



BUDGET ESTIMATES 2023–24

Climate Change, Energy, the Environment and Heritage Portfolios

Portfolio Committee No. 7 – Planning and Environment

Answers to Questions on Notice

Hearing: 7 March 2024

Climate Change, Energy, the Environment, and Heritage Portfolio

No. Question

1. Third-party negotiators – EnergyCo – Transcript page 5

The Hon WES FANG: Minister, how much are these third-party negotiators being paid, and what are their KPIs? Will they receive a bonus from you should they elicit a certain number of successful outcomes?

The Hon PENNY SHARPE: I'd have to take that on notice. I don't believe there are any bonuses being taken here. But I'll take that on notice and we'll come back to you.

Answer:

Engagement with various service providers for the Central-West Orana Renewable Energy Zone project encompasses procurement across technical, planning, environmental, and property workstreams including third party negotiations.

Across all contracts which include a property workstream, the total contract values are \$13,473,397.

There are no bonuses paid to contractors for property acquisition.

Specifically, there are no contractual provisions which set out bonuses to be paid to property acquisition managers that are linked to the number of landholder agreements or acquisitions achieved, and no performance bonuses have been discussed with contractors.

2. Third-party negotiators – EnergyCo – Transcript page 7

The Hon WES FANG: Minister, I appreciate that. To provide clarity and also to be as open as possible, will you provide the contract and terms under which these third-party negotiators were engaged by EnergyCo and what they have done and briefings that they've received in relation to how they conduct their negotiations with landholders?

The Hon PENNY SHARPE: I'll take that on notice. As usual, I'm very happy to provide as much information as we can. I'm not sure how much is contained in that, but I'm very happy to. We will take it on notice and provide what we can.

Answer:

Contracts are available on the eTender website at www.tenders.nsw.gov.au.

All contractors are inducted on EnergyCo principles of engagement. All partitioners are certified by the Centre of Property Acquisitions. To underpin the vital importance of EnergyCo's engagement with landowners and the community, workshops on its processes are conducted for all contractors, including a presentation from EnergyCo's Chief Executive and Legal team.

3. Renewable energy – other jurisdictions – Transcript page 9

The Hon JOHN RUDDICK: There have been other countries and jurisdictions around the world who have gone down a similar road for a renewable energy revolution. Which countries or jurisdictions would you look to as being the most successful that we should emulate?

The Hon PENNY SHARPE: I think it's too early for us to say who's had the most success. I think we're in a global project. Internationally, countries have come together around a bunch of

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agreements, whether it's the Paris Agreement or others, to say, firstly, we've got a problem and, secondly, then to work through our different jurisdictions and our different nation states to address. I think it's too early in the project. I lament the fact that we weren't doing this 15 years ago. We've known about global warming for a very long time and I think that there have been a lot of years wasted on just debating the science. We'd be in a much better position than we were 15 years ago if we had started then.

The Hon JOHN RUDDICK: Thank you for admitting that it's all an experiment. It's a central planning experiment. You can't point to any other jurisdiction where it says, "It's been so well done in Germany or California" – these jurisdictions are reversing it and they're all suffering from inflation because energy underpins everything.

The CHAIR: Thank you. That was a comment.

The Hon PENNY SHARPE: I'll come back to that.

Answer:

Please refer to the Minister's answer to the question.

4. Santos Narrabri gas project – Transcript pages 9-10

The CHAIR: Minister, it is the fact now that the Full Bench of the Federal Court has found that climate change and all of the scientific evidence that was presented in relation to climate change and the Narrabri gas project is a fundamental and relevant consideration in the Gomeroi native title discussions with Santos. Given New South Wales was a party to those proceedings, will you be assisting the Gomeroi with any discussions that they have with Santos in relation to evidence around climate change, given your position as Minister for Climate Change?

The Hon PENNY SHARPE: Yes, I am the Minister for Climate Change. The Minister responsible for dealing with that would be Minister Houssos, who's in the other room if you want to duck over and ask her. But the point that I'd make is that I just need to take it on notice. I'm not in a position at this stage to tell you. I'm also wary that now the court case is ongoing and it has to go back to the tribunal, I wouldn't want to say too much today in relation to that. But I'll take it on notice and I'm happy to come back to you.

Answer:

The NSW Government will consider what further evidence it should provide in the course of further litigation before the Native Title Tribunal.

5. Climate adaptation plans – Transcript page 10

The CHAIR: Minister, is the Government currently making adaptation climate plans based on a 1.5 degree average increase by 2050?

The Hon PENNY SHARPE: You'd be aware that we're working on the adaptation plan. It's overdue, or everyone tells me, I know. But we are working on it. That the basis on which we're trying to adjust and deliver the plan, yes.

The CHAIR: Are there any contingency plans in place for more extreme warming scenarios?

The Hon PENNY SHARPE: I'll have to take the detail of that on notice, but I would think so, yes. I think we can't ignore it. The real challenge, as you and I both know, is that many scientists are

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now saying we've already breached the 1.5 degree threshold. I think that the figures that have come in, particularly over the last 12 months, are very worrying in that way –

The Hon JOHN RUDDICK: It was a very cold summer.

The CHAIR: My time, Mr Ruddick.

The Hon JOHN RUDDICK: It's an important point.

The CHAIR: My time, Mr Ruddick.

The Hon PENNY SHARPE: Come back to me on that later. We can talk about that further. But, yes, I think we have to be working for all scenarios. The thing that I'd say about the adaptation plan is that it is very much the start of where we're at. The new Net Zero Commission and, as you'd be aware, the climate change bill – again supported across the Parliament, for which I was very grateful – require us to look at adaptation. This is a little bit hypothetical, but I can't imagine a scenario where we wouldn't be looking at all options because we're going to have to.

The CHAIR: And that will include a worst-case scenario for runaway climate change?

The Hon PENNY SHARPE: I can't speak for them. We're just at the moment recruiting for them. If you know any people who'd like to be climate change commissioners, the ads and expressions of interest close on 11 March. But the point here is –

The CHAIR: Minister, to confirm then, we're not yet doing that work? We're waiting for that to come online?

The Hon PENNY SHARPE: No, I'm not saying that. Let me take on notice exactly the broadness of the scenarios that are being planned. We're obviously doing our own climate modelling. Modelling is only what you put in. I can't give you the detail of that. Some of the modelling in relation to emissions reduction, for example, is due to come out pretty soon. It is currently being peer reviewed. Let me take that on notice and I'll give you as much information as I can.

Answer:

The Department of Climate Change, Energy, the Environment and Water (DCCEEW) is leading the development of the first NSW Climate Change Risk and Opportunity Assessment. Development is underway and will consider multiple future scenarios (including a Paris aligned target (SSP1-2.6), a worst case scenario (SSP3-7.0) and a middle of the road scenario (SSP2.4.5) – for more information on these scenarios refer to the answer to transcript question 50 on pp. 36-37 below) to understand risks and opportunities arising from physical changes in our climate and the global transition to low carbon. This assessment will provide an important evidence base for further action. The Adaptation Action Plan will include a range of actions related to heat, including further support for the work of the Greater Sydney Heat Taskforce, development of policy responses to extreme urban heat and an investigation of heat impacts on energy demand and supply. The actions in the first NSW Adaptation Action Plan are pro-active and foundational, and not directly linked to a particular warming scenario.

6. Capacity of existing natural gas turbine plants – Transcript page 10-11

The CHAIR: Thank you. You may need to take this on notice or you may know: Has there been any assessment in relation to the capacity of the four existing natural gas turbine plants to meet firming demands during the transition to batteries? Is that work that you're doing?

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The Hon PENNY SHARPE: I'd have to take that on notice. I'd just say a couple of things about the peaking plants, though. They are important in the transition. We've got four. We're going to end up with six of them. One of the recommendations that came out of the Cameron O'Reilly review was to look at storage aspects of that, so that it's not about supply so much but having the gas there if you need it on those days where it's cloudy, there's no wind, particularly over three or four or five days because that's when the pressure comes on in the system at the moment. The rest of the detail I'll take on notice, but we do accept and we believe that there is an important place for gas peakers in the transition.

Answer:

The NSW Government relies on the Australian Energy Market Operator to forecast the reliability of the NSW power system and the lowest cost future energy mix.

The market operator's Integrated System Plan shows the lowest cost way to replace the State's aging power stations is a mix of gas, storage, renewable generation, and network infrastructure.

This includes both the four existing gas power stations and the two gas power stations under construction, with one of these currently in a commissioning phase. The draft 2024 Integrated System Plan forecasts an additional 1.6 gigawatts of gas power generation capacity in NSW in the early 2030s.

The gas power station fleet is forecast to run less frequently than the existing gas generation.

In its response to the Electricity Supply and Reliability Check Up, the Government has committed to review gas storage infrastructure needs to ensure NSW gas power station fleet has access to gas when its needed.

7. Forest carbon accounting – Transcript page 11

The CHAIR: Okay, thank you. Is your office doing any forest carbon accounting work?

The Hon PENNY SHARPE: My office isn't, but my department is, yes.

The CHAIR: Sorry, that's what I meant.

The Hon PENNY SHARPE: Yes. As part of the work that's being undertaken in the creation of the Great Koala National Park, we are getting work undertaken on what could be a forestry accounting method to account for carbon in the forests. You're probably aware of this, Ms Higginson, but I'm not sure if other members of the Committee are: This has to go to the Federal Government. We're basically working up a proposed model that we will then submit to the Commonwealth for work to be undertaken. There is a fair way to go on that, but yes, we are doing that work.

The CHAIR: Does the method and what you're looking at include regeneration capacity, and is it proposed to model for the generation of credits for sale?

The Hon PENNY SHARPE: Good question. I don't actually know the answer to that because the work is still being undertaken. I haven't seen the final material. There's a lot of work being undertaken. I can take it on notice and come back to you.

No. Question

Answer:

The proposed development of an Improved Native Forest Management method will consider the regeneration of a native forest over time and the related carbon sequestration.

Whether, and the extent to which carbon credits can be generated, under the *Carbon Credits (Carbon Farming Initiative) Act 2011* (Cwth), will be determined by the Australian Government's Department of Climate Change, Energy, the Environment and Water.

8. Mt Gilead Stage 2 – Transcript page 14

The Hon SCOTT FARLOW: Minister, in September last year you indicated you would be reviewing Lendlease's Gilead stage two plans. Can you advise where this is up to at present?

The Hon PENNY SHARPE: I think I will have to take that on notice, in terms of where it's been at and where the reviews are. Are you talking about the koala part of that or are you talking about the planning part?

The Hon SCOTT FARLOW: The interplay that you have with respect to that, which I suspect is in the koala part.

The Hon PENNY SHARPE: It is. Again, I'm not the planning Minister. Work is underway on Appin Road. Lendlease are funding some of the koala crossings. I can get some more information and provide it to you a bit later

Answer:

The Minister for Planning and Public Spaces is responsible for the future rezoning of land for urban development, including at Mt Gilead Stage 2 and land use zonings applied to koala corridors.

The responsibility of the Minister for the Environment is to consider whether to confer biodiversity certification on Mt Gilead Stage 2. On 27 June 2023, Campbelltown City Council submitted an application for biodiversity certification. The Department of Climate Change, Energy, the Environment and Water has reviewed the application, requested further information from council and is awaiting its response.

Once the Department receives the information from council, it will assess the application against the statutory requirements for biodiversity certification applications and will prepare a report for the Minister that recommends whether or not to confer biodiversity certification on the site

9. Planning SEPP – Transcript page 15

The Hon SCOTT FARLOW: Minister, further to that, we were told at the planning Minister's budget estimates, with respect to the changes to the low- and mid-rise SEPP, that that would actually have a different impact in heritage conservation areas but also apply to individual heritage listings. I take it that that means to locally listed individual heritage items. Is that your understanding?

The Hon PENNY SHARPE: I can't speak for him, and I don't want to give – I'm not the planning Minister.

The Hon SCOTT FARLOW: But that was the department –

No. Question

The Hon PENNY SHARPE: Yes, that's what they say.

The Hon SCOTT FARLOW: But you are the Minister for Heritage.

The Hon PENNY SHARPE: I am the Minister for Heritage, so I am responsible for things that are on the State Heritage Register. I'm not responsible for the things that are on the local listings at a local government area.

The Hon SCOTT FARLOW: You take no interest in terms of local listings or the like?

The Hon PENNY SHARPE: I'm always interested in all of it, as you would know. But the point that I'm — what is it you're trying to ask me?

The Hon SCOTT FARLOW: I'm trying to ask you whether that extension is correct in terms of your perspective as the —

The Hon PENNY SHARPE: I'd have to take it on notice because I don't understand the — I wasn't there for the context of it, and I wouldn't want to give you incorrect information.

The Hon SCOTT FARLOW: Is that something that would concern you in terms of its application to individually listed heritage items?

The Hon PENNY SHARPE: Let me find out what the answer is, and then I will let you know whether I'm concerned or not.

Answer:

This question should be referred to the Minister for Planning and Public Spaces.

10. Haberfield state heritage listing proposal – Transcript page 15

The Hon SCOTT FARLOW: Minister, do you think that the suburb of Haberfield should be on the State heritage list?

The Hon PENNY SHARPE: I know people have wanted to have it on the State heritage list for a long time. It's a beautiful garden suburb. I've been to the Haberfield heritage society — a shout-out to Vince Crow in relation to that. Whether it gets listed or not, it's a matter for the Heritage Council.

The Hon SCOTT FARLOW: It's not something you'd be advocating for?

The Hon PENNY SHARPE: I mean, I have tried to take — it's a matter for them to put it forward to the Heritage Council. As you know, the Heritage Council is independent, and they make their own decisions in relation to what they will assess and what they will do. I'd be interested, and I will take on notice and provide information to the Committee whether there has been an application previously. I'm not aware of one. But, no, I'm not opposed to it.

Answer:

On 31 January 2023, the Heritage Council of NSW considered a nomination to list Haberfield on the NSW State Heritage Register. While it considered the place may be of State heritage significance, the Heritage Council resolved not to progress the nomination as it was not a current priority.

Under the current legislation, the listing of large cultural landscapes (including heritage conservation areas) is complex due to high numbers of landowners, varied land uses and heritage values requiring consideration. Nominations for large cultural landscapes have not

No. Question

been prioritised since the inquiry into the *Heritage Act 1977* in 2021, when the NSW Parliamentary Standing Committee on Social Issues recommended the Heritage Act be amended to enable a more varied, inclusive and nuanced concept of what constitutes the State's heritage, including as it relates to cultural and urban landscapes.

The NSW Government is committed to implementing the inquiry recommendations, which will ensure the Heritage Act meets the changing needs of the community.

11. Planning SEPP – Transcript page 16

The Hon SCOTT FARLOW: Minister, what are the implications for a lot if it is only partially contained within a specified zone in terms of heritage? Does that have equal inclusion? Or must the entirety of the lot be within the zone?

The Hon PENNY SHARPE: I really hope that you asked these questions to Minister Scully.

The Hon SCOTT FARLOW: I asked lots of questions. There are plenty on notice as well.

The Hon PENNY SHARPE: The point is I just actually can't give you the answer for that because they're actually planning questions; they're not ones that are directly my responsibility. It doesn't mean that I'm not interested. I'm obviously having ongoing conversations and our agencies are working together on guidance for local government around some of these questions, which I think is really important. I can't give you the answer. Happy to take it on notice.

Answer:

This question should be referred to the Minister for Planning and Public Spaces.

12. Landholder survey – Renewable Energy Zones – Transcript page 17

The Hon JOHN RUDDICK: Minister, back to the renewable energy zones, a lot of these farmers have had a very strong emotional connection to their land. Sometimes they've had it for three or four generations, sometimes longer. I understand last April there was a community meeting, I think, at Dunedoo. EnergyCo was asked about what steps have been taken to keep an eye on people's mental health because of all the stress they're going through and EnergyCo said there is no tangible plan. In other words, there was nothing. It was not a factor. A survey has been done recently and the findings were quite alarming. It was sent to the Minister for Mental Health, Rose Jackson, and I understand that she has sent it to you. I know you get a lot of correspondence, but I was wondering if you have at this stage had an opportunity to look at that survey.

The Hon PENNY SHARPE: Who did the survey?

The Hon JOHN RUDDICK: It was a community – I'm happy to forward it through to you later today. I can read you out the results. I have absolutely no doubt this accurately reflects the stress that a lot of farmers are experiencing.

The Hon PENNY SHARPE: I'm aware that a community member did a survey. I haven't seen the results of that.

The Hon JOHN RUDDICK: It has been sent to you from Rose Jackson.

