

BUDGET ESTIMATES 2025–26

Climate Change, Energy, the Environment and Heritage Portfolios

Portfolio Committee No. 7 – Planning and Environment

Answers to Questions on Notice

Hearing: 29 August 2025

Climate Change, Energy, the Environment, Heritage Portfolio

No. Question

1. Cumulative impact studies – Transcript page 3

The Hon. JACQUI MUNRO: Are there other cumulative impact studies occurring in other REZs?

The Hon. PENNY SHARPE: We are doing cumulative impact studies in a range of different places. I would defer and suggest that you speak to Ms McCaughey, who's going to be here this afternoon, from EnergyCo. She's the CEO. She'll be able to take you in detail. But if I can find out more information before this, I'm happy to provide it.

Answer:

Refer to the answer given in the hearing, recorded on page 3 of the uncorrected transcript.

2. Timelines for cumulative impact studies – Transcript page 3

The Hon. JACQUI MUNRO: Given the communities that are impacted by the REZs and the consternation that's been raised, do you think that every REZ should have a cumulative impact study and will you be asking EnergyCo to conduct that work?

The Hon. PENNY SHARPE: I can tell you that both South West and New England are having cumulative impact studies done.

The Hon. JACQUI MUNRO: They are?

The Hon. PENNY SHARPE: Yes.

The Hon. JACQUI MUNRO: Do you have timelines on when each of those will be delivered?

The Hon. PENNY SHARPE: Why don't I take that on notice and come back to you. If we can answer it during the hearing, we'll be able to do that.

Answer:

Cumulative impact studies for the Central-West Orana Renewable Energy Zone (REZ) and New England REZ have been completed. Studies for the New England REZ were issued to local New England councils in September 2025. The studies for both REZs are intended to be released in Q4 2025.

Cumulative impact studies for the South-West REZ are currently being undertaken and will investigate key focus areas including population and housing, water and waste. The studies are expected to be finalised by Q4 2025.

3. Wind and solar in the REZs – Transcript page 3

The Hon. JACQUI MUNRO: Thank you very much; that would be helpful. In that cumulative impact study, will there be an idea of how much wind and solar will be built in each REZ in terms of, say, a floor or a ceiling number?

The Hon. PENNY SHARPE: These aren't capped, but the natural cap in relation to these is who has access rights in relation to this. You'd be aware that for Central-West Orana

No. Question

Renewable Energy Zone, access rights have been given to 10 generators and they're the ones that are basically guaranteed to be able to plug into the transmission lines that are being built. There are other, smaller projects around the place. I'll take on notice the detail of that; I'm happy to provide it to you.

Answer:

The Central-West Orana Renewable Energy Zone (REZ) cumulative impact studies do not propose a floor or ceiling for the number of projects that will be built in each REZ. The studies are a point-in-time assessment that assess the impacts of projects including renewable energy generation, storage and transmission projects, as well as other mining, transport, rail and manufacturing projects.

It is highly unlikely that all major projects considered in the study will proceed to construction, however, the studies provide a valuable baseline for project impacts to support informed decision-making around solutions and interventions.

While EnergyCo is responsible for engaging with and maximising the benefits for regional communities hosting a REZ, it does not 'control' the amount of generation and storage projects on the existing network in the REZ. The Central-West Orana access scheme applies to the new REZ network infrastructure being coordinated by EnergyCo and will limit the number of new projects that can connect to this new network through the provision of access rights.

Ten generation and storage projects have received access rights for the Central-West Orana REZ.

Projects planning to connect to the existing network not governed by the access scheme are primarily governed through NSW and Australian Government planning processes as well as availability on the existing network.

4. Eraring extension and emissions modelling – Transcript page 4

The Hon. PENNY SHARPE: Eraring will close when Origin decide to close. Currently, the advice that they've given to the market is that it will be 2027. As people know, the underwriting agreement that the New South Wales Government entered into with Origin only goes until 2027. I'm really happy to report to the Committee that actually not one cent of taxpayers' dollars has been used so far.

