energy, the Environment and Water (via videoconference)
- Ms Naomi Stephens, Executive Director, Park Operations (Coastal), National Parks and Wildlife Service, NSW Department of Climate Change, Energy, the Environment and Water
- Ms Sharon Molloy, Executive Director, Biodiversity and Conservation Division, NSW Department of Climate Change, Energy, the Environment and Water
- Ms Trish Harrup, Executive Director, Conservation and Aboriginal Partnerships, National Parks and Wildlife Service, NSW Department of Climate Change, Energy, the Environment and Water
- Mr Liam Ryan, Advising Executive Director, Energy, Climate Change and Sustainability, NSW Department of Climate Change, Energy, the Environment and Water
- Mr Mark Westbrook, Chief Project Officer, Energy Corporation of NSW, NSW Department of Climate Change, Energy, the Environment and Water
- Mr Jason Gordon, Executive Director, Operations, NSW Environment Protection Authority

The following witnesses were examined on their former oath:

- Ms Nancy Chang, Executive Director, Strategy and Policy, NSW Environment Protection Authority
- Mr Stephen Beaman, Executive Director, Regulatory Practice and Services, NSW Environment Protection Authority

Mr Fang tabled the following documents:

- Extract from Hansard transcript dated Monday 5 February 2024.
- NSW Government map titled 'Great Koala National Park Assessment Area'.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.18 pm. The public and the media withdrew.

#### **4.4 Tendered documents**

Resolved, on the motion of Mr D'Adam: That the committee accept and publish the following documents tabled during the public hearing:

- Extract from Hansard transcript dated Friday 16 February, tabled by Mr Fang.
- Extract from Hansard transcript dated Friday 1 March 2024, tabled by Mr Fang.
- An extract from a media article by the Daily Telegraph titled 'Farmers 'held to ransom' on lines' dated 4 March 2024, tabled by Mr Fang.
- Extract from Hansard transcript dated Monday 5 February 2024, tabled by Mr Fang.
- NSW Government map titled 'Great Koala National Park Assessment Area', tabled by Mr Fang.

### **5. Adjournment**

The committee adjourned at 5.19 pm, until Friday 8 March 2024, Jubilee Room (Planning system and the impacts of climate change on the environment and communities).

Shaza Barbar  
Committee Clerk

**Draft minutes no. 29**

Monday 24 June 2024

Portfolio Committee No. 7 – Planning and Environment

Room 1136, Parliament House, Sydney, 11.01 am

**1. Members present**Ms Higginson, *Chair* (via videoconference)Mr Ruddick, *Deputy Chair*

Mr Donnelly (substituting for Mr Buttigieg via teleconference)

Ms Munro (via videoconference)

Mr Primrose (via videoconference)

**2. Previous minutes**

Resolved, on the motion of Mr Ruddick: That draft minutes no. 16 be confirmed.

**3. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 29 February 2024 – Letter from the Hon Paul Scully MP, Minister for Planning and Public Spaces, seeking clarifications to his evidence given at the Portfolio Committee No. 7 – Planning and Public Spaces hearing on 27 February 2024
- 6 March 2024 – Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, notifying the committee that a witness can only appear from 10.00 am for the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 6 March 2024 – Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, notifying the committee that a witness is unwell with COVID and unable to appear for the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 6 March 2024 – Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, notifying the committee that a witness, Mr Brendan Bruce, may be too unwell to appear in person and requesting a WebEx link for the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 6 March 2024 – Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, notifying the committee that a witness, Mr Tony Chappel, may be too unwell to appear in person and requesting a WebEx link for the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 6 March 2024 – Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, requesting that Mr Robert Smith appear instead of Mr Atticus Fleming at the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 7 March 2024 - Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, confirming Mr Brendan Bruce will appear via videoconference at the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 7 March 2024 - Email from Ms Sarah Blain, Department of Climate Change, Energy, the Environment, Water, confirming Mr Tony Chappel will appear in person at the Budget Estimates Climate Change, Energy, the Environment, Water hearing on 7 March 2024
- 21 March 2024 – Letter from Mr Steve Beaman PSM, Executive Director, Regulatory Practice and Services, NSW Environment Protection Authority, to the Chair, seeking clarifications to his evidence given at the Portfolio Committee No. 7 Climate Change, Energy, the Environment, Heritage hearing on Thursday 7 March 2024
- 2 April 2024 – Letter from Ms Alison Pepper, A/Deputy Secretary, Energy, Climate Change and Sustainability, Department of Climate Change, Energy, the Environment, Water, to the Chair, seeking clarifications to her evidence given at the Portfolio Committee No. 7 Climate Change, Energy, the Environment, Heritage hearing on Thursday 7 March 2024