The Hon PENNY SHARPE: Yes, that's okay. I'm not going to argue with that. That's fine. But I'm just telling you that I haven't personally seen it. It's probably been dealt with. The normal

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process in my office would be, if that's come, that would be sent off to EnergyCo for response. The point that I would make, though, is that mental health support through this is actually being taken extremely seriously by EnergyCo, and that there is access for landholders to get support. We are looking at enhancing that support that's available for them, which I think is really important. This is not a matter that people are taking lightly. It's a matter that I personally am taking very seriously. We are going to be providing additional support for landholders in relation to that. In terms of the survey, I can come back to you. There will be a response that'll be provided but I just can't give it to you now.

Answer:

EnergyCo takes the wellbeing and mental health of landowners and affected parties seriously. EnergyCo provides a dedicated Acquisition Manager and Place Manager to help affected landowners work through the practical aspects of the property access and acquisition process.

A Property Acquisition Support Line is accessible on 1300 089 551 and open 24 hours a day, seven days a week. The service is free, independent, and confidential.

The support line is delivered by a team of qualified psychologists and social workers. These counsellors can help affected parties develop skills and tools to protect their emotional and psychological wellbeing.

EnergyCo is currently exploring options to expand community wellbeing and mental health support across the Central-West Orana Renewable Energy Zone.

13. Energy social programs – Transcript page 17-18

Ms ABIGAIL BOYD: Good morning, Minister, and good morning to all the officials here today as well. I wanted to ask you firstly about the New South Wales energy social programs.

The Hon PENNY SHARPE: Yes.

Ms ABIGAIL BOYD: I saw the annual report came out just this week, I think. It had some interesting data in it. I just wanted to ask, in the context of increasing electricity bills and the cost-of-living crisis, it's great that we have a program where we are able to provide some support on reducing energy bills. But I note that there's been a significant increase in the number of customers who are applying for this. Can you just talk us through? That was obviously at the end of 2023. What does it look like now in terms of numbers of people needing support?

The Hon PENNY SHARPE: I'll take it on notice. I know that the numbers are up, but the proper figure — we'll try to come back to give it to you. I suppose we need to think about it in the three or four different strands in which we deal with this. There's obviously our ongoing energy rebate program for pensioners, low income householders — those kinds of things. It's around \$285 to \$300. I won't break all of that down. That's all public information. We also work closely with the Commonwealth, which was really the big rollout of rebates for this financial year — \$500 to 1.6 million households plus the \$650 rebate for small businesses as well.

That's still being undertaken. We're still rolling that out. But the program I think you're particularly talking about is the EAPA program. This is for people who really are in dire straits when it comes to their bills. You can either do it through Service NSW or there are quite a lot of charities that run this. You go in, you take your bill, they work with you. You can get up to around \$2,000 over the year to support it. There is definitely an increase. I've been out to Bill

No. Question

Crews' place. We're looking at doing that. We're going to be increasing the amount of money that's also available to people for that.

Answer:

From 1 July 2023 to 15 March 2024, around 58,600 applications for Energy Accounts Payment Assistance have been approved for electricity and gas bills, to the value of \$22,393,500.

14. Reserve establishment plan – Transcript page 20

The CHAIR: Could we just go to the national park estate? Has work occurred on the establishment plan and for new protected areas?

The Hon PENNY SHARPE: Yes. There was a draft establishment plan done, which you may be aware of, in around 2017 that never really saw the light of day.

The CHAIR: Yes.

The Hon PENNY SHARPE: Work is being undertaken on updating that. We haven't gone out to public consultation around that but that will occur. So, yes, it's underway.

The CHAIR: Is there a time frame around that? When will it occur?

The Hon PENNY SHARPE: I will take on notice exactly the time, but we'll be able to come back to you this session just about where that's up to.

The CHAIR: Is the work from the 2008 plan? Is that continued through the '17 and into this plan?

The Hon PENNY SHARPE: I can't answer but I would expect that it is. I hate the idea that we just reinvent the wheel every time we try to do these things. There was a lot of work done in 2008; that was the previous Labor Government. It was a very good plan. I think Verity Firth was the Minister at the time that work was undertaken. The 2017 plan sat around in draft form. I would hope that we're building on all of it. A lot of this doesn't change. As you know, with the establishment plan, it's everything from the really big, like how are we getting the comprehensive adequate reserve in place, versus how are we actually able to just do some of that connectivity work across landscapes. I'm particularly interested in that, so I would hope that we're bringing all of that. People like the National Parks Association, as you know, do brilliant work in their local groups around the opportunities. I would expect that all of that's being folded in.

Answer:

Work has commenced on a revised National Parks Establishment Plan for the national parks system in New South Wales.

The revised plan will build upon the New South Wales National Parks Establishment Plan 2008 and the Draft Directions Statement which was publicly exhibited in 2017.

15. Biodiversity Stewardship Agreements – National Park Estate – Transcript page 20-21

The CHAIR: Are we actually engaging in the biodiversity stewardship agreements as we're doing that clean-up work?

The Hon PENNY SHARPE: I would need to check.

No. Question

The CHAIR: Would you be satisfied, Minister, if that was happening?

The Hon PENNY SHARPE: I'd need to understand more about it. I might just hand to my secretary. We can take it on notice and come back to you.

The CHAIR: And I'll take it up this afternoon.

ANTHONY LEAN: Yes, I'll come back to you this afternoon.

The CHAIR: Minister, I would put to you at this point that if this practice is happening, it is a very contentious practice. The argument I would put to you is: Are you satisfied that the objects of your primary legislation, the National Parks and Wildlife Act, are not being breached or are being breached if that's a practice that's happening? And also, if you could take on notice or I could take up this afternoon, where is this happening? How are we disclosing that this is happening? And where is the transparency around this?

The Hon PENNY SHARPE: Yes, let us get the proper answer. I just can't give you accurate information. In terms of the time frame on the establishment plan, my advice is it's planning to be finalised to come to me in early 2025. There will obviously be a process throughout this year to finalise that.

Answer:

Land reserved under the *National Parks and Wildlife Act 1974* (NPW Act) is not eligible for entry into a Biodiversity Stewardship Agreement (BSA). Prior to reservation, the Minister for the Environment may enter into a BSA on land acquired under Part 11 of the NPW Act.

Currently, no BSA has been entered into on land after its acquisition under Part 11 of the NPW Act.

There is a single property in the Pilliga, currently held under Part 11 of the NPW Act, which is being treated as a pilot project to consider whether there is merit in entering into a BSA to help fund restoration activities on the land.

Please also refer to the answers given to questions 11-13 on pp. 13-16 of the responses to supplementary questions from the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing on 7 March 2024.

16. Aboriginal Heritage Impact Permits – Transcript page 21-22

The CHAIR: How many Aboriginal Heritage Impact Permits have you declined since becoming Minister?

The Hon PENNY SHARPE: I don't decline them. They're not actually – I don't do that. I'd have to take it on notice.

The CHAIR: Have you received any requests from traditional owners to review AHIPs that have been issued?

The Hon PENNY SHARPE: I'll take it on notice but, no, I'm not – me, as the Minister, I'm not aware of that. But let me take it on notice.

The CHAIR: Are you aware whether the number of applications has grown between 2022-23 and so far this year?

No. Question

The Hon PENNY SHARPE: No, I'll have to take that on notice. I just don't have the figures there in front of me.

Answer:

Since March 2023, Heritage NSW has not declined any Aboriginal Heritage Impact Permits (AHIP) applications. However, 11 applications have not been accepted due to inadequate information provided with the applications and 10 applications have been withdrawn by the applicant.

Heritage NSW has not received any requests from traditional owners to review AHIPs that have been issued.

Heritage NSW issued 149 AHIPs in the 2022–23 financial year, and 143 AHIPs in the period from 28 March 2023 to 15 March 2024. As at 15 March 2024, 109 AHIPs have been issued for the current 2023–24 financial year suggesting that a similar number of AHIPs will be issued this financial year.

17. Beachwatch – Transcript page 24

The Hon JACQUI MUNRO: Are local councils responsible for water quality, Minister?

The Hon PENNY SHARPE: There would be some circumstances. I would have to take on notice what circumstances they are, because it really depends on who owns the infrastructure, how it is coming in. I know there have been some concerns around plastic pollution by the City of Sydney, for example. What I would say is that it doesn't matter whether you're an agency or an individual or a business, we all have responsibility for wanting to make sure that we have the highest water quality we can and we shouldn't be polluting our waterways.

The Hon JACQUI MUNRO: Several councils that we're aware of have received legal advice that it's actually not their responsibility very specifically and they're wondering why you've decided to charge local councils for monitoring of pollution by axing the Beachwatch funding.

The Hon PENNY SHARPE: This is a question about Beachwatch. Is this what you're asking? The previous Government made the decision to change the funding arrangements for Beachwatch in June 2022 to align Sydney coastal areas with the existing arrangements for other Beachwatch councils, who have to date funded their own sampling and analysis under the Beachwatch Partnership Program. I'm not aware of the legal advice that you have. That hasn't come to my attention. I'm happy to take on notice any of the other detail that you want to know about.

Answer:

Under section 59A of the *Local Government Act 1993*, local councils play a role in managing stormwater. Local councils have primary responsibility to provide services that manage the quantity and quality that flows off land and may impact adjoining councils or receiving waters.

As part of the 2022 budget process, the previous government made the decision to align Beachwatch monitoring in the Sydney coastal area with existing arrangements for regional councils who fund their own water quality monitoring and sampling. Expansion of the program statewide was made to address equity and accessibility for all councils, and to meet

No. Question

increasing community demand for information on safe swim sites throughout NSW, including in inland and regional areas outside the Sydney metropolitan area.

The NSW Government is implementing the 2022 decision to cost share Beachwatch between local councils and the NSW Government.

18. EnergyCo contractors – Transcript page 26

The Hon JACQUI MUNRO: When you talk about going out to market, were their salaries advertised through their job advertisements?

JAMES HAY: Those who are obtained from the market are on contracts for services, so they will be contractors.

The Hon JACQUI MUNRO: How long are those contracts?

JAMES HAY: There are individual contracts for different people, so I'd have to take that on notice and come back with details on that.

Answer:

EnergyCo has six project directors (five current, one recently finished) across five projects. Salaries were not advertised to the market.

Project	Project Director	Contract Length
Central-West Orana Renewable Energy Zone (REZ)	Gerard Reiter CONTRACTOR	21/01/22 – 30/06/24 (Project Director Delivery from 10/03/24)
	Rob Pfitzner CONTRACTOR	01/09/23 – 30/06/24 (Project Director Commercial from 10/03/24)
New England REZ	Doug Parris SECONDEE (Transport)	19/02/24 – 18/02/26
Hunter Transmission Project	Andrew Power CONTRACTOR	22/01/24 – 14/06/24
Hunter Central Coast REZ	Vincent Ong CONTINGENT LABOUR	26/07/21 – 30/09/24
Waratah Super Battery	Jenny Faulkner CONTINGENT LABOUR	12/09/22 – 15/03/24

19. Electric vehicle charging grants – Transcript page 29-30

The Hon TANIA MIHAILUK: Hello, Minister. I have a couple of quick questions. One I wanted to ask you about is how the \$260 million rollout is happening for the shift to EVs in New South Wales. Where are we up to with that? That's for the 500 kerbside chargers; is that right?

No. Question

The Hon PENNY SHARPE: It's a lot more than that. I can give you a lot of detail around this.

The Hon TANIA MIHAILUK: What I would like is some detail —

The Hon PENNY SHARPE: There's about a hundred —

The Hon TANIA MIHAILUK: With the 500, can you put on notice — because you won't be able to give me the list — where those locations are going to be? Is there a way that we can find out? Is that already determined or not?

The Hon PENNY SHARPE: Some are in grants rounds that have already been determined; some are currently being applied for; some have been implemented. We've already funded over 100 ultra-fast charging stations. We've got 500 charging — but I can give you all of that. There's about 400 —

The Hon TANIA MIHAILUK: That's directly with the department, right? That's not any contractors in between that are managing this on behalf of the Government?

The Hon PENNY SHARPE: The answer to that is it depends. We do have grants rounds. Local councils, for example, are going through grants rounds where —

The Hon TANIA MIHAILUK: And private companies can also apply for those same grants?

The Hon PENNY SHARPE: Some of them, yes.

The Hon TANIA MIHAILUK: Can you provide a list of who has applied for those grants? That will become publicly available, I assume.

The Hon PENNY SHARPE: Yes, anything that I'm allowed to provide you publicly, yes, once they're done.

The Hon TANIA MIHAILUK: Of course. Once the grant is given, yes.

Answer:

The \$10 million EV Kerbside Charging Grants committed to delivering 500 public kerbside chargers to support drivers that have limited access to off-street parking.

Funding Round 1 grant recipients have yet to be publicly announced so cannot be shared.

20. Ministerial cars – Transcript page 30-31

The Hon TANIA MIHAILUK: Minister, at the moment have you rolled out electric vehicles to all the Ministers? Are all the ministerial cars now electric vehicles? I know yours is. How's that going?

The Hon PENNY SHARPE: I know that some of us have. There are quite a few hybrids in the fleet. I couldn't tell you. I'd have to take that on notice. We're basically looking at how the leases are coming up over time. I have lent my car to quite a few members so that they can actually trial using an electric vehicle, and most really like it. They're pretty zippy.

Answer:

Ministerial vehicles are issued in accordance with section 6 of the Ministers' Office Handbook (Published February 2023).

Transport Services in the Premier's Department currently has 63 ministerial vehicles, of which 34 are hybrid and one is an electric vehicle. Over the next three months, Transport Services is

No. Question

in the process of ordering another electric vehicle and another seven hybrids to replace petrol vehicles.

21. **Recovered fines and testing laboratories** – Transcript page 32-33

The CHAIR: Minister, just on the recovered fines – and I know you gave the update earlier – have you been briefed on the EPA investigations that occurred in 2013 and 2019?

The Hon PENNY SHARPE: Yes.

The CHAIR: Are you aware that some of the testing laboratories were retesting and retesting their recovered fine samples until they achieved the results they wanted?

The Hon PENNY SHARPE: I am aware of that issue, yes.

The CHAIR: Would you provide the Committee with the facilities that were actually producing those fines and the laboratories that were retesting the samples in both the 2013 and 2019 investigations?

The Hon PENNY SHARPE: I'm looking at Mr Chappel here. I don't see any reason why we wouldn't, unless it's part of some other investigations. Perhaps we can take it on notice, and you can take it up with Mr Chappel this afternoon. My general approach is if we can provide information, I'm really happy to.

Answer:

Please refer to the answer given to questions 21-24 on pp. 24-25 of the responses to supplementary questions from the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing on 7 March 2024.

22. **Hardwood utility poles** – Transcript page 35-36

The Hon WES FANG: Minister, how many hardwood utility poles will be needed as part of the new network infrastructure for the transition to renewable energy in New South Wales?

The Hon PENNY SHARPE: Good question. I don't know. I'll take it on notice.

The Hon WES FANG: Have you done any planning around how many poles you'll need for the next 20 years?

The Hon PENNY SHARPE: There will have been some. There's obviously different types of poles. We're also looking at non-wooden poles. There are steel poles. There's a whole range. There's concrete poles. Some of that work's being undertaken. I'll take it on notice and I'm happy to provide it to you.

Answer:

EnergyCo is not planning to use wood poles in renewable energy zone network infrastructure. Most of the structures will be steel lattice towers, and a small number of structures will be steel or concrete poles.

23. **Renewable Energy Zones and types of poles needed** – Transcript page 37

The Hon WES FANG: Prior to the election your colleague, who was the then shadow Minister for Natural Resources, Courtney Houssos, told the timber industry:

No. Question

I note that the Victorian and Western Australian Labor Governments have announced policies to end native forest logging, and we have already seen the loss of jobs and the closure of mills as a result of this announcement. This is not NSW Labor's policy.

Have you sought a briefing on the use of hardwoods in, for example, the Renewable Energy portfolio, and do you agree with the now Minister, Courtney Houssos, that there is no policy around shutting down the forestry industry; that you support it?

The Hon PENNY SHARPE: Okay, there was a lot in that.

The Hon WES FANG: There is.

The Hon PENNY SHARPE: Did you ask Minister Houssos, who's just in a room down there?

The Hon WES FANG: I'm in here. I'm asking you, Minister. I'm here to ask you.

The Hon SCOTT FARLOW: She's the former shadow.

The Hon PENNY SHARPE: Sure. That's totally fine, I'm very happy to answer.

The Hon WES FANG: She spoke on behalf of your Government.