The Hon. JACQUI MUNRO: Have you been requested to extend that agreement?

The Hon. PENNY SHARPE: There's no request that I have. There's obviously a discussion. There are two things I'd say. Origin owns Eraring. It was sold by the previous Government. I don't actually control what they're able to do. They're a private entity and they're allowed to do that.

The Hon. JACQUI MUNRO: But what you do have control over is the contract terms that you go into.

The Hon. PENNY SHARPE: If you let me finish, I'll explain it to you. There is an underwriting agreement, which we made public — which is on the public record — that we voluntarily provided which says that the support —

No. Question

The Hon. JACQUI MUNRO: I am aware of that. I'm just curious about the extension —

The Hon. PENNY SHARPE: If you let me get to it, this is what I'll tell you. In that agreement it says the two things. One is that it's up to Origin to decide when they close, but their drop-dead day is 2029.

The Hon. JACQUI MUNRO: Just to clarify, you haven't had any discussions about extending the agreement after 2027 to 2029?

The Hon. PENNY SHARPE: No. There are plenty of people who've got theories about it and a lot of hot takes, but no.

The Hon. JACQUI MUNRO: That's why I'm asking you directly, Minister. Have you modelled the emissions impact should Eraring stay open to 2029?

The Hon. PENNY SHARPE: Yes. Everything is built into our emissions modelling.

The Hon. JACQUI MUNRO: What is the impact of that two-year extension from 2027?

The Hon. PENNY SHARPE: Two things to be aware of — the actual detail of that, I'll take on notice and get back to you. But the point here in terms of our emissions modelling is that, in fact, it's a point-in-time modelling, which means that if it's closed before 2030, there's no impact on the 2030 target.

Answer:

The annual emissions of Eraring power station are publicly reported by the Clean Energy Regulator and Origin Energy.

5. Wind farms in financial commitment or construction – Transcript pages 4-5

The Hon. JACQUI MUNRO: The Clean Energy Council's latest investment report for Q2 2025 shows that New South Wales has only one wind project either in financial commitment or in construction. New South Wales has attracted only \$8 billion out of the \$38 billion currently invested in clean energy projects in financial commitment or construction nationwide. Why are so few projects reaching financial close? We've got some of the longest time commitments between financial commitments and commissioning, the longest of all the States.

The Hon. PENNY SHARPE: I think that the report from the Clean Energy Council is important to understand in terms of where investment is happening. The counterpoint that I would say to the Committee, which is very important, is that the most recent report — I forget the actual name of it — basically says that New South Wales is the best place to invest in relation to renewables almost anywhere in the world, but particularly in Australia. That's because we've got the very good bipartisan road map, and we've got clear way to do tenders, and we've worked it through.

In relation to wind, since forming government we've approved 37 renewable energy and storage projects. Seven of those are wind farms, 14 are solar farms and 16 are battery storage systems. We've worked really hard. Basically, nothing was approved under the previous government since 2020 in relation to wind farms. We've moved through on that, and there are seven that are there. There are now ones that are actually getting built as they get planning approval. I think what you'll see is the tick-up will happen. Basically, there's been a long lead. We've done a lot of work — myself and Minister

No. Question

Scully and others — around the planning system to give certainty to people and that's what we're doing.

The Hon. JACQUI MUNRO: I do appreciate that, Minister, but New South Wales only has one wind project either in financial commitment or construction at the moment. Is that accurate?

The Hon. PENNY SHARPE: I'm not sure that is actually accurate. I don't know what the point in time is. I'll check and I'll come back to you but, as I said to you, we've approved seven.

Answer:

As of July 2025, there are two wind farms in NSW under construction or commissioning, amounting to around 460 megawatts of new generation capacity.

These are the Uungula wind farm which is currently under construction, and Crookwell 3 which is in post construction commissioning.

6. Clean energy project approvals – Transcript page 7

The Hon. JACQUI MUNRO: Minister, I'm so sorry to interrupt. I agree with you, of course. Can we please have an update on how many clean energy projects have been approved so far in 2025?