- 2 April 2024 – Letter from Ms Nancy Chang, Executive Director, Strategy and Policy, NSW Environment Protection Authority, to the Chair, seeking clarifications to her evidence given at the Portfolio Committee No. 7 Climate Change, Energy, the Environment, Heritage hearing on Thursday 7 March 2024
- 3 April 2024 – Letter from Mr Anthony Lean, Secretary, Department of Climate Change, Energy, the Environment and Water, seeking clarifications to his evidence given at the Portfolio Committee No. 7 Climate Change, Energy, the Environment, Heritage hearing on Thursday 7 March 2024.

***Sent***

- 6 March 2024 – Email from Budget Estimates secretariat to Ms Sarah Blain, Department of Climate Change, Energy, the Environment and Water, advising the committee agreed to the requested amendments to the witness list for the Budget Estimates Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024
- 13 March 2024 – Email from Budget Estimates secretariat to the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 7 March 2024
- 15 March 2024 – Email from Budget Estimates secretariat to the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, issuing updated supplementary questions from the hearing on 7 March 2024.

As previously agreed via email, the committee noted that:

- the correspondence dated 29 February 2024 from the Hon Paul Scully MP, Minister for Planning and Public Spaces, providing clarifications to his evidence at the Portfolio Committee No.7 Planning and Public Spaces hearing on 27 February 2024 has been published
- footnotes at the relevant points in the transcript on 27 February 2024 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence
- the correspondence dated 21 March 2024 from Mr Steve Beaman PSM, 2 April 2024 from Ms Nancy Chang and Ms Alison Pepper and 3 April 2024 from Mr Anthony Lean providing clarifications to their evidence at the Portfolio Committee No.7 Climate Change, Energy, the Environment, Heritage hearing on 7 March 2024 has been published
- footnotes at the relevant points in the transcript on 7 March 2024 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence.

#### **4. Inquiry into Budget Estimates 2023-2024**

##### **4.1 Answers to questions on notice and supplementary questions – additional hearings**

The committee noted the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions from the Hon Paul Scully MP, Minister for Planning and Public Spaces, received 26 March 2024
- answers to questions on notice and supplementary questions from the Hon Penny Sharpe MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, received 3 April 2024.

##### **4.2 Consideration of Chair's draft report**

The Chair submitted her draft report entitled *Budget Estimates 2023-2024*, which, having been previously circulated, was taken as being read.

Resolved, on the motion of Mr Donnelly: That:

The draft report be the report of the committee and that the committee present the report to the House;

The transcripts of evidence, tabled documents, correspondence and answers to questions taken on notice and supplementary questions relating to the inquiry be tabled in the House with the report;

Upon tabling, all unpublished transcripts of evidence, tabled documents, correspondence and answers to questions taken on notice and supplementary questions related to the inquiry be published by the committee, except for those documents kept confidential by resolution of the committee;

The committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;

The secretariat is tabling the report at 2.00 pm on Thursday 27 June 2024;

The Chair to advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

**5. Adjournment**

The committee adjourned at 11.05 am, until Wednesday 24 July 2024, Macquarie Room, Parliament House (public hearing – Development of the Transport Oriented Development Program).

Kara McKee

**Committee Clerk**