The Hon. PENNY SHARPE: Yes, and I worked extremely closely with Minister Houssos, who I'm very pleased to have as a colleague and who is a great person to work for, who is very professional and did great work as the shadow Minister in this portfolio. I've got no problem with that. I would just refer to my previous answer, which is we have industry at the table about the creation of the Great Koala National Park. I take on notice the planning in relation to renewable energy zones and the types of poles that we need. You would also be aware from Minister Moriarty's estimates that there is work being undertaken on the Future of Forestry action plan that we'll be talking about. All of that is extremely important. This Government supports a sustainable timber industry – that includes softwoods, that includes plantations and that includes talking about what happens with hardwoods – and that is what is being undertaken.

Answer:

Please refer to the response to transcript question 22 on page 15 above.

24. Horse management – Transcript page 39

The Hon WES FANG: But, Minister, where you have a circumstance that the RSPCA has indicated to you that having reviewed your SOPs in relation to aerial culling they've now reconsidered that it is best practice that you put 360-degree cameras and scope cameras on the helicopters for aerial culling, should you not, as Minister, be now insisting that National Parks and Wildlife Service implement the things that RSPCA have said they've written to National Parks about in order to make sure that you are doing what is right and proper in relation to aerial culling?

The Hon PENNY SHARPE: I do believe that we're doing the best we can when it comes to aerial shooting. I'd make the point again: No-one wants to be doing this. It's a requirement under our current laws and regulations, ones that your friend Mr Barilaro put in place.

The Hon WES FANG: Yes. Minister, you're now straying –

The Hon PENNY SHARPE: No, animal welfare is the most important thing that we are considering in relation to the rolling out of this program, and that continues to be the case.

No. Question

The Hon WES FANG: Which is why cameras are so important.

The Hon PENNY SHARPE: Yes, that's fine. I'm happy to take on notice in terms of what action has been taken on that. I just don't know and I'm willing to find out for you.

Answer:

The RSPCA NSW has not made a request to the National Parks and Wildlife Service (NPWS) to use cameras (such as 360-degree cameras and scope cameras) to film aerial shooting of horses in Kosciuszko National Park.

The use of cameras or filming is not a requirement for feral animal control operations by public land managers, Local Lands Services, private landholders or recreational hunters.

NPWS has confirmed, in writing, with the RSPCA that the use of cameras has been discussed in general terms, however it would need to take into account a range of issues including the application to other shooting programs on private and public lands by other government agencies, as well as by landholders and recreational shooters.

NPWS has also confirmed that no request has been made by the RSPCA to deploy cameras on helicopters and scopes when undertaking aerial shooting of horses.

25. Horse management – Transcript page 39-40

The Hon PENNY SHARPE: They're doing that extremely well every single day. The point that I would make is I'm happy to take on notice what interaction there's been between the RSPCA and my agency. I can't tell you that. I would also say to you, Mr Fang, I have a bit on. I don't actually spend all of my time second-guessing the professional work of my agencies in relation to this matter. I have kept a very close look at what is happening in relation to Kosciuszko National Park and the reduction of horses in the park. I have taken a very active interest in the detail on those kind of things. On this detail, I'm not across it. I'm happy to find out for you and I'll come back to you. But I reject any suggestion that I need to direct constantly my department in relation to the way in which they are rolling out this program. I am very aware of the care and attention that is being undertaken.

The Hon WES FANG: Minister, if the RSPCA has written to the National Parks and Wildlife Service saying that they believe that cameras on helicopters and the scope cameras are best practice —

The Hon PENNY SHARPE: I'll take it on notice and find out.

The Hon WES FANG: — would you insist that be put in place?

The Hon PENNY SHARPE: I'm not across the detail of it. I'll take that on notice and come back to you.

Answer:

RSPCA NSW has not written to the National Parks and Wildlife Service requesting the use of cameras (such as 360 degree cameras on helicopters and scope cameras) to film aerial shooting of horses in Kosciuszko National Park.

No. Question

26. Wollumbin National Park – Transcript page 41

The Hon JOHN RUDDICK: Minister, where are we up to with Mount Warning and what is the likely timing for when that will be resolved?

The Hon PENNY SHARPE: Thank you for your interest in this issue. We've had some discussions around this. For those that are unaware, Mount Warning – also known as Wollumbin by some Aboriginal people – has been the subject of discussion for quite a long time. To give people some context, in 2014 it was made an Aboriginal Place. An Aboriginal Place is a legal instrument that provides protection that basically then triggers the need for a plan of management in terms of protecting that place into the future. It's been a long and hard discussion.

I want to thank particularly the Wollumbin consultant committee, which is a group of Aboriginal people who have really worked on this for a long period of time. In 2022 there was an announcement that the summit would be closed. There were two reasons for this. One was as a result of the plan of management that was produced. The other was that there had been some safety issues with the chain at the top of the summit. There has been some confusion about the reasons for this. I think these things exist at the same time. They are actually two separate issues. I think some people have made these in different ways.

In the last month or so I actually went to the North Coast and I met with Aboriginal people who support closing the summit and I met with Aboriginal people who do not support closing the summit. I also had a very large round table with the group of stakeholders who were just looking to find a way to manage this in the future, and a group of people who also just don't want the summit closed under any circumstances. We are working through some of those issues. I think that the uncertainty is the real issue here. I would hope that I would be in a position to come back to you sooner rather than later about what we are going to do. What I have tried to do is create space for the conversation. I don't think there was space for the conversation before. That's what I've been trying to do personally as the Minister.

Answer:

I am continuing to meet with stakeholders about the future management of Wollumbin summit in Wollumbin National Park. I will make a decision once that consultation is completed, and I have considered all the material and views before me.

27. Electric vehicle infrastructure – Transcript page 41

The Hon TANIA MIHAILUK: Minister, back to what I asked about the rollout of electric vehicles, \$260 million of taxpayer money is rolling out to EV infrastructure in New South Wales and \$10 million to retrofit a number of strata buildings and apartments we don't know yet where but predominantly probably in the city and the eastern suburbs area –

The Hon PENNY SHARPE: I would hope not.

The Hon TANIA MIHAILUK: Let's see where they are. On notice, I would like to know those locations as I asked earlier.

Answer:

The first funding round of the \$10 million Electric Vehicle Ready Buildings program received applications from 302 strata buildings across NSW. 286 of these applicants have been

No. Question

assessed as eligible and will receive a co-contribution towards a feasibility study. These applicants are from across greater Sydney and regional NSW, with 253 from metropolitan and 33 from regional areas.

If upgrade works are found to be feasible, applicants who want to proceed to the next stage can apply for a grant for the actual upgrade. This component of the program will open for building strata committees to apply later in 2024. It is anticipated that approximately one third of applicants from the first stage will be funded in the second stage for actual upgrades.

Please refer to the answer given later in the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing, recorded on page 48 of the uncorrected transcript.

28. Cabinet ministers with electric vehicles – Transcript page 41-43

The Hon TANIA MIHAILUK: Let's see where they are. On notice, I would like to know those locations as I asked earlier. Obviously you have made a very clear position that you want to increase the number of electric vehicles. You have told me that you have one. Could you tell me, of the 23 Cabinet Ministers, how many of them have an electric vehicle as their ministerial car?

The Hon PENNY SHARPE: I will have to take it on notice. I don't know.

The Hon TANIA MIHAILUK: Do you know if the Premier has one or the Deputy Premier?

The Hon PENNY SHARPE: Some of them are hybrids. This is the reason why I'm hesitating. There are a lot of hybrids in the fleet. I'm not sure who has got what. I will take it on notice and come back to you.

...

The Hon TANIA MIHAILUK: What about the departments here and the secretary heads here?

The Hon PENNY SHARPE: We can take it on notice.

The Hon TANIA MIHAILUK: They are also given public cars. Are they electric vehicles? Do you want to take that on notice?

...

The Hon TANIA MIHAILUK: Minister, if you could put it on notice, I'd like to know the vehicles that the Cabinet Ministers are driving.

The Hon PENNY SHARPE: Just to be clear —

The Hon TANIA MIHAILUK: I think the public should know whether they are electric.

Answer:

Ministerial vehicles are issued in accordance with section 6 of the Ministers' Office Handbook (Published February 2023). For more information on ministerial vehicles please refer to the response to transcript question 20 on pp. 14-15 above.

The Department of Planning, Housing and Infrastructure (DPHI) Corporate Services manages fleet services for the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the NSW Environment Protection Authority, in addition to a number of other clients. However, DPHI Corporate Services does not manage the National Parks and Wildlife Service (NPWS) fleet, which is managed separately by NPWS.

No. Question

Excluding the Department of Regional NSW, there are 451 passenger vehicles in the DPHI Corporate Services managed fleet. This includes 33 fully electric passenger vehicles (Hyundai Kona and Kia EV6) and 205 hybrid vehicles. EV charging infrastructure is also installed at 15 locations, the majority of which are located in regional NSW.

As each lease for passenger vehicles expire, first consideration is given to replacing it with a fully electric vehicle where suitable. Factors considered include charging options and type of driving required.

A large number of fleet vehicles used by DCCEEW agencies are classed as light commercial (e.g. utes, cab chassis). Currently there are no fully electric vehicles available in this category on the approved vehicle list for the NSW Government fleet. The expectation is that they will be adopted for use in the fleet where appropriate as they become available.

NPWS separately manages a large fleet, most of which are light commercial and highly modified four wheel drive vehicles for park and fire management operations. Currently there are no electric vehicles available in Australia for use in the NSW Government fleet in this category. The NPWS fleet currently has 31 hybrid vehicles and three fully electric vehicles (Hyundai Kona and Kia Niro).

NPWS has three fully electric vehicles on order for the 2024–25 financial year and continues to explore options to add both hybrid and electric vehicles where suited to the operational fleet.

29. **Clean Air Strategy** – Transcript page 43

Dr AMANDA COHN: Minister, as I'm sure you are aware, health bodies, including the Lung Foundation and Asthma Australia, are calling urgently for improved air quality monitoring, as well as for air quality to meet global standards. When I asked you about this in June last year, you referred to the NSW Clean Air Strategy. What progress has been made on implementing it?

The Hon PENNY SHARPE: I think the implementation is ongoing. The details of it, I can get to you on notice.

Answer:

On 14 February 2024, the Government published its annual public report on progress on implementing actions in the whole of government NSW Clean Air Strategy 2021–2030 as part of the NSW Annual Air Quality Statement. This information is available at www.environment.nsw.gov.au/topics/air/nsw-air-quality-statements/annual-air-quality-statement-2023/nsw-clean-air-strategy-2023.

30. **Upper Hunter air quality monitoring** – Transcript page 43

The Hon PENNY SHARPE: Actually, can I just let you know, because I know you will be interested in this. My understanding is there have been some problems with the air monitoring system in the Hunter. That work is being – so the good news is that we're still monitoring it. The problem is that it's not accessible to the public, and we are trying to deal with that as quickly as we can. But work is underway, and I am aware of the problem.

Dr AMANDA COHN: Thank you. You've beautifully anticipated my follow-up question –

No. Question

The Hon PENNY SHARPE: There you go.

Dr AMANDA COHN: — but not just specifically to the Hunter. Asthma Australia's number two priority for the budget was to increase access to local air quality information, and that's because things like pollution warning and pollen counts for people with lung disease —

The Hon PENNY SHARPE: That's a huge deal, yes.

Dr AMANDA COHN: — are only as effective as the information that we actually put into them.

The Hon PENNY SHARPE: Look, I agree with that. The advice that I can just give you in terms of the Clean Air Strategy is that it's on track. As you know, it's over 2021 to 2030. It's all well and good for it to be on track, but if people aren't getting the information that they need to make real decisions about how they go about their day, then we need to fix that as quickly as possible. My advice is that's what we are doing. I'm not sure what the time frame is for getting that fixed, but I know that active steps are being undertaken now.

Dr AMANDA COHN: Thank you. I would appreciate a time line on notice —

The Hon PENNY SHARPE: Yes, we can take that on notice. Sure.

Answer:

Please refer to the answer given later in the hearing, recorded on page 57 of the uncorrected transcript.

The Upper Hunter Air Quality Monitoring is now running normally as expected.

31. Particulate matter – air quality – Transcript page 44

Dr AMANDA COHN: Thank you, Minister. While you are going into that information, I am also particularly interested in particulates. That was the primary cause of air pollution in New South Wales — I believe it was 2022, the last time that was released. I am interested in what specific measures are being implemented to reduce particulates.

The Hon PENNY SHARPE: Yes, let me come back to you. Obviously, the issues that remain pretty outstanding — there are ongoing issues with particulates around coalmines and those kind of thing; dust. Wood-fired heaters remain an issue. We are doing a lot of work to try to — there has been a lot of work done — sorry, this has been over a long period of time — to reduce or use more efficient heating and those kinds of things. It remains an issue. I wouldn't want to guess what the most recent figures are, but let me find out.

Dr AMANDA COHN: Thank you. I look forward to that information on notice, and I will follow it up with you.

Answer:

The NSW Clean Air Strategy 2021-2030 outlines the Government commitments to reducing particle emissions from industry, transport and household activities.

The Government releases information on particulate levels which helps people avoid exposure to particulates, especially during events such as dust storms and bushfires.

The public can check air quality in their area by using the Department's dedicated air quality website: www.airquality.nsw.gov.au. People can also sign-up to receive automated email, SMS

No. Question

air quality alerts and daily Sydney region air quality forecasts with the relevant health advice to help manage their exposure to air pollution.

Reducing air pollution from dust is a strategic regulatory priority for the EPA, and the EPA is implementing several measures to reduce dust from coal mines including:

- Commissioning a benchmarking study to identify the main sources of particle pollution and suggest international best practice measures to minimise emissions, and educative and compliance measures to reduce dust emissions from coal mines.
- Undertaking a proactive campaign called 'Bust the Dust' between September and December 2023 in the Hunter Valley. The EPA used drones and undertook unannounced inspections to examine coal mines to ensure appropriate control measures were being implemented to prevent and minimise the emission of dust and assess compliance with Environment Protection Licence conditions.
- Regulating air quality for coal mines through provisions of their Environment Protection Licences. Coal mines are required to implement appropriate controls and procedures to reduce dust from their operations.

The EPA is working with local councils to reduce pollution from wood heaters, including training council officers in:

- enforcing legislation regarding excessively smoky chimneys
- undertaking community education campaigns – the EPA has also produced a wood smoke pollution resource kit containing resources such as sample media releases and advertisements.

The EPA is also working with the NSW Rural Fire Service to reduce air pollution during planned burns and bushfires. The NSW Rural Fire Service has produced a Bushfire Environmental Assessment Code for NSW, which contains strategies to reduce smoke during hazard reduction burns.

The EPA's air quality guidance note, Agricultural stubble burning, advises councils of the regulations regarding agricultural stubble burning and alternatives which are better for the environment and human health, noting this practice can cause significant local particle pollution

The EPA's smoky vehicle enforcement program aims to reduce air emissions by ensuring that owners properly maintain their vehicles. A smoky vehicle is any motor vehicle that emits visible smoke continuously for more than 10 seconds. More information is available at www.epa.nsw.gov.au/your-environment/air/reducing-motor-vehicle-emissions.

32. **Narromine waste plant** – Transcript page 44

The CHAIR: Minister, are you aware of the Asia Pacific Waste Solutions' plan to develop a waste facility near Narromine?

The Hon PENNY SHARPE: Only very vaguely. The name of the company, no, I'm not familiar with. I am aware that there is a proposal in Narromine to look at some sort of waste – honestly, that's as much as I know.

No. Question

The CHAIR: Your office wrote to me and stated that the information you've received from APWS shows that it would be an exemption from the 2022 regulation. That concerns me greatly, and I am just wondering how this could possibly be the case.

The Hon PENNY SHARPE: I think I will need to take that on notice and come back to you, but my very loose understanding — I should never speculate, because this is probably a bad idea — is that it's not an energy-from-waste proposal; it's a closed loop, some sort of digestion process. But let me come back to you — which would mean that's why it's outside the regulation. Is that right, Mr Chappel?

Answer:

Asia Pacific Waste Solutions Pty Ltd (APWS) has a concept proposal to build a facility at Narwonah near Narromine in Central West NSW to process residual waste.

APWS consulted the NSW Environment Protection Authority (EPA) in September 2023 on a draft scoping report specifically regarding the NSW framework on energy recovery from thermal treatment of waste. Based on the draft scoping report, the proposal did not meet the definition of 'thermal treatment' under clause 142 of the Protection of the Environment Operations (General) Regulation 2022.

If a proposal does not involve 'thermal treatment' as defined under clause 142 of the Regulation, it would not be prohibited by clause 143(1) of the Regulation.

No application has been lodged with the Department of Planning, Housing and Infrastructure for this proposal and the preliminary advice provided by the EPA to APWS was based on a concept only.