The Hon. PENNY SHARPE: Since we've come to government — why don't I get you the actual ones — seven wind farms, 14 large-scale solar farms, 16 battery energy storage systems. There's also obviously Central-West Orana — the transmission lines have also been approved. In terms of this year, let me come back to you.

Answer:

As of 8 September 2025, six clean energy projects with an expected installed capacity greater than or equal to 30 megawatts have received development consent since 1 January 2025.

Refer also to the answer given later in the hearing, recorded on page 26 of the uncorrected transcript.

7. Transmission Planning Review report – Transcript page 8

The Hon. JACQUI MUNRO: Also, in estimates in March, you said that you were comfortable with the Transmission Planning Review report delays. I'm wondering when that report will be made public.

The Hon. PENNY SHARPE: I'm not sure. Let me find out. I'll come back to you hopefully before the end of this hearing.

Answer:

My office received the Final Report on 8 September 2025. The NSW Government plans to publish the Final Report and the Government's response on the Department's website by the end of 2025.

No. Question

8. Koala translocations – Transcript page 9

The CHAIR: Regarding the koala translocations, as you're aware, in April this year seven of the 13 koalas in a translocation project died. This was not disclosed to the public until July by the department. It's a pretty alarming project, and the failure there is significant. Why was it not disclosed to the Parliament or the public any earlier?

The Hon. PENNY SHARPE: I know you have a view about whether it was disclosed. I don't believe that there was any issue in relation to it not being told. The point that I would make is that translocations happen all the time. I encourage people to go out to Yiraaldiya, which is the old Shanes Park in Western Sydney, where there are koalas literally living who have been translocated and are working really well there. As you know, there were 13 koalas that were translocated from Upper Nepean to South East Forests, and it was not —

The CHAIR: That's hundreds of kilometres. That's very different to Western Sydney, Minister.

The Hon. PENNY SHARPE: I'd need to find out where the koalas came from that have been translocated there.

Answer:

The koalas translocated to South East Forest National Park and Yiraaldiya National Park came from Upper Nepean State Conservation Area near Mittagong.

9. EnergyCo landholder engagement – Transcript pages 11-12

The Hon. MARK BANASIAK: I guess the concern is it's not just about one case. In how many of those cases that EnergyCo have been dealing with have they been using the same tactics that they've used with the Barrys? My concern is that if they're going to do this to a man that's in the final stages of motor neuron disease, how are they going to treat other able-bodied people?

The Hon. PENNY SHARPE: I've been very clear about my view around all of these, which is that it doesn't matter who it is. People should be treated with respect through this process. It's very challenging. This is people's land, and their livelihood and life. It's a really challenging thing. I expect the agencies that deal with this, particularly EnergyCo, to do that as well as they can. I also accept that sometimes there are impasses and that people need to move through those. That is also hard. My expectation is that EnergyCo does the best it can with empathy and sensitivity and works through that.

The Hon. MARK BANASIAK: Through you, Chair, can I table documents that go to some of the matters at heart around the case? I would just ask the Minister —

The Hon. PENNY SHARPE: The other thing I'd say, Mr Banasiak, is that the CEO of EnergyCo will be here this afternoon, and I'd encourage you to raise it. The detail of that is important.

The Hon. MARK BANASIAK: Perhaps, on notice, you can provide comments regarding your view on the concerns raised by the Barrys and their solicitors.

No. Question

The Hon. PENNY SHARPE: The points I'd make is: I'm across the issues and I want the issues to be resolved as quickly as possible, but I'm not going to canvass in here the details — the ins and outs — of what is actually being negotiated.

The Hon. MARK BANASIAK: If we're back here again in a matter of months because EnergyCo are still not following your expectations, are you prepared to take more serious steps in dealing with their failure to meet your expectations?

The Hon. PENNY SHARPE: The point to be made is that I've made my expectations very clear.

The Hon. MARK BANASIAK: But, like naughty children, if they don't meet your expectations, at some point you've got an issue of consequence.