33. Coastal Integrated Forestry Operations Approval review – Transcript page 46

The CHAIR: Is there an indication as to when the IFOA review will be completed?

TONY CHAPPEL: I think the intention is by the end of the year.

The CHAIR: What will be the process for communities to feed in? Will it be open, or is it more just because they would know about it?

TONY CHAPPEL: No. I think there'll be open consultation and engagement.

The CHAIR: Is that going to be that you propose a new way forward, or it's just the existing IFOA and people feed into it?

TONY CHAPPEL: I might take that one on notice for now. I'm sure my colleagues joining this afternoon will have some more detail.

Answer:

Scoping of the Coastal Integrated Forestry Operations Approval (IFOA) review has commenced.

The review is required under section 69G of the *Forestry Act 2012* to assess the implementation of the provisions of the IFOA and whether the IFOA is effective in achieving its intended purpose, as set out in section 69L of the *Forestry Act*. The review will comply with the public consultation requirements set out in section 69G and 69RA of the *Forestry Act*.

No. Question

34. Cost of EPA's asbestos investigation – Transcript page 47

The Hon JACQUI MUNRO: Minister, what is the total cost of the EPA's asbestos investigation?

The Hon PENNY SHARPE: I don't think it's finished yet, so I wouldn't be able to tell you. Happy to take it on notice.

The Hon SCOTT FARLOW: How much so far?

The Hon PENNY SHARPE: I don't know that we'd be able to tell you. I'm happy for Mr Chappel to answer.

TONY CHAPPEL: We might be able to answer this afternoon. I don't have the exact number to date because it is very much ongoing.

Answer:

As at 28 March 2024, the EPA has spent approximately \$7 million on the investigation and remediation works. Remediation works are ongoing.

The investigation involves multiple government agencies. There may also be opportunities for cost recovery under the polluter pays framework.

35. Coastal Integrated Forestry Operations Approval review – Transcript page 49

TONY CHAPPEL: Earlier I was asked about the timing of the coastal IFOA review.

The CHAIR: I think that might have been me.

TONY CHAPPEL: Yes. I think what I should have included in my answer is the processes around consultation there are subject to some broader decisions under the government timber industry and forestry road map and action plan just being concluded, so it may actually turn into 2025.

The CHAIR: Just on that, can I just ask before we go into the questions, with the road map, have you got indication that you can provide to the Committee about when that will be?

TONY CHAPPEL: I'll take that on notice, if I may, because it is subject to ongoing Government discussion.

The CHAIR: Thank you.

Answer:

The NSW Government has commenced the process to develop a new Forestry Industry Action Plan. More detail on the scope, timing and process for the Forestry Industry Action Plan is expected to be released by the NSW Government imminently.

36. Bongin Bongin application – Transcript page 53

The Hon JACQUI MUNRO: Is there an explanation about why – and I apologise for the pronunciation – the Bongin Bongin application to become an official aquatic reserve at Mona Vale was rejected?

SHARON MOLLOY: I don't have the details of that in front of me and probably would need to confer with Fisheries colleagues as well on the detail around that. We can take it on notice or refer it to DPI Fisheries.

No. Question

Answer:

Currently the NSW Government is focused on managing marine areas in NSW through a network of marine protected areas and through the NSW Marine Estate Management Strategy (2018 - 2028). At this stage, the Government does not have plans for establishing any new marine parks or aquatic reserves.

37. Declaration of aquatic reserves – Transcript page 53

The Hon JACQUI MUNRO: Thank you, that would be very helpful. Is there a process prescribed by regulation or departmental policy for the declaration of an aquatic reserve?

SHARON MOLLOY: Yes, there probably is. I don't have that detail in front of me, though. I will have to get back to you on the exact step-by-step process. I just know that the approval would need to be a joint one between the two Ministers.

The Hon JACQUI MUNRO: If details of that could be provided, that would be helpful, please.

SHARON MOLLOY: Yes, we can take that on notice.

The Hon JACQUI MUNRO: I presume the department has a process to undertake community consultation in relation to declaring an aquatic reserve area.

SHARON MOLLOY: I imagine it's the same as any kinds of changes to marine parks, but I'll have to just take on notice the specifics around aquatic reserves. For any changes to the rules around the current marine parks, public consultation would need to happen. I think that is over a period of two months. I imagine it's the same for aquatic reserves, but I'd have to just double-check that.

Answer:

Any new aquatic reserve would need to be established under the *Marine Estate Management Act 2014* (including Part 5, Division 2). The Act is jointly administered by the Minister for Agriculture and the Minister for the Environment.

The marine protected areas policy statement sets out key considerations regarding any new marine protected areas, including the need for early and effective community engagement.

38. Illegal tree removal and poisoning – Transcript page 53

The Hon JACQUI MUNRO: Thank you. Mr Chappel, I want to turn to illegal tree removal and poisoning. I am sure you've seen the news that at the end of last month there were nine fig trees poisoned in Balmoral. I'm wondering if the EPA holds concerns about these becoming regular occurrences. We've seen a couple in the North Shore over the last couple of months, and last year apparently almost 300 trees were cut down or poisoned. I am curious about how the EPA is dealing with that.

TONY CHAPPEL: Generally, biodiversity matters are led by the department. The EPA regulates Crown forestry and private native forestry, but I might defer to my colleagues.

ANTHONY LEAN: Obviously, that is an issue of concern to the department. Generally, in urban areas, those sorts of issues would be led by local councils, but I'll see if Ms Molloy has anything to add.

No. Question

SHARON MOLLOY: You're correct, Mr Lean. The regulatory space can be with council. It depends on what piece of legislation is potentially breached. It could be council, it could be local land services, it could be the Biodiversity Conservation Act — it really does depend — and the investigation would have to elucidate what piece of legislation potentially has been breached.

The Hon JACQUI MUNRO: Do you record those instances and occurrences?

SHARON MOLLOY: From a regulatory compliance perspective we do. A lot of the information or intel that comes in would come in through the environment line. All of those calls are logged and then dealt with by our compliance staff if it's a matter under the pieces of legislation that we do compliance for, so that would be the BC Act, part 5 of the Local Land Services Act and certain parts of the National Parks and Wildlife Act in relation to Aboriginal cultural heritage. If it's a matter for council, we would obviously refer to council colleagues. It just depends on potentially what piece of legislation it is.

The Hon JACQUI MUNRO: Do you know if there has been an increase over the last, say, two to three years in these types of calls coming through?

SHARON MOLLOY: That I would have to take on notice. There are lots of calls to the environment line that would be about various things, not all of them around breaches of legislation. I wouldn't know the exact number, sorry.

The Hon JACQUI MUNRO: Okay. If you could take that on notice, that would be helpful — calls related to tree poisoning and cutting down.

ANTHONY LEAN: Just to be clear, you are talking about urban areas as opposed to rural areas.

The Hon JACQUI MUNRO: Yes, urban areas.

Answer:

Most public reports of unlawful tree removal go to councils as these issues typically fall within the remit of local government.

When the NSW Environment Protection Authority (EPA) does receive these reports, often through the 'Environmental Line' service, it will refer them to the relevant council except where there is a specific allegation of pesticide misuse, with such cases being investigated by the EPA.

Analysis of data across the State from 2021 to present indicates report numbers are variable without discernible pattern.

The EPA has received 164 reports to date in 2024. If the current rate of reports in 2024 continued for the remainder of the year, this would represent a downwards trend compared to 2023. Of the 164 tree reports received to date in 2024, three reports were specific to the North Shore area.

39. Housing for workers in Central-West Orana Renewable Energy Zone – Transcript page 54

The Hon JOHN RUDDICK: My first question is to Mr James Hay, Chief Executive Officer, Energy Corporation NSW and the Department of Climate Change. I'm sure you'd agree, Mr Hay, that when a genuine new industry does come along and satisfies a human need, whether it's automobiles or mobile phones, we don't need the government to be involved and it works very efficiently. When politicians and bureaucrats try to engineer a new industry, it becomes very

No. Question

inefficient and there is a lot of waste involved. I am told, and I am keen to hear if this is accurate, in the Central-West Orana Renewable Energy Zone that you're going to need approximately 12,500 workers. Most of them are going to be temporary jobs; there'll be a little bit of ongoing maintenance. But for two or three years, maybe four, you'll need about 12,500 workers. But I am told there has been no public collaboration between community, council, developers and EnergyCo to discuss a coordinated strategy for temporary worker accommodation. Does that sound accurate?

JAMES HAY: I will have to check the number of the workers, so we'll come back to you on that. We have a steering committee established with the councils in Central-West Orana Renewable Energy Zone and one of the project tasks around that is a strategy around accommodation for temporary workers, so that is actively being discussed across the agencies and with councils.

Answer:

EnergyCo's forecast in the Central-West Orana Renewable Energy Zone (REZ) is a peak of up to 5000 workers if all the projects (transmission line, related infrastructure and solar and wind projects intending to connect to that line) progress based on their anticipated timing. This can be viewed at www.energyco.nsw.gov.au/sites/default/files/2023-03/cwo-rez-report-research-impacts-benefits.pdf.

In response to the incoming workforce, in July 2023 EnergyCo established a Central-West Orana REZ steering committee to identify community benefit opportunities and strategies to coordinate REZ-wide impacts. The committee includes project working groups across five priority areas including training and skills, roads and transport, economic development and participation, environmental delivery and housing and accommodation.

The housing and accommodation project group is chaired by the Department of Planning, Housing and Industry with members from Dubbo Regional Council, Mid-Western Regional Council and Warrumbungle Shire Council, the Department of Regional NSW, NSW Health, NSW Treasury and EnergyCo. Its main focus is to investigate and develop an approach on how to accommodate workers in the REZ. The group prepared a draft action plan to support outcomes for housing in the REZ including for workforce accommodation. The draft plan is now with the steering committee for consideration.

In line with Recommendation 2 of the NSW Electricity Supply and Reliability Check Up the NSW Government has established a Whole-of-Government Steering Committee, which is responsible for coordinating a whole-of-REZ strategy across priority areas. During the development of the Whole-of-Government Steering Committee, the Central-West Orana REZ steering committee housing and accommodation draft action plan was also provided to help inform development of actions to support outcomes for housing in the REZ including for workforce accommodation.

40. Clean Air (Domestic Solid Fuel Heaters) Regulation 1997 – Transcript page 56-57

Dr AMANDA COHN: I've got a few questions about the regulation of wood heaters. I understand that the regulations were enacted in 1995 and then renewed in 1997. Is that right?

TONY CHAPPEL: I might have to take some advice on that.

ANTHONY LEAN: We'll have to take that one on notice.

No. Question

Dr AMANDA COHN: What I've found was the Clean Air (Domestic Solid Fuel Heaters) Regulation 1997. My question about them was going to be whether those are still up to standard to protect health now.

TONY CHAPPEL: I think my colleague Mr Bruce's area leads the air quality strategy and work there. He might have some useful information.

BRENDAN BRUCE: I might have to take that question on notice. I am not sure how long it has been since the regulation was last reviewed. I am happy to take that question on notice.

Answer:

The Clean Air (Domestic Solid Fuel Heaters) Regulation 1997 was repealed in 2002 and replaced by the Protection of the Environment Operations (Clean Air) Regulation (the Clean Air Regulation) made under the *Protection of the Environment Operations Act 1997*. The Clean Air Regulation has been revised several times since 2002, most recently in 2022.

The Clean Air Regulation requires all domestic solid fuel heaters sold in NSW to comply with the Australian Standards for efficiency (AS 4012) and particulate emissions (AS 4013).

41. Regulation of wood heaters – Transcript page 57

Dr AMANDA COHN: It was whether the current standards regulating wood heaters are adequate to protect health in 2024.

BRENDAN BRUCE: The question of the policy around wood smoke heaters is a matter for government. There are a range of actions underway through the Clean Air Strategy to deliver long-term wood smoke emission reductions. They include the regulation and sale and installation of wood heaters, education material on the proper operation of wood heaters, and periodic education and enforcement campaigns for the use of wood smoke heaters as well.

Dr AMANDA COHN: I am interested in the education that is provided. I understand it is important for people to have information about using heaters appropriately, but is information also provided about the health risks associated with wood smoke, particularly respiratory illness?

BRENDAN BRUCE: I would have to take that question on notice.

Answer:

The NSW Clean Air Strategy 2021–2030 contains information on wood heaters and explains that smoke from home wood heaters, especially if they are not used correctly, can contribute significantly to fine particle emissions.

The Government has developed a range of educational materials to raise public awareness about wood smoke impacts on human health. These are available on the EPA website at www.epa.nsw.gov.au/your-environment/air/reducing-wood-smoke-emissions.

The EPA website also contains a council resource kit that helps local councils to run a community education campaign. It includes posters, fact sheets, social media, print and radio adverts, infographics, animations and other website resources. It is available in five languages. The toolkit is available at www.epa.nsw.gov.au/your-environment/air/reducing-wood-smoke-emissions/council-resource-kit.

No. Question

NSW Health has a factsheet on wood heaters and health which is available at www.health.nsw.gov.au/environment/factsheets/Pages/wood-smoke.aspx.

42. Financial incentives to replace wood heaters – Transcript page 57

Dr AMANDA COHN: Has it ever been considered to do a financial assistance program to incentivise either filtration devices or replacement of wood heaters?

BRENDAN BRUCE: Sorry, I would have to take that one on notice as well. If I may, to your earlier question from this morning's session around the data from the Hunter air quality monitoring station, I can provide a bit of an update on that one. The fault has been identified and we will be back online within 24 hours. It related only to the measurement of ozone. The important health information has not been impacted. The full station will be up and running again within 24 hours.

Answer:

The NSW Government is currently undertaking and supporting research to further understand the health impacts of wood heaters and the effectiveness of different types of interventions, including filtration, education and financial incentive schemes, to reduce these impacts.

Financial incentives to install energy efficient appliances, including discounts available to households to install an energy efficient air conditioning system, are available under the NSW Energy Savings Scheme.

43. Biotoxin related illnesses – Transcript page 57-58

Dr AMANDA COHN: Sure. I understand New South Wales provides clinical advice to practitioners. They also provide education, which I've seen on their website, to the general public. But I am interested in who is doing the work to actually prevent mould-related illnesses. It's an environmental health matter, and I am concerned this is falling between departments.

ANTHONY LEAN: I think I would have to take that on notice. The department doesn't deal with issues within homes, generally. We deal with broader environmental issues in the community.

TONY CHAPPEL: The EPA doesn't regulate indoor air quality. We're certainly happy to take it on notice and get you the best answer we can across government.

Dr AMANDA COHN: Thank you. That would be great. In 2018 the Federal Government had an inquiry into biotoxin-related illnesses, and a lot of their recommendations were relevant for States and Territories. Some of those things are building-related; I appreciate those ones are planning. There was also a recommendation around developing standards for mould testing and remediation. Whose responsibility would that be?

TONY CHAPPEL: I think I will have to take that on notice for you as well, because I am not familiar with that report, but I'm very happy to take it on notice.

Answer:

The EPA has commenced discussions on this matter across Government.

No. Question

44. Recovered fines – Transcript page 58

The CHAIR: Can I just touch on the issue of recovered fines? I think this is probably for you, Mr Chappel. How many companies are producing recovered fines under an EPL in New South Wales?

TONY CHAPPEL: I think the number is around 20. I will just invite my colleague Mr Beaman to add to that.

STEPHEN BEAMAN: Yes, it's about 20, but we can take that on notice and give the Committee a list, if that helps.

The CHAIR: Thank you. How many of these have been directly assessed by the EPA so far this year? Any or —

TONY CHAPPEL: I was just going to say one of the activities we commenced about six months ago was an industry-wide compliance campaign. I think they should almost all have been assessed. I understand that will finish in April.

STEPHEN BEAMAN: Yes.

TONY CHAPPEL: Steve, do you want to add to that?

STEPHEN BEAMAN: We have been running a compliance campaign that started in October-November last year, looking at compliance with the recovery of fines order. We are still running through the analysis of that work, and we are looking to have that work completed in the next month or so.

The CHAIR: Are you able to provide, on notice, a list of the companies that are producing recovered fines?

TONY CHAPPEL: Yes.

STEPHEN BEAMAN: Yes, we are happy to do that.

Answer:

EPL*	Company	Suburb
20885	Aussie Skips Recycling Pty Ltd	Strathfield South
12794	Benedict Recycling Pty Limited	Chipping Norton
4504	Warringah Gravel & Stone Supplies Pty Ltd	Belrose
3991	Menangle Sand & Soil Pty Ltd	Menangle
12700	KLF Holdings Pty Ltd	Camellia
1265	South Coast Equipment Pty Ltd	Port Kembla
12618	Brandown Pty. Limited	Kemps Creek
12901	Recycling Parks Pty Ltd	Kemps Creek

No. Question

11233	VE Resource Recovery Pty Ltd	Bringelly
4608	Breen Resources Pty Ltd	Kurnell
12752	Canterbury-Bankstown Council	Milperra
10943	Gow Street Recycling Centre Pty. Ltd.	Padstow
5857	Hi-Quality Waste Management Pty Ltd	St Marys
20797	Bulk Recovery Solutions Pty Ltd	Ingleburn
4849	N. Moit & Sons (Nsw) Pty. Ltd.	Windsor
12764	Newcastle Recycling Solutions Pty Ltd	Mayfield
21259	SRC Operations Pty Limited	Orchard Hills
20645	Budget Waste Recycling Pty Limited	Arndell Park
20948	Met Recycling Pty Ltd	Silverwater

*EPL = Environment Protection Licence.

45. Asbestos in mulch samples – Transcript page 58

The CHAIR: Thank you. Is the EPA testing samples of mulch taken as part of its investigation for other contaminants, including construction waste, lead or other metals?

STEPHEN BEAMAN: No. The current work we are doing in relation to the mulch issue, we are focusing on two aspects. One is the level of foreign material. The regulations have limits on what we would call foreign material. What I mean by that is physical contaminants – so treated timber, a nail, wire, plastic, those things – that may be in the mulch. The other thing we are testing for is asbestos.

The CHAIR: Is it possible to indicate, in terms of that other foreign material, what your findings are at this point in time – or what the findings are at this point?

STEPHEN BEAMAN: I need to be careful because it's part of the investigation, and that forms a pretty critical piece of our evidence at the moment. But what I can say is there is a strong correlation to when we identify pieces of bonded fibro in the mulch. You'll also see levels of foreign material, also, in the mulch.

The CHAIR: Take it on notice, if you need to. How many samples taken as part of the mulch investigation have returned the positive results for the other things, other than asbestos?

STEPHEN BEAMAN: I can tell you we've taken 1,197 samples, but I will take on notice for the foreign material testing that has been done. I'll also say it's about 14 per cent, which has stayed fairly constant. So, of those 1,197 samples, I think it's 164 by memory – about 14 per cent are the ones that have been testing positive for asbestos. It gives us a good steer. It's a

No. Question

very big dataset now. The level of that asbestos contamination, although unacceptable, has been low.

Answer:

As of 11 March 2024, 1197 samples have been taken. Of these, 169 have tested positive for asbestos. 116 of these samples were also analysed for foreign material other than asbestos, such as building materials. 114 of those 116 samples detected foreign material.

46. Land acquisition for the National Park Estate – Transcript page 59

The CHAIR: Just the wood products. Can I just turn to — I think it might be you, Mr Lean. It was something that I raised earlier with the Minister about National Parks purchasing lands, and the Minister mentioned that there was a project or a parcel of land, I think — was it near the Pilliga?

ANTHONY LEAN: Yes.

The CHAIR: Could you just explain to the Committee what that is and what is happening in terms of the acquisition of lands, the holding of those lands and the possible using of those lands for accounting, whether it's biodiversity credits or improvements or stewardship agreements? What is actually happening?

ANTHONY LEAN: As I understand it, the land is a parcel of land in the vicinity of the Pilliga protected areas. It's quite degraded, so I think there's an opportunity for restoration there. I think the thinking was that you generate credits with a view to being able to raise funds to support the restoration of the land perhaps before it's transferred into the national park. Trish, are you able to add anything else to that?

TRISH HARRUP: That's correct. So there is one parcel of land, as the secretary has said, as a pilot, and that land has the potential to generate biodiversity credits and the funding from those credits has the potential to regenerate the lands. Eventually the land would be likely gazetted as national park. Once it is gazetted as national park, it will no longer be able to generate and sell credits but would be managed for conservation.

The CHAIR: What is the legal arrangement? Did the department receive advice on what capacities the agency has to do that?

ANTHONY LEAN: I'd have to take the question about the advice that we received on notice because it was well before my time in the role.

The CHAIR: When was the land purchased?

ANTHONY LEAN: I believe —

TRISH HARRUP: It was purchased in 2023. I don't have with me, I think, the purchase date but I can find that for you.

ANTHONY LEAN: Could I just add that — your questioning is highlighting this is actually a very complex issue that we need to do some deep thinking around. For that reason, we're doing this as a pilot to work through some of the issues. I think what I would acknowledge is that it does raise a very difficult policy question because you have to consider those issues around is it appropriate to be buying park to offset other development, and also there are questions around additionality as well.

No. Question

The CHAIR: Mr Lean, I know I'm going to run out of time and we can pick this up in my next session. But I'm just curious – can you just be clear with me under what legal provision or what mechanism did the department purchase the land?

TRISH HARRUP: We purchased the land as we ordinarily would. The land is then held as part 11, as is all land that we purchase until it is gazetted.

The CHAIR: Are you suggesting that part 11 lands can legally be purchased and then held and banked and possibly used as biodiversity stewardship lands generating funds and credits – with the very good aim of improving the land naturally? Are you suggesting that that is a scheme that is completely legal?

TRISH HARRUP: That is correct. Once land is gazetted under the National Parks and Wildlife Act, it cannot be used to generate credits, but prior to that you can generate credits from those lands.

The CHAIR: There has been advice suggesting that that can be done?

ANTHONY LEAN: We'll take that on notice, but I'm sure advice would have been obtained to establish that.

The CHAIR: The land would be purchased and held for 20 years, or whatever years are required for those improvement agreements. How does that work? Does that mean it wouldn't be gazetted deliberately until such time as –

ANTHONY LEAN: I think we're working through these issues as part of the pilot.

The CHAIR: I'm sorry, this is my colleagues' time now and we can get back to this, if necessary –

The Hon WES FANG: You're very good at doing this, Chair, I've got to say, but that's all right

The CHAIR: – but wouldn't it be more appropriate that the land is purchased under some other mechanism, whether it is the BCT under its revolving fund program or something else? Is that a concern to you, being responsible for this?

ANTHONY LEAN: I wouldn't say it's a concern, but there are certainly other options that we could explore in that space – there's the credit supply taskforce and the BCT – and this is why this is a pilot. We're going to work through some of those issues.

The CHAIR: I will hand over to my colleagues.

BRENDAN BRUCE: Chair, if I may, just on that issue, the Henry review made some observations around the types of land that should be able to participate in the scheme as well, so the broader issue that you're referring to is being considered in the context of the response to the Henry review as well.

The CHAIR: My concern is we're doing something. We haven't responded to the Henry review and I'm still not clear on how we're doing it. Over to my colleagues.

Answer:

Land reserved under the *National Parks and Wildlife Act 1974* (NPW Act) is not eligible for entry into a Biodiversity Stewardship Agreement (BSA). Prior to reservation, the Minister for the Environment may enter into a BSA on land acquired under Part 11 of the NPW Act. Confidential and privileged legal advice was obtained in relation to this issue.

No. Question

Contracts exchanged for the Pilliga property on 13 June 2023.

Please also refer to the answers given to questions 11-13 on pp. 13-16 of the responses to supplementary questions from the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing on 7 March 2024.

47. **Asbestos report** – Transcript page 60

The Hon JACQUI MUNRO: Going back to the asbestos report that was delayed, I'm wanting to get some more details about the actual process of that happening, if that is okay?

TONY CHAPPEL: Essentially, the former Minister, Minister Griffin, requested advice from the chief scientist and after that it's really in the hands of the chief scientist. I don't know that we have much more that we can add.

The Hon JACQUI MUNRO: The term "prioritisation" was used earlier. Was the department asked by the new Minister to de-prioritise the report?

TONY CHAPPEL: No, absolutely not.

NANCY CHANG: No, that is not the case. We have been in constant dialogue with the chief scientist's office. The EPA and the previous Minister commissioned this report and we have been given updates by the chief scientist's office, including the establishment of the expert panel that is required for this work. There has been a minor delay in this current work. Like I said, I don't want to speak for the chief scientist's office. There has been a prioritisation of work that needed to be completed. I am sure you are aware that the chief scientist's office just completed the Menindee fish deaths report and that came out ahead of this particular report. We are absolutely being kept up to date by the chief scientist's office in terms of that. There will be a discussion paper in mid-2024 that will be released for public consultation and a final will be done by the end of this year. That is the advice I have received.

The Hon JACQUI MUNRO: You mentioned the slight delay. What was the original time line and report deadline?

TONY CHAPPEL: There was no deadline.

NANCY CHANG: We certainly were expecting there to be a discussion paper ahead of the middle of this year, but, like I said, there have been a number of other critical incidents that have required the chief scientist's office to turn their attention to. Again, there has been an expert panel that has needed to be sought in order to establish the expertise required to deliver on this report, and the terms of reference for this group is on the website.

The Hon JACQUI MUNRO: So that discussion paper was due for release more like at the end of last year?

NANCY CHANG: Again, there was no specific timing committed, but we certainly were expecting this to be a little bit sooner than what we are currently expecting. And like I said, the advice from the chief scientist's office is that they now have the requisite number of experts and that this work is now well underway.

The Hon JACQUI MUNRO: So it's more a resourcing issue?

NANCY CHANG: I don't think we can say.

No. Question

TONY CHAPPEL: It's the chief scientist who can answer those questions or that office. It's not something we can comment on.

The Hon JACQUI MUNRO: Can that be taken on notice then?

TONY CHAPPEL: Sure.

Answer:

The Minister has been briefed on the terms of reference and looks forward to the Chief Scientist and Engineer's report guiding future reform to the management of asbestos in NSW.

The Office of the Chief Scientist and Engineer has undertaken initial scoping, stakeholder consultation and site visits, convened an expert panel and commissioned expert literature reviews. These will inform the discussion paper currently under development, which is due for release in June 2024. The Office of the Chief Scientist and Engineer will then undertake further stakeholder consultation and expert panel review between July and September 2024, before finalising the report in Q4 2024.

48. BioNet – Transcript page 64

The CHAIR: That's good to hear. What arrangements have been made since the update failures were identified in BioNet to ensure that there'll be no future delays? Is there anybody with responsibility for that or who could talk to that briefly?

ANTHONY LEAN: Brendan, are you able to answer that?

The CHAIR: Brendan's smiling.

BRENDAN BRUCE: Yes, that's me. I might come back to you after the break with an update on that, Chair, if that's okay. I do have information, just not at hand. But I'll come back to you after the break on the BioNet update. My understanding is it has been resolved. But I'll get you the exact details.

Answer:

Please refer to the answer given to questions 50 and 51 on p. 34 of the responses to supplementary questions from the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing on 7 March 2024.

49. Modelling for adaptation plans – Transcript page 64-65

The CHAIR: I would appreciate that. Can I also go back now – and I think it's probably to you, Professor Durrant-Whyte. The Minister earlier answered about the modelling that we're doing in relation to the adaptation plans and the temperature increases that we are modelling around and for. Are you able to give us a little bit more information on what are we actually modelling and what are we putting into those models? How are we doing that?

HUGH DURRANT-WHYTE: I'm going to hand back to the department, other than to say that my role on the Net Zero Board and in the chief scientist's role is really to review the models rather than to execute them. Does that make sense?

The CHAIR: That's very helpful. Have you been reviewing models?

No. Question

HUGH DURRANT-WHYTE: As and when they come up and in relation to a number of different aspects, but none of it is published at this point – the reviews.

The CHAIR: Can I ask when the last model you reviewed was?

HUGH DURRANT-WHYTE: It was part of the Net Zero Board.

The CHAIR: Are you able to give me an idea of when in terms of actual time?

HUGH DURRANT-WHYTE: No, I would have to take that on notice.

Answer:

NSW and Australian Regional Climate Modelling (NARClIM) is a NSW Government led initiative that generates detailed climate projections and data for NSW. NARClIM projections are developed using scientifically reviewed methods and international best practice. Further information about NARClIM is available on the NSW Government's AdaptNSW website: www.climatechange.environment.nsw.gov.au/resources/narclim-case-studies.

The Net Zero Emissions and Clean Economy Board's workplan has been focused on emissions reduction as outlined by the Energy and Utilities Administration Regulation 2021. The Board's role is to advise the NSW Government on the implementation and development of the State's Net Zero Plan and other plans to achieve the emissions reduction objectives of the State. Resilience and adaptation are responses to climate change risk and have not been included in the Board's workplan to date. As such, NARClIM projections have not been presented to the Board.

The Department presented NSW greenhouse gas projections modelling to the Net Zero Emissions and Clean Economy Board on 12 October 2022. The Board noted the modelling presented, including the considered cost of abatement, the transition of transport and land management; and integrated implementation of Net Zero programs. The methods paper for this modelling is available at www.environment.nsw.gov.au/research-and-publications/our-science-and-research/our-research/energy-and-climate-change/net-zero-emissions-modelling-and-research.

50. Climate change modelling – Transcript page 65

BRENDAN BRUCE: Chair, if I may, I think there are two streams to your question. The first is around modelling that we're doing for the adaptation strategy. To your earlier question, there are a number of scenarios that we are modelling. They include a Paris-aligned target, a worst-case scenario – for want of a better word – and a middle of the road scenario. The modelling for two of the scenarios, which are the Paris-aligned and the worst-case scenarios, are complete and they are already starting to inform Government policy with that further modelling to be undertaken. In terms of the latest net zero emissions modelling, as Mr Lean mentioned, it's out for peer review, so Arup is doing the peer review on that work at the moment.

The CHAIR: Sorry, who is doing the review?

BRENDAN BRUCE: Arup. We anticipate publishing in the next couple of months.

The CHAIR: What is the worst-case scenario?

No. Question

BRENDAN BRUCE: That is why I said for want of a better word – I don't have that detail, I'm afraid. I'm happy to provide a bit more detail around the specifics of the scenarios on notice.

The CHAIR: Okay, so you've modelled the Paris Agreement and there is another scenario. Is it just one other scenario – a "worsen-case" scenario than the Paris Agreement?

BRENDAN BRUCE: There are multiple scenarios – at least three, yes.

The CHAIR: Do you recall what the "worstest-case" scenario is?

BRENDAN BRUCE: No, I'm not pretending to be an expert on this modelling. I'll take that question on notice and come back to you with some details.

Answer:

The latest version of the NSW and Australian Regional Climate Model (NARCLiM) provides fine scale regional climate projections for three scenarios based on the Shared Socio-economic Pathways (SSPs) developed by the Intergovernmental Panel on Climate Change. The SSPs describe alternative socio-economic futures, the 'worst case' scenarios of which assume an absence of climate policy intervention and varying challenges to adaptation and mitigation.

The SSP's have internationally agreed naming conventions. The three SSP scenarios modelled using the latest version of NARCLiM are:

- SSP1-2.6 – Sustainable Development
A Paris-aligned future with trends towards sustainable development, where global warming is limited to 1.8 °C [1.3 – 2.4 °C] by 2100.
- SSP2-4.5 – Middle of the Road
The world follows a path in which social, economic, and technological trends do not shift markedly from historical patterns. Global warming reaches 2.7 °C [2.1 – 3.5 °C] by 2100.
- SSP3-7.0 – Regional Rivalry
Countries prioritise issues of national and food security. Challenges for adaptation are high; options for mitigation are low. A scenario where warming reach 3.6 °C [2.8 – 4.6 °C] by 2100.

All scenarios are available to be used for risk assessment and policy analysis. Guidance from groups such as the Task Force on Climate-related Financial Disclosure and the World Climate Research Programme's Coordinated Regional Climate Downscaling Experiment recommends the use of at least SSP3-7.0 to assess higher risk outcomes and then to contrast these with outcomes aligned to Paris Agreements (SSP1-2.6). The middle of the road scenario provides additional information to assist in climate risk assessments.

51. Office of National Security's report on climate risk – Transcript page 65-66

The CHAIR: Thank you. This could be to anybody who's in this space: Have you been briefed on the office of national security's report on climate risk? Has anyone here been briefed on that report?

ALISON PEPPER: I haven't personally, and I don't believe that Mr Ryan has either, but I can take on notice whether anyone in our team has.

No. Question

The CHAIR: Thank you, and even if it's not a briefing, if any of the findings or information in that has formed part of any department's work.

Answer:

The Department of Climate Change, Energy, the Environment and Water engages with the Australian Government on climate change adaptation issues through the Adaptation Working Group, a formal working group of the Energy and Climate Change Ministerial Council. The Adaptation Working Group has not been briefed on the Office of National Intelligence's report on climate risk. The Australian Government has briefed the Adaptation Working Group on the first pass National Climate Risk Assessment which includes defence and national security as a 'system of national importance'.