The Hon. PENNY SHARPE: It's a hypothetical. Suffice to say that you and I are on a unity ticket when it comes to this, Mr Banasiak. We want people to be dealt with fairly and sensitively. We want the issues to be dealt with as quickly as they can be. That's ongoing. I've got these docs here. These are legal docs. You can table them. I don't have a problem. But I am really not going to get into the detail here.

The Hon. MARK BANASIAK: I might follow that up with EnergyCo in the afternoon.

The Hon. PENNY SHARPE: If you put stuff on notice — I don't think that's appropriate.

Answer:

There is no question taken on notice in this extract of the uncorrected transcript.

10. Transgrid - Australian Financial Review article – Transcript pages 13-14

The Hon. WES FANG: It was published in *The Australian Financial Review* in March 2025 this year that Transgrid sought \$700 million of grid investment from the Government. Is that correct?

The Hon. PENNY SHARPE: You'd probably have to give me more context and show me the report.

The Hon. WES FANG: I've got the article here.

The Hon. PENNY SHARPE: I learnt a long time ago, you don't always believe everything that's in the paper.

The Hon. WES FANG: That's why I'm asking.

The Hon. PENNY SHARPE: Do you want to show it to me? If you give me a copy, I'm happy to look at it. I'm not trying to be tricky.

The Hon. WES FANG: I'll provide it to you later. Let me rephrase. Has Transgrid asked you for \$700 million for grid stability?

The Hon. PENNY SHARPE: There have been discussions around what would be needed to do the grid stability, as we had a long conversation just recently around synchronous condensers and the way in which we can bring —

The Hon. WES FANG: Yes, I'm coming to those.

The Hon. PENNY SHARPE: Is that what you're getting to?

No. Question

The Hon. WES FANG: No, I'm coming there.

The Hon. PENNY SHARPE: There's a need for five synchronous condensers. We're trying to move them as quickly as possible. In the negotiations and discussions that I — and, in particular, my department — have with Transgrid on a regular basis, it's always about how do we keep a secure, strong and reliable network as we're exiting coal. That's part of the conversations all the time.

The Hon. WES FANG: Whilst I accept that, Minister, this article —

The Hon. PENNY SHARPE: Can you show it to me? I'm sorry, I just can't comment —

The Hon. BOB NANVA: Point of order —

The CHAIR: A point of order has been taken.

The Hon. PENNY SHARPE: I can take it on notice and come back to you.

Answer:

Transgrid has not asked the Government for \$700 million.

11. Synchronous condensers – Transcript page 16

The Hon. WES FANG: In relation to that, Minister, when were you first aware that we wouldn't have enough synchronous condensers to meet the targets that Transgrid are required to meet?

The Hon. PENNY SHARPE: I'd have to take on notice the precise date. There's a couple of things. I am generally aware about these. There are regular reports — several almost every month — that are tracking all of these things, whether they come from AEMO or a range of other market bodies in relation to this. I also have very diligent and good people in my department who are watching this and talking to the various companies all the time. The thing that I would point out is that AEMO's recent report shows that the gap is actually further out as a result of both Eraring — but, importantly, the fact that the renewable energy that we've been approving, and that has been coming to financial close and being built, is now going into the system. There's also —

Answer:

The Department of Climate Change, Energy, the Environment and Water first informed me of the potential need to accelerate Transgrid's delivery of synchronous condensers in February 2024.

12. Synchronous condensers – Transcript page 18

The Hon. WES FANG: Minister, we've established that we knew back in October 2023 that there would be gaps. We know now that there were letters from EnergyCo to Transgrid, saying that they would be supplying a number of synchronous condensers. We now know that in March Transgrid wrote to you seeking \$700 million of investment —

The Hon. PENNY SHARPE: No, sorry, they didn't — are you suggesting that they wrote to me about that? I'm not aware of that.

No. Question

The Hon. WES FANG: Well, they asked the Government for \$700 million.

The Hon. PENNY SHARPE: Sorry, no.

The Hon. WES FANG: I assume they would have written to you. Maybe they wrote to the Treasurer. Maybe they went straight around you.