52. Climate change modelling – Transcript page 66

The CHAIR: Perhaps to you, Mr Bruce: What is the mechanism for triggering the alternative scenarios that you've based models on? If that is something to take on notice —

BRENDAN BRUCE: I will have to take that on notice, I'm sorry.

Answer:

Please refer to the response to transcript question 50 on pp. 36-37 above.

53. Horse management – Transcript page 67-68

The Hon WES FANG: You're so generous, Chair. Mr Lean, I've tabled some paperwork with the secretariat. You'll see that I've highlighted the appropriate sections. I don't want to verbal Mr Coleman. What he did say was:

I've asked National Parks to consider that very method, not just for the purposes of a prosecution but just so there is transparency around what is actually happening.

Then further in the answer he goes:

I hear you, and I will continue to have those discussions with National Parks.

I assumed that it was in relation to a letter that was written.

The Hon ANTHONY D'ADAM: Point of order: Just in terms of keeping track of the time, there's been no time allocated to Mr Fang.

The Hon WES FANG: Because we were going to cut off at 15:30.

The CHAIR: Which is just about now.

The Hon WES FANG: That's the programmed break.

The CHAIR: I will let him finish the question.

The Hon WES FANG: It is just more so that Mr Lean is aware of what the evidence was that I've been working off. If that's not the case and there haven't been discussions —

ANTHONY LEAN: I think the question we were asked is: Has he written to National Parks and Wildlife.

The Hon WES FANG: Yes.

No. Question

ANTHONY LEAN: The answer to that is clearly no. As I said in my answer earlier, I'm not aware that it's been discussed. We're a large organisation. It may have been discussed with some people. We can take that aspect of it on notice. But we were answering the question about whether he had written and the answer to that was no.

The Hon WES FANG: It might be a big organisation, but when the head of the RSPCA suggests that National Parks and Wildlife Service should be recording the cull of brumbies from a helicopter with a helicopter camera and a scope camera, I suspect that's not a conversation that happens in the lower levels of the organisation. I imagine it would happen at the very highest levels of the organisation and is not something that would be easily forgotten.

ANTHONY LEAN: We'll check and confirm, but that wasn't the question we were asked earlier today.

Answer:

Please refer to the answers to transcript questions 24 and 25 on pp. 16-17 above.

54. Legacy contamination sites – Transcript page 70-71

The Hon JACQUI MUNRO: Mr Chappel, I wanted to ask some questions about legacy contaminant sites. I'm wondering how many unfunded legacy contaminant sites there are in New South Wales.

TONY CHAPPEL: Quite a number. I might just ask my colleague Mr Beaman, who leads our technical area, to come and give some detail.

STEPHEN BEAMAN: Have you got anything specific? Because the contamination space is actually quite a wide space.

The Hon JACQUI MUNRO: Do you have a map or a list of sites that are considered contaminated, that need to be fixed, that are outstanding in terms of their remediation works?

STEPHEN BEAMAN: We have a public register that has a list of sites that we have assessed and/or declared. That public register is up on our website. We actually run our own proactive programs looking at various types of contamination. So, for example, we're running a program at the moment looking at UPSS, potential contamination from underground petroleum storage tank systems on groundwater-dependent communities – that's a mouthful. We're going around the State looking for these sites proactively. The question is a bit hard for me to answer.

The Hon JACQUI MUNRO: I understand. It's like a moving feast. I guess it's about the gap between the assessed sites and ones that haven't been dealt with. Or does that happen at the same time? They're assessed and they're –

STEPHEN BEAMAN: Often the sites come in – there's a positive obligation under section 60 of the legislation. If you're the polluter or the occupier of the site and you become aware the site is contaminated, you're supposed to tell the EPA and then we do the assessment of those sites that way. We assess the sites that are known to us, but there are also sites that we proactively on our own initiative go out and look for.

The Hon JACQUI MUNRO: How are those sites dealt with? After they're assessed and they're determined to be contaminated with certain contamination, how are they then actually remediated?

No. Question

STEPHEN BEAMAN: There's a two-step process around the contaminated land management regime. We'll often declare the site first. That goes onto the — it really sets a record of contamination on that actual real property information. Any future purchasers or occupiers of the site can look up and see whether the site has actually been registered by the EPA or declared by the EPA as being contaminated. Then we will move to — there are two approaches to this. We call a voluntary management order, where the polluter or the occupier comes to us and says, "This is the plan on the remediation." Or if we're not satisfied with that, we can actually impose a management order on the site. There are two mechanisms there. Then contamination of those sites might vary depending on what the — the way we think about it, it's about exposure pathways and source. What is the contaminant and how are people and/or the environment exposed and can you cut off those exposure pathways?

The Hon JACQUI MUNRO: Is there a record of sites that have been declared but haven't been properly remediated yet?

STEPHEN BEAMAN: They'll still be in the process. Sometimes this remediation might take many, many years.

The Hon JACQUI MUNRO: I guess my question is: What sites that have been declared haven't been fully remediated yet? Do we have a figure on that from the list?

STEPHEN BEAMAN: No, we could get that for you on notice if that helps.

The Hon JACQUI MUNRO: That would be super helpful, thank you very much. Perhaps you can help with this question as well. I'm wondering about the progress that has been made on securing a sustainable funding source for remediating and managing those sites.

STEPHEN BEAMAN: Typically, we operate under the polluter-pays principle, so the people that have actually caused the pollution. For example, it might be a former gasworks. We'll often chase the polluter, or the polluter who becomes the operator then. It might be one of the major gas companies. We tend to chase those as the polluter under polluter-pays. Where that isn't available to us, we often look then to the occupier or the owner of the land, so who has management of the land. There is a hierarchy in the legislation. There are, unfortunately, some sites where there is almost an innocent owner type arrangement where people weren't the polluter and they were unaware that the land was contaminated.

The Hon JACQUI MUNRO: Do we know which ones require funding at the moment? Are there particular sites that are essentially unfunded under the polluter-pays mechanism?

STEPHEN BEAMAN: Good question. There is, yes.

The Hon JACQUI MUNRO: Whereabouts are those?

STEPHEN BEAMAN: I'd have to take that on notice, only because there's probably a range of them across the State where that arrangement is in place.

The Hon JACQUI MUNRO: That would be helpful. I guess the obvious question is how will they be paid for

STEPHEN BEAMAN: In essence — and the reason I'm saying it's across the State — the real driver for site remediation typically tends to be property values. If you have a site in the greater metro area, it tends to have a higher property value and people are willing to do the remediation to get the uplift. We often find it can be in the regional areas or rural areas where

No. Question

there isn't that sort of financial incentive. That's the dynamic that plays out in the contaminated land space.

The Hon JACQUI MUNRO: How do you seek funding for those perhaps more regional areas that don't have the same kind of benefit or incentive in terms of land values?

TONY CHAPPEL: We generally seek to partner with relevant government agencies — for example, with the Aboriginal Affairs agency on discrete Aboriginal communities and with our colleagues in Regional NSW on some of the other sites — and we seek to triage them as well, so to risk-assess them, as Steve laid out, in terms of the pathway and receptor, and where the risk to human health is more significant, to try to prioritise those.

The Hon JACQUI MUNRO: Does that process take a lot of time?

STEPHEN BEAMAN: It can. They come in very large, thick technical reports. We have our experts inside the EPA review those reports. There is often a lot of technical to and fro. We're dealing with the legacy of really historical contamination. Often, too, it's a bit of a detective exercise to work out who did it, when did it happen, what happened next and who was the property owner, because some of the companies have disappeared. The bigger example of this is, say, Homebush Bay and Sydney Harbour. Those companies have long gone. Remediation can often be — I was careful with the words because technically the way we do it is about reducing exposure pathway. Sometimes it is a leave-alone. There isn't a remediation that you're actually chemically changing or altering. Sometimes it is a case of making sure that the site is left undisturbed and there are appropriate precautions put around it.

The Hon JACQUI MUNRO: Do you have a record of how long some of those are taking?

STEPHEN BEAMAN: In terms of?

The Hon JACQUI MUNRO: In terms of trying to source funding arrangements and trying to find out either who is responsible or, where there is no information found about pinpointing somebody responsible, dealing with the different agencies to find funding.

STEPHEN BEAMAN: Yes.

The Hon JACQUI MUNRO: Are you able to take on notice that time period for different projects?

STEPHEN BEAMAN: Yes.

Answer:

In answering this question, the term 'fully remediated' is taken to mean significantly contaminated sites that have been remediated such that they no longer pose an unacceptable risk for the current or approved land use.

The NSW Environment Protection Authority (EPA) regulates sites considered to be significant enough to warrant regulation under the *Contaminated Land Management Act 1997* (CLM Act). This means that after assessing the information provided, the EPA determines whether to declare a site and regulate it under the CLM Act. Records for these sites are published on the EPA's website at www.epa.nsw.gov.au/your-environment/contaminated-land/notified-and-regulated-contaminated-land.

The management framework for contaminated land in NSW is broadly dealt with by:

No. Question

- The EPA, which uses its powers under the CLM Act, and deals with contamination that is significant enough to warrant regulation given the site's current or approved land use.
- Remediation of sites can be regulated under the CLM Act or, where there is an Environment Protection Licence in place for the site, under the *Protection of the Environment Operations Act 1997* (POEO Act)
- Planning authorities deal with other contamination under the planning and development process, including the *State Environment Planning Policy (Resilience and Hazards) 2021* and *Managing Land Contamination Planning Guidelines (SEPP55)*, on sites that do not pose an unacceptable risk under their current or approved use. This process determines what remediation is needed to make the land suitable for a different (more sensitive land) use.

The following table shows that currently there are 207 sites declared as significantly contaminated land and currently being regulated by the EPA and provides a breakdown of the number of sites with contamination being regulated under either the CLM Act or POEO Act.

Type of regulation	Number of sites
Regulated under CLM Act or POEO Act	194
Regulation being finalised (section 11 of the CLM Act)	13
Total number of sites being regulated under the CLM Act	207

Most 'significantly contaminated' sites declared by the EPA under the CLM Act have a regulatory instrument in place requiring a person responsible for the contamination to carry out remediation or management actions. In most cases, remediation of these sites is privately funded.

The EPA does not hold a complete record of all contaminated sites across NSW because it is only notified of sites that meet duty to notify requirements in section 60 of the CLM Act.

As of 14 March 2024, the EPA had been notified about 1936 potentially contaminated sites. The site list is available at www.epa.nsw.gov.au/your-environment/contaminated-land/notified-and-regulated-contaminated-land/list-of-notified-sites.

The NSW Government sometimes becomes responsible for funding remediation where, despite all regulatory action, the polluter or landowner cannot be held liable or is not able to remediate.

55. Yanga National Park – Transcript page 73

The CHAIR: Last time I checked, that wasn't happening on this site in Narromine. Thank you very much, Ms Chang, that's very helpful. Somebody has asked me to ask about Yanga

No. Question

National Park. There is concern that there are areas within the national park that are in desperate need of upkeep. Is that something that you've been made aware of or you are familiar with?

ANTHONY LEAN: Rob Smith is probably best placed to answer that.

ROBERT SMITH: Hopefully you can hear me this time.

The CHAIR: I can hear you perfectly well, Mr Smith.

ROBERT SMITH: Excellent. Do you have any specifics, particularly? I'm not aware of anything specifically.

The CHAIR: I was just asked to inquire about the condition of the facilities there and that the park was not being managed in a way that might be expected that it should be managed. It's not something I have firsthand knowledge of; it's something that I've been asked to ask about.

ROBERT SMITH: I'm happy to take it on notice and I'll go and check.

Answer:

In the 2023–24 financial year, there is around \$385,000 to undertake repairs, maintenance and restoration works on the Yanga Woolshed, Old Wash House and the storeroom and stables. In addition, between 2018 and 2023, \$169,700 has been spent on photographing and cataloguing the moveable historic heritage collection.

56. Platypus – Royal National Park – Transcript page 73

The CHAIR: Can I ask how the platypus program in the Royal National Park is going?

NAOMI STEPHENS: By all accounts, it's going well. You're probably aware that it's a partnership with the University of New South Wales, but I have had the material come through my office just recently. The account in that material, which was on its way elsewhere, was that things are going particularly well. We're very happy with the results. We're exceeding the results we were hoping to achieve.

The CHAIR: That's very positive. There was the rogue platypus that disappeared off the tracking mechanism. Did that one return? Do we have a lens on that one?

NAOMI STEPHENS: I can certainly get advice for you on that. What I am aware of is that this does happen – they do come and go.

The CHAIR: One of the inquiries around that was – and this may have come up previously – about the ethics involved in that project in terms of what is the process that the Government assures in relation to releasing in these trial programs about the animal ethics.

NAOMI STEPHENS: That's something I can't comment on. But we can certainly get you that information and provide it on notice.

Answer:

A female platypus known as F5 was detected moving into Engadine Creek, a small tributary of Kangaroo Creek, during the first few months of monitoring. There are no detectors in Engadine Creek. She remained undetected for a period of time and was then re-recorded in Kangaroo Creek. She was then detected moving back into Engadine Creek and has not been detected

No. Question

since. Time lapse cameras and observation efforts are underway to detect her, and additional detector locations are being considered.

The assessment of the suitability/viability of the proposed reintroduction was considered under the Department of Climate Change, Energy, the Environment and Water's (then the Department of Planning and Environment's) Translocation Operational Policy. The University of New South Wales prepared and submitted a translocation proposal that was assessed by the Department. Endorsed actions are licensed under the NSW *Biodiversity Conservation Act 2016*. Where animals are involved as part of the research, an animal ethics approval is required. An animal ethics approval was issued for the platypus project through the University of New South Wales.

57. Oven Mountain pumped hydro project – Transcript page 74

The CHAIR: I think the answer to this is no, but was there any sort of "That environmentally constrained area is too high for this project to be considered"? Was there any of that kind of criteria at the time?

JAMES HAY: One of the criteria was "Does it have a pathway to planning approval?", which, of course, factors in "Is it likely to get a planning approval?" So that does look at the nature of where it has been developed and if it was –

The CHAIR: My experience as an environmental lawyer would tell me that means anything is on the table. Sorry, that's probably being a bit too facetious there. So it was about whether there was a planning pathway?

JAMES HAY: There were some projects that didn't get through on that criteria.

The CHAIR: Really? And how would we learn of those?

JAMES HAY: I think we could look at that. But it was things with land access or land tenure or the ability to get through. It's just about that pathway to planning approval – all those criteria that you have to establish.

ALISON PEPPER: I was going to say we're happy to take on notice the specific criteria to give to you.

The CHAIR: Thank you.

Answer:

Please refer to the answer given later in the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing, recorded on page 85 of the uncorrected transcript.

Full details of the three Merit Criteria referred to in the answer are available in the NSW Pumped Hydro Recoverable Grants Program Guidelines at www.energy.nsw.gov.au/sites/default/files/2022-08/pumped-hydro-recoverable-grants-program-guidelines-20210079_0.pdf.

In accordance with Merit Criteria two outlined in Section 3.2 of the NSW Pumped Hydro Recoverable Grants Program Guidelines, the assessment of the demonstrated pathway to establishing project feasibility included the evaluation of:

iv. a detailed risk register demonstrating a thorough understanding of all risks associated with the Pre-Investment Activity and activities required to develop the Project. The risk register

No. Question

should include all risks including financial, technical, environmental, compliance, regulatory and delivery risks as well risks relating to the success of the Pre-Investment Activity. Appropriate risk mitigants should be provided that are matched to risks.

58. Oven Mountain pumped hydro project – Transcript page 74

ANTHONY LEAN: It's a grant, though, to do with feasibility studies, so those issues will keep getting tested through the feasibility stage. Notwithstanding your comments, obviously, if any of them get through that, those issues would then be tested through the normal planning assessment process.

The CHAIR: With Oven Mountain, what is your understanding at the moment about where that project is in terms of its ongoing feasibility?

JAMES HAY: I haven't had an update on that for a little while, so we would have to come back to you on that, I think.

ALISON PEPPER: We can take that on notice.

Answer:

Please refer to the answer given later in the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing, recorded on page 85 of the uncorrected transcript.

59. Contaminated petrol station sites – Transcript page 76

The Hon JACQUI MUNRO: Mr Beaman, I'm wondering what the risk is from contaminated petrol station sites to groundwater-dependent communities.

STEPHEN BEAMAN: Yes, it is a risk, particularly for those people that have – that's why we've mapped. That's why I think it's a really clever piece of work. We've identified every – I'll give you the basis. Often the small villages you see in rural and regional areas – the general store is the post office, the bread shop and some of them historically have sold fuel. More and more you're seeing less of those.

The Hon JACQUI MUNRO: My family's farm is located in such a town.

STEPHEN BEAMAN: Exactly. What we've done as an exercise is mapped all those small villages and those general shops and then mapped where the groundwater is of a quality that you're able to use domestically, because not all groundwater, as you know, you can use. Then we've looked at the distances from those sites, so particularly – hydrocarbon contamination typically abates at about 250 metres from the source site, so it doesn't travel that far. Then we've done the mapping exercise and then we keep narrowing it down to a smaller set so that – by memory, there are a couple of thousand sites and we've identified as high-risk ones or ones that need further investigation probably about 80. And then we're starting the field exercise where we go out into the community with the councils – because the councils are the regulators of underground petroleum storage tanks. But we go out to those communities, do some doorknocking and offer people to test their bores for them for hydrocarbon contamination.

The Hon JACQUI MUNRO: Is that map public?

STEPHEN BEAMAN: I don't think so, no.

The Hon JACQUI MUNRO: Will it be made public?

No. Question

STEPHEN BEAMAN: I think when we get to the end of the project, yes. The idea is to have a project report and explain what we've done, where we've been to and it'll be part of that exercise.

The Hon JACQUI MUNRO: When is that due?

STEPHEN BEAMAN: I might take that one on notice. The team is actually out doing the field work over the last couple of months.

The Hon JACQUI MUNRO: It sounds very extensive.

STEPHEN BEAMAN: Yes. It's a pretty big piece of work. I'll take that one on notice for you.

Answer:

The project report with map will be made public once the project is complete.

60. O'Reilly Report – Transcript page 77

The Hon SCOTT FARLOW: With respect to that O'Reilly report, how many of the 54 recommendations in that report have been completed to date?

ALISON PEPPER: I don't know that I've got the exact numbers on the full number of those recommendations that have been completed. I can take that on notice. But there is a range of recommendations that are underway and close to completion.

The Hon SCOTT FARLOW: If on notice you could take all of the recommendations and their current status, that would be appreciated.

ALISON PEPPER: No problem.

Answer:

A summary of the status update for all recommendations from the Electricity Supply and Reliability Check Up is provided below. For details of each individual recommendation and the status update, please refer to Appendix 1.

STATUS UPDATE	TOTAL
Completed	7
In progress	41
Not started as relevant trigger not met	4
Not accepted, no action	2
TOTAL	54

61. Responsible Generator Exit Policy – Transcript page 77-78

The Hon SCOTT FARLOW: Where is the Responsible Generator Exit Policy up to?

ANTHONY LEAN: That is being developed through the national energy Ministers council; I hope I've got the name of that right.

ALISON PEPPER: The Energy and Climate Change Ministerial Council.

No. Question

ANTHONY LEAN: Sorry. My understanding is that some initial work was considered at its meeting at the end of last year and it's due to come back at a future meeting later in the year.

ALISON PEPPER: There has been a period of consultation that has now closed and those responses from that consultation are now being assessed.

The Hon SCOTT FARLOW: Is there anything that has been drafted at present or is it all just consultation?

ALISON PEPPER: The information that's on the Federal Department of Climate Change, Energy, the Environment and Water has the most up-to-date information on where that's up to, and more information will be available in due course. But we're still in a period of assessing those submissions from the consultation.

The Hon SCOTT FARLOW: When do you anticipate it will be completed?

ALISON PEPPER: I don't have an exact date in mind but I can come back to you in a moment.

The Hon SCOTT FARLOW: In a moment? Sure, great.

Answer:

Please refer to the answer given later in the Climate Change, Energy, the Environment and Heritage Budget Estimates hearing, recorded on page 78 of the uncorrected transcript.

In our response we indicated that an exposure Bill and Rule for the Orderly Exit Management Framework is being prepared. A release date of April was given for consultation. That information was correct at the time of the hearing. Public consultation is now expected to commence in late May 2024.

It is anticipated that the final Bill and Rules package will be presented for Energy Ministers' approval in August 2024. An update on the feedback from consultation on the draft Bill and Rules package will be given to Energy Ministers at the Energy and Climate Change Ministerial Council meeting scheduled for 19 July 2024.

The need for the development of the NSW Responsible Generator Exit Policy will be assessed following a decision on the Orderly Exit Management Framework.

62. Great Koala National Park – Transcript page 78

The Hon WES FANG: Mr Lean, earlier you told me that the commitment from the current Government at the election was to provide 176,000 hectares for the Great Koala National Park. Are you sure that that was the commitment that the now Government made?

ANTHONY LEAN: To the best of my recollection.

TRISH HARRUP: The commitment was to assess 176,000 hectares.

The Hon WES FANG: Do you know where that was actually published and if that was given to the Parliamentary Budget Office? Because my understanding is that they'd only committed to an area between Port Macquarie and Coffs Harbour to be assessed for a Great Koala National Park. There was no indication of the 176,000 hectares, so I'd appreciate if you could perhaps take on notice where that was provided and where the 176,000 hectares came from, because that's not my understanding.

No. Question

ANTHONY LEAN: Yes, we'll take that on notice. If I could just say, generally, departments are not involved in the development of election commitments. But we'll take that on notice.

The Hon WES FANG: No, I appreciate that, but obviously there's a translation from the election commitment and what was given to the Parliamentary Budget Office into what is now policy. The Minister has asked you to work on something that was an election commitment. What we're trying to understand is what the election commitment was and what is currently before us now. Because, as I said, my understanding was that it was an area between Port Macquarie and Coffs Harbour that was to be assessed. What we've seen now is a map that has 50 per cent north of the proposed area identified on the map that I tabled earlier. There's a lot of concern amongst the community as to what is actually going to be finally locked up in relation to a Great Koala National Park.

Answer:

The NSW Government has committed \$80 million to create a Great Koala National Park. The Parliamentary Budget Office costings for the establishment of the Great Koala National Park were based on the proposal to assess 176,000-hectares of state forest to create the koala park.

The Parliamentary Budget Office costings paper is publicly available at www.parliament.nsw.gov.au/pbo/Documents/2023OppositionCostingsandRequests/C967%20-%20Costing%20-%20Establish%20a%20Great%20Koala%20National%20Park.PDF.

63. Great Koala National Park advisory panels – Transcript page 78-79

The Hon WES FANG: Moving on, in relation to the Great Koala National Park, who are the individuals that are on the advisory panel, Mr Lean?

ANTHONY LEAN: I don't have the names in front of me, but there's a range of organisations represented.

The Hon WES FANG: Would you be able to provide those on notice, perhaps?

TRISH HARRUP: The organisations that are members of the panels, that's published on our department website.

The Hon WES FANG: But the actual members themselves?

TRISH HARRUP: The individuals' names aren't published on the website. The organisations that they represent —

The Hon WES FANG: I appreciate that. What I'm asking is who the —

ANTHONY LEAN: We'll take that on notice and just consider whether there are any issues with that.

Answer:

Membership of the Great Koala National Park advisory panels is published on the NSW Government's Environment and Heritage website at www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/establishing-new-parks-and-protected-areas/new-parks-and-changes-to-parks/great-koala-national-park.

No. Question

64. Native forestry – Transcript page 79-80

The Hon WES FANG: Mr Lean, were you asked by the Minister or the Premier to provide options for a transition out of native forestry ahead of the Federal Court decision on the North East Regional Forest Agreement?

ANTHONY LEAN: I'm pretty confident I wasn't because I didn't start with the department until 22 February.

The Hon WES FANG: Let me rephrase: Was the department, in either guise – obviously, the one that it is in now or in a previous iteration – asked by the Minister or the Premier to work on that policy?

ANTHONY LEAN: I think we'll take that one on notice so we can get you an answer.

Answer:

No.

65. Koala Strategy – Transcript page 82-83

The CHAIR: Okay. Just going back to the Koala Strategy, of the I think it was the \$181 million allocated by the previous Government, how much of that has been actually spent, and then how much is contractually committed?

SHARON MOLLOY: I think I might have to take some of that on notice.

The CHAIR: It is quite specific.

SHARON MOLLOY: There's quite a bit of moving parts in that. I can take that on notice.

The CHAIR: It's hard to know where the money's gone – not entirely; there's some tracking. I think what we're interested in is how much is being spent; what has been contractually committed; how much has been spent within the assessment boundary of the Great Koala National Park; and are there any unallocated funds. I know we're moving into the new consultation around the new strategy, but looking at what any unallocated funds might be.

SHARON MOLLOY: Yes.

ANTHONY LEAN: Could I just clarify on that? There was separate funding made available for the Great Koala National Park of \$80 million. It's quite separate from what the former Government committed.

The CHAIR: Yes, but the question is quite specific. I want to know, in addition to the State, what proportion of that money has been allocated within the assessment boundary of the Great Koala National Park. And then, of course, there is the new commitment and the new money that goes into the assessment.

SHARON MOLLOY: Yes.

Answer:

Of the more than \$190 million allocated to deliver the NSW Koala Strategy, as at 13 March 2024 \$109.6 million has been spent and \$21.9 million has been contractually committed. It is not possible to apportion statewide NSW Koala Strategy spending within the assessment boundary of the proposed Great Koala National Park.

No. Question

Separately, the NSW Government has committed \$80 million to deliver the Great Koala National Park.

66. **Aboriginal Heritage Impact Permits** – Transcript page 83

The CHAIR: Thank you. Just jumping on to the Aboriginal cultural heritage impact permits, are the assessments for those permits continuing like they always have been, or has there been a change in the approach to the assessment of the permits under the new Government? "New Government" – it's old now. It's a year old. Has there been any kind of internal change around the way we're assessing those permits? I know the law hasn't changed yet.

MATTHEW CLARK: The law hasn't changed. The permits are assessed in the department on the merits of the applications.

The CHAIR: I know the Minister didn't have those numbers in front of her, but have the numbers of permits in this year to date, since March, increased or decreased since the same period over the last year?

MATTHEW CLARK: The Minister took it on notice, and I'll have to take it on notice as well.

The CHAIR: Just roughly, in terms of that, does it look like it's ordinary? Is there any kind of notable increase/decrease, or it just looks like it's a normal year of granting permits? You don't know?

MATTHEW CLARK: I'm sorry, I just can't answer that here.

Answer:

Heritage NSW issued 149 Aboriginal Heritage Impact Permits (AHIPs) in the 2022–23 financial year. As at 15 March 2024, 109 AHIPs have been issued for the current 2023–24 financial year. 143 AHIPs were issued from 28 March 2023 to 15 March 2024.

Heritage NSW expects to issue a similar number of AHIPs this financial year, based on the number of applications received and AHIPs issued to date.

67. **2019–2020 bushfires** – Transcript page 84

The CHAIR: Earlier with the Minister I was asking about the protected area network and the strategy around understanding the impacts of the fires from 2019-20. Obviously, the NRC had done some work in relation to the forest estate and made recommendations that the Forestry Corporation didn't actually implement. But, more broadly, what is the State doing to really understand the needs of the protected area network as we are going to face more extreme and more significant weather events, particularly fire, floods, landslips, et cetera?

ANTHONY LEAN: Probably the most significant thing that I think has come out of that is the work that's been done around assets of intergenerational significance. Essentially, they've been mapped and they're now starting to inform fire management plans and things like that. I might hand over to Ms Harrup to provide some more information more generally about the assessment work that's been done.

TRISH HARRUP: You're probably aware that the department published two response plans around recovery following the bushfires, an immediate-term and then a medium-term plan, and then amended the National Parks and Wildlife Act to create the assets of intergenerational

No. Question

significance. There's also been work undertaken – and this is Mr Bruce's area – to do fire refugia mapping, which is also informing our approach to fire management.

The CHAIR: Is that happening now – the mapping?

NAOMI STEPHENS: No, that mapping has been done previously. But now it's being used as data to inform National Parks in its hazard reduction program planning to ensure that those areas that are critical to providing refugia for species post 2019-20 aren't being impacted by a hazard reduction program. Also, we're using that data in terms of our bushfire response planning, along with, obviously, the AIS material.

The CHAIR: Is there any work that has been done in terms of the analysis of what did burn, how it burned and whether it was necessary that it burnt, or that fire could have or should have been avoided, particularly in relation to the protected area network?

NAOMI STEPHENS: I don't have any information about that, but we'll take that question on notice if that's all right and provide you with anything we have.

Answer:

Yes. The Department has analysed what area burnt and at what severity using the NSW Government's Fire Extent and Severity Mapping, known as FESM. This mapping uses satellite imagery and machine learning to deliver timely fire severity maps.

In relation to the question of whether it 'was necessary that it burnt' or 'could fire have been avoided', the *Final Report of the NSW Bushfire Inquiry* into the 2019–20 fires noted (among other findings) that the fires were so large, intense, simultaneous and hard to suppress because (page 35):

- the available fuel was extremely dry due to prolonged and widespread drought
- the dryness of the fuel meant that lightning was very effective in starting new fires, often in remote areas
- NSW experienced repeated, extremely bad fire weather days, and nights were often hot with low humidity
- many fires exhibited extreme, dynamic behaviours and there was an unprecedented number of fire-generated thunderstorms
- ember spotting was very intense and embers were thrown a long way causing more fires to start
- it was at times challenging to detect and extinguish new ignitions quickly in remote areas where they started
- as more fires took hold up and down the State, resources were more stretched, so there were fewer fire fighting resources available for each fire and they got worse
- there was very limited capacity to fight fires at night and many of the fires took big runs at night and in the early morning.

Prior to the 2019–20 fire season NPWS had been actively working to manage fire risk on NPWS managed lands. The *Final Report of the NSW Bushfire Inquiry* into the 2019–20 fires noted (among other findings) that:

No. Question

- Fuel loads were generally high across most of the fire affected areas of NSW. However, fuel levels were on average no higher than they have been for the last 30 years. The dryness of the fuel and therefore its availability to burn appears to have been the dominant contributing factor (page 47).
- The NSW Government, largely through works undertaken on national parks, has met its hazard reduction targets from 2011 to 2019, and the area over which hazard reduction activities have been done annually has on average increased since 2011 (page 156).
- Most prescribed burning in NSW is performed on national parks. NPWS performs 79% of the hazard reduction burning across all tenures in NSW (while managing 9% of the State), in collaboration with NSW Rural Fire Service and other agencies (page 161).

NPWS has or is implementing the recommendations of the Inquiry. Relevant measures include:

- an increase in the number of NPWS firefighters
- an increase in NPWS capacity to undertake rapid remote area response to fires
- establishment of an ecological risk team to assist in embedding environmental and cultural heritage in bushfire planning
- additional statutory protection for assets of intergenerational significance, notably critical habitat for threatened species such as the Wollemi Pine
- improved integration of refugia into fire planning and bushfire response.

NPWS also undertook a number of evaluated case studies conducted for individual reserves, or regions, such as the Greater Blue Mountains Area or Gondwana Rainforests of Australia World Heritage properties, to inform its priorities for Australian Government funded World Heritage area post fire recovery work.

68. 2019–2020 bushfires – Transcript page 84

TONY CHAPPEL: The Minister has also asked the NRC to update their work on the State forest estate as well.

The CHAIR: Does that work only involve the public forest estate or is that the whole —

TONY CHAPPEL: I understand so. Actually, I might take that on notice to make sure it's accurate.

The CHAIR: It would be so good if we could just do the bigger work rather than keep compartmentalising.

Answer:

The Natural Resources Commission's original review was limited to public native forests regulated under the Coastal Integrated Forestry Operations Approval.

The NSW Government has asked the Natural Resources Commission to update this advice using contemporary fire recovery data, and it will continue to be limited to public native forests.

No. Question

69. Underground petroleum storage groundwater project – Transcript page 86

STEPHEN BEAMAN: I've just got one clarification for Ms Munro. The UPSS groundwater project, we started looking at 7,559 sites; 16 have been prioritised for inspection. To date we've done 10; there are six to do.

The Hon JACQUI MUNRO: How many were prioritised?

STEPHEN BEAMAN: Sixteen, and we've inspected 10 and there are six outstanding. But we started from 7,559.

The Hon JACQUI MUNRO: Are you able to provide the locations of those on notice, please?

STEPHEN BEAMAN: Yes.

Answer:

Following additional information, which was not available at the hearing, the EPA can now confirm that 17 underground petroleum storage systems were prioritised for further checking. Of those, based on further investigation and more detailed information, it was determined that site visits were only warranted at 10 sites. The inspections of these 10 sites have been completed.

The 17 prioritised sites are:

1. Carroll Store – 70 Breeza Street, Carroll
2. Crabbes Creek General Store – 24-28 Crabbes Creek Road, Crabbes Creek
3. Somerton Roadhouse – Oxley Highway, Somerton
4. Stuart Town General Store – 23 Copeland Street, Stuart Town
5. Wingello Village Store – 67 Railway Parade, Wingello
6. Tabulam Rural Agents – 8611 Bruxner Highway, Tabulam
7. Tabulam News - 8957/8601 Bruxner Highway, Tabulam
8. Tabulam Family Mart – 20 Court Street, Tabulam
9. Bonalbo News and General Store – 62 Woodenbong Road, Bonalbo
10. Ampol Tarago – 2 Braidwood Road, Tarago
11. Bonshaw Store – 10959 Bruxner Highway, Bonshaw
12. Gundy General Store – 4 Riley Street, Gundy
13. United Petroleum Sutton (Pie Face) – 1542 Federal Hwy Service Road, Sutton
14. Woodham Petroleum Services – 18 Colin Street, Carinda
15. Ampol Foodary Lightning Ridge – Morilla Street, Lightning Ridge
16. BP – Opal Street, Lightning Ridge
17. Barriekneal Fuel – 37 Morilla Street, Lightning Ridge.

Appendix 1 – Question 60

Detail of each individual recommendation from the Electricity Supply and Reliability Check Up status update

Recommendation		Government's response to recommendation	Recommendation Status
1	That successful implementation of the Roadmap be added to the list of Premier's priorities for the state of NSW.	Accept. Roadmap implementation will be designated as a strategic priority of the Government.	Complete
2	The current Electricity Infrastructure Roadmap Intergovernmental Steering Committee be confirmed as having responsibility for coordinating whole-of-government implementation responsibility for the Roadmap. The Steering Committee should include representatives of critical agencies like Planning, Education, Transport, Treasury, Housing and Regional Development as well as the Roadmap entities. The Committee should provide quarterly status reports to the NSW Secretaries Board, to further support whole-of-Government focus on the Roadmap.	Accept. The Roadmap Steering Committee will also regularly report to Cabinet.	Complete
3	The Energy Security Target Monitor (ESTM) should be transferred to a NSW agency with a target date of 1 July 2024.	Accept.	In progress
4	The new ESTM should be led by an independent Energy Security Target Commissioner (ESTC) who oversees the Energy Security Target (EST) and reports to the Minister.	Accept in part. The NSW Government supports the transfer of this function, but will not create an additional Commissioner role.	In progress
5	The ESTM should continue to engage the current monitor, AEMO, for modelling of the Energy Security Target (EST).	Accept.	In progress
6	Consideration should be given to amending the EST methodology to align with the National Electricity Market (NEM) once the current review of the NEM reliability standard by the Australian Energy Markets Commission (AEMC) is complete.	Accept. The NSW Government will assess whether to align the methodology with the national approach once AEMC has made its recommendations on the NEM reliability standard.	In progress

Recommendation	Government's response to recommendation	Recommendation Status
<p>7 The Minister should direct EnergyCo under section 8(5) of the <i>Energy and Utilities Administration Act 1987</i> to focus on financial closing of the Central-West Orana REZ, and, if deemed time critical, Priority Transmission Infrastructure Projects like the Waratah Super Battery (WSB) and Hunter Transmission Project (HTP).</p>	<p>Accept in part. The NSW Government will direct EnergyCo to focus on:</p> <ul style="list-style-type: none"> • procurement of the Central West Orana REZ, the Waratah Super Battery and the Hunter Transmission Project. • some of its non-procurement activities including administering access schemes, community engagement and funding programs, planning REZ network infrastructure and working as part of the Roadmap Steering Committee to coordinate across portfolios on supporting infrastructure within REZ (e.g. housing, roads, telecommunications). <p>Activities to progress Hunter Central Coast and New England REZ network projects will continue, with formal procurement for New England REZ subject to the assurance review in response to recommendation 9 below. The NSW Government will transfer some functions from EnergyCo to the Department, including grants programs for pumped hydro, offshore wind policy, and reforms to enable more generation to connect to existing networks.</p>	<p>Complete</p>
<p>8 Representatives of the Office of Energy and Climate Change (OECC), Treasury and Infrastructure NSW (INSW) should immediately be appointed as full members of the EnergyCo Advisory Committee (EAC).</p>	<p>Not accept. The NSW Government will establish a formal governance board and associated reporting structure for EnergyCo, to support it moving to a mature operating state with improved decision-making and risk management processes. In the interim, Treasury and OECC will attend EAC meetings.</p>	<p>In progress</p>
<p>9 Before any procurement processes occur for future REZs, INSW should conduct an Assurance Review of the REZ program and assess procurement approaches and delivery focused structures for EnergyCo.</p>	<p>Accept. INSW, in consultation with Treasury and EnergyCo, will conduct an assurance review on the REZ program, procurement approaches and proposed delivery structure and report back in November 2023.</p>	<p>Complete</p>

Recommendation		Government's response to recommendation	Recommendation Status
10	Consideration should be given to engaging INSW's Projects NSW division to oversee the construction of the Central-West Orana (CWO) REZ by the first ranked ACE Consortium.	Not accept. The NSW Government wants a delivery-focused EnergyCo to oversee all REZ infrastructure construction and operation. The Central West Orana REZ Network project is an opportunity to build this capability. The NSW Government will leverage relevant INSW expertise to support this, including INSW's continued role as program and project assurer.	N/A (no action)
11	Once the Upper House inquiry into underground transmission is complete, should Transgrid not proceed with a final decision on the HumeLink project, then consideration should be given to directing Transgrid to carry out the project as a Priority Transmission Infrastructure Project under s.34 of the <i>Electricity Infrastructure Investment Act 2020</i> .	Not accept. The Legislative Council has now reported on underground transmission. HumeLink is a Commonwealth and NSW priority and is proceeding under the National Electricity Rules' regime for transmission infrastructure.	N/A (no action)
12	To ensure an alignment of generation and network objectives in the Roadmap, information sharing arrangements between EnergyCo and AEMO Services Ltd (Consumer Trustee) should be enhanced with a Joint Coordination Committee (JCC) of both organisations put in place.	Not accept. The NSW Government supports greater information sharing between Roadmap delivery agencies, but does not support an additional committee as the mechanism to achieve this. The NSW Government will clarify the responsibilities and interactions between the two organisations.	Not started
13	Once the Central-West Orana REZ (CWO REZ) reaches financial close, a review of the approval process should be conducted to see if there are opportunities to make decisions faster.	Accept.	Not started
14	The NSW Government together with NSW distribution networks should work with the Australian Energy Regulator (AER) on a common methodology to recover Roadmap costs. The Government should closely monitor forward projections on estimated Roadmap recovery costs to ensure that affordability objectives are maintained.	Accept. Under the National Electricity Rules, network tariffs are proposed by distribution businesses and approved by AER. The NSW Government will work with distribution businesses on principles for how best to recover Roadmap contributions through their tariff structures.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
15	The exemptions framework for Roadmap costs should be reviewed and also consideration given to including transmission connected businesses to reduce the burden on small customers.	Accept.	In progress
16	The Electricity Infrastructure Jobs Advocate should immediately brief the Energy Minister on skills and training requirements and construction and logistic challenges in the Central-West Orana REZ (CWO REZ).	Underway. The Electricity Infrastructure Jobs Advocate has recently provided his second report to the Minister for Energy. The Minister for Energy and Minister for Skills will convene a roundtable with industry, unions and the skills sector to develop a workforce plan for the NSW renewables sector.	In progress
17	Consideration should be given to establishing the proposed Energy Security Corporation (ESC) as a subsidiary of the Clean Energy Finance Corporation (CEFC) with a NSW-appointed board and mandate focused on market needs rather than specific technologies.	Accept. The NSW Government will discuss this potential option with the Clean Energy Finance Corporation and the Commonwealth Government. If supported, the NSW Government will assess this option alongside the other models for delivery of the Energy Security Corporation.	In progress
18	Under s.21(2)(b) of the Energy and Utilities Administration Act 1987, the Minister should commission an expert review of current Transmission Planning arrangements in NSW to reduce duplication and advise on the best approach to ensuring coordination between the Roadmap bodies (EnergyCo, TransGrid, AEMO, AEMO Services).	Accept.	In progress
19	Consideration should be given to ensuring a new REZ requirement for final design and interface with the shared network to be reviewed by Transgrid.	Accept.	In progress
20	That given the proposed closure of the Eraring generator is now less than two years away, the NSW Government should consider new modelling on the affordability impacts of the proposed closure of Eraring in August 2025 on NSW and NEM customers.	Accept.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
21	That engagement begin with Origin Energy on an extension of the Eraring coal plant beyond 2025.	Accept.	Complete
22	That the Government seek clarity from Origin Energy on Eraring to provide certainty for workers and suppliers.	Accept.	In progress
23	That Origin Energy be required to demonstrate any claims about the extension of Eraring to the Energy Security Target Monitor (ESTM) and provide all information required to verify those claims to the ESTM	Accept.	Complete
24	That an Orderly Exit Mechanism (OEM) for future generation exits continue to be progressed through National Electricity Market (NEM) forums by NSW.	Accept.	In progress
25	That NSW simultaneously progress a "NSW Responsible Exit Policy" under which any market participant in NSW proposing to retire existing generation capacity, or part thereof, above a firm generation capacity of 600 MW be required to submit their plans to the ESTM at least three years prior to the proposed retirement.	Accept.	Not started
26	That compliance with the Responsible Exit Policy be a requirement for participation in Consumer Trustee LTESA auctions.	Accept.	Not started
27	That the NSW Government immediately review the regulations supporting the Energy Security Target Monitor (ESTM) to address recommendations in the Energy Security Target Monitor (ESTM) 2022 report to consider risks associated with interconnectors and short-duration storage.	Accept.	In progress
28	That considering the slow development of long-duration storage (LDS), the Government commission a review by the Consumer Trustee (CT) into the storage requirements of the NSW market and consider amendments to the definition of LDS in the Roadmap legislation.	Accept.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
29	That the Government engage a technical expert to advise on whether additional renewable generation projects can be developed on the existing transmission and distribution grid through small network enhancements.	Accept. Network businesses decide whether there is adequate hosting capacity to offer a network connection agreement to applying generators, and have dedicated network planning teams to identify potential upgrades. NSW Government experts will work with network businesses' planning teams to identify the areas of the existing network with opportunities to connect more generation projects.	In progress
30	If the technical expert confirms hosting capacity on the transmission and distribution grid is available, some funding from the Transmission Acceleration Facility (TAF) be repurposed to allow for a contestable bid for enhancements run by the Consumer Trustee (CT) in consultation with EnergyCo. NSW transmission and distribution companies should also be required to publish generation hosting capacity.	Accept. The NSW Government will request Essential Energy, Ausgrid, Endeavour Energy and Transgrid publish spatial information about the hosting capacity of their networks on a centralised website. This website will also include locations where network businesses have identified upgrades to enhance this hosting capacity as part of their annual planning reports. It is not clear that network businesses or generation developers need access to government finance to accelerate the construction of small network upgrades. If government finance is required, the NSW Government will explore this option as well as alternatives including the Energy Security Corporation and the Commonwealth's Grid Reliability Fund. Once the appropriate finance mechanism is determined, the Government will consider options for a procurement process.	In progress
31	That a NSW Consumer Energy Resources (CER) strategy be prioritised by the Department to better integrate CER into the supply mix by 2030. The strategy should ensure common technical standards for CER and set targets for uptake of technologies such as smart meters and distributed batteries.	Accept. The NSW Government will release a NSW Consumer Energy Resources (CER) strategy.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
32	That eligibility for the Peak Demand Reduction Scheme (PDRS) be expanded to include use of batteries, virtual power plants (VPPs) and other measures that help reduce peak demand.	Accept.	In progress
33	That the investment mandate of the proposed Energy Security Corporation (ESC) include CER optimisation projects on the distribution grid.	Accept. The NSW Government will consider including this in the Energy Security Corporation's investment mandate as part of the design of the Corporation	In progress
34	That given NSW will have seven gas plants by the end of 2024, AEMO be commissioned to undertake a NSW gas infrastructure review to advise whether additional storage will be required for those generators given an impending supply gap in east coast gas markets.	Accept.	In progress
35	That consideration be given to NSW Government participation in the Wholesale Demand Response Mechanism (WDRM) as a leadership example to other large users.	Accept. The NSW Government will task agencies with large electricity loads to investigate the feasibility of demand response in their operations.	In progress
36	That EnergyCo establish a REZ network infrastructure Consumer Consultation Council (RCCC) that includes the Australian Energy Regulator (AER), the Office of Energy and Climate Change (OECC) and small and large consumer groups to discuss Roadmap cost pass-through forecasts arising from Roadmap projects. This would be modelled on network company consumer consultative councils.	Complete. The Department already convenes a Consumer Reference Group to inform and consult consumer representatives on Roadmap progress and associated consumer costs and benefits. EnergyCo and AER will use this forum to discuss cost pass through forecasts for REZ network infrastructure.	Complete
37	To complement the on-the-ground presence of EnergyCo in the REZs, consideration be given to a broader public information campaign to explain the Roadmap and promote its benefits and opportunities.	Accept. The Department will work with Roadmap entities to improve the information resources available to stakeholders and the broader public about the Roadmap and the electricity system transition.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
38	That an expansion of Essential Energy's apprenticeship program in regional NSW be supported to help build the skills required for the energy transition.	Accept.	In progress
39	That more consistency in the development assessment process for renewable energy in NSW be established through clear guidelines for wind, utility solar, transmission and storage projects. That standard guidelines also be issued for community benefit sharing.	Accept.	In progress
40	That a regular forum for engagement on those guidelines be established by Department of Planning and Environment (DPE) involving Office of Energy and Climate Change (OECC), EnergyCo and the clean energy industry.	Accept.	In progress
41	That decommissioning plans be a part of all future renewable project approvals and that these be supported by remediation bonds at an agreed point in the project life.	Accept in part. DPE will continue to set objective-based conditions on wind and large-scale solar projects to ensure they are decommissioned and rehabilitated. The NSW Government will investigate the potential cost of decommissioning and evaluate whether decommissioning bonds should be required.	In progress
42	That standard landholder agreement templates be available from the Department of Planning and Environment's (DPE) website.	Accept.	In progress
43	That the Roadmap Intergovernmental Steering Committee (RISC) develop a whole of government plan for addressing community and workforce infrastructure needs and investments in the construction phase of the Central-West Orana (CWO) Zone. That a transport and logistics plan also be developed by the Roadmap Intergovernmental Steering Committee for CWO.	Accept.	In progress
44	That selected REZ generation projects be considered for Critical State Significance Infrastructure (CSSI) where they provide system security services and enjoy community support.	Accept.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
45	That EnergyCo establish high-profile offices in the REZs and look to increase local recruitment.	Underway.	In progress
46	That the funding agreement between DPE and EnergyCo for faster planning approvals in REZs be expanded, and a coordinated approach taken to cumulative impacts and biodiversity assessments.	Accept.	In progress
47	That funding and resourcing of the Energy and Resources team in the Department of Planning and Environment (DPE) be increased.	Accept.	In progress
48	That EnergyCo, DPE and REZ generators establish coordinated approaches to benefit sharing funds, complaints, and community engagement in the REZs.	Accept. EnergyCo will coordinate community benefit sharing, complaints and community engagement where appropriate. Planning will also develop guidelines to encourage benefit sharing schemes through the planning system. EnergyCo will administer its own regional benefit-sharing programs within REZ and coordinate its initiatives with local government and the clean energy industry.	In progress
49	That an updated local content policy for REZ infrastructure be developed by the Renewable Energy Sector Board together with the Roadmap Steering Committee and be subject to a cost-benefit assessment.	Accept.	In progress
50	That the Renewable Energy Sector Board be supplemented by a sub-committee of the Roadmap Steering Committee focused on local content opportunities identified by the Renewable Energy Sector Board.	Accept.	In progress
51	That a future-looking study on the electricity infrastructure required to support a hydrogen industry in NSW be undertaken which addresses options for funding the infrastructure outside the Roadmap.	Accept.	In progress

Recommendation		Government's response to recommendation	Recommendation Status
52	That consideration be given to complementing the Strategic Benefit Payments Scheme with a NSW framework for neighbours and visual impacts.	Accept.	In progress
53	That NSW consider the recommendations of the Australian Energy Infrastructure Commissioner's Community Engagement Review to be released later this year.	Accept.	In progress
54	That the First Nations Clean Energy Network or other appropriate representative bodies, be included in the Roadmap Steering Committee and Local Content Sub-committee.	Accept. The Roadmap Steering Committee will include a representative from NSW Aboriginal Affairs. The NSW Government will require agencies to seek First Nations, representation on Roadmap committees involving community engagement, and benefit sharing, consumer impacts and workforce and supply chain development.	In progress