The Hon. PENNY SHARPE: Please don't make —

The Hon. WES FANG: Maybe they go to the Premier. I don't know.

The Hon. BOB NANVA: Point of order —

The Hon. WES FANG: But certainly Transgrid needed \$700 million.

The Hon. PENNY SHARPE: I don't accept that.

The Hon. WES FANG: The question is, why did you leave it so late to order the synchronous condensers?

The CHAIR: A point of order has been taken.

The Hon. PENNY SHARPE: It's okay. I can honestly answer this. What you have tried to string together here is just — I don't actually agree with half of it, and I don't think most of it is correct. I'm happy to take on notice and clarify the matters that you have raised in relation to the sorts of assertions that you're making, but I do not accept them.

Answer:

Transgrid has not asked the Government for \$700 million.

My Department and Transgrid have been engaging on how to accelerate procurement of synchronous condensers since March 2024. In February 2025, Transgrid released a tender to supply synchronous condensers. Orders for synchronous condensers are expected to be made in the final quarter of 2025.

13. Gas connections in new builds – Transcript page 23

Ms ABIGAIL BOYD: We've spoken in the House before about moves by numerous local councils to ensure and update their own planning controls to make sure that we don't build new builds with gas connection because of the fact renters don't really have a choice, but also because of the cost of retrofitting them and stripping out the gas later. Although councils are making that move, a thing like the TOD SEPP overrides and pushes out a lot of those controls. Have you looked at ensuring that "no new gas or no gas connections in new builds" also makes its way into those new developments under the TOD SEPP?

The Hon. PENNY SHARPE: The specifics around the TOD SEPP itself I'd need take on notice because I'm actually not sure of all of that. What I do know, though, is that there's a significant number of new builds now that aren't putting gas in, by choice. I can't tell you in terms of the public and private market, but I'll try to get some information for you, and what we can provide, we'll take on notice. It's not the Government's intention to do a blanket ban in terms of new connections, but others are taking that step and we acknowledge that. The point that you're making though is correct — electrification can lead to huge amounts of savings because of the cost of

No. Question

gas. We've got a number of programs that are encouraging that. We've obviously got the energy savings — I can never remember what it is, but the ESS.

Answer:

The NSW Government has a commitment to deliver 377,000 new homes across NSW by 2029.

The State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024 does not alter or deal with the permissibility of gas connections. Gas connection regulations are primarily found under the existing State Environmental Planning Policy (Sustainable Buildings) 2022 for environmental standards, the State Environmental Planning Policy (Transport and Infrastructure) 2021 for pipeline safety and infrastructure assessment, and local councils' Development Control Plans.

Planning approvals and development remain a matter for the Minister for Planning and Public Spaces.

14. Gas connections in new builds – Transcript page 23

Ms ABIGAIL BOYD: On that point, we're all hoping we're on the cusp of a really big build of new housing. There are a lot of plans for new apartment buildings, particularly in those areas where councillors have decided that they don't want to have new gas connections in new builds. Is that something you'll look into and maybe talk about with your colleagues, in relation to making sure, because it's a State significant or a TOD SEPP development, that it's not going to override the councils' wishes?

The Hon. PENNY SHARPE: I'll need to get more detail because some of that is Planning stuff. I'll need to get advice about that and I'm happy to provide that.

Answer:

Refer to the answer to transcript question on notice 13.

15. Virtual power plants – Transcript page 24

Ms ABIGAIL BOYD: Because of a lack of accessibility now when it comes to battery subsidies, a lot of consumers are being encouraged to join a virtual power plant or VPP instead. They don't always operate in the best interests of consumers, and there's been criticism about the lack of regulation of those VPPs. Will you look at introducing regulations or minimum standards to ensure that there's better VPP regulation and consumer protections?

The Hon. PENNY SHARPE: We're doing that all the time. A lot of this is actually being done nationally, in terms of the rules and the standards. AEMC, which is the rule-making body, and AER, which is the regulator, are looking at all of those. We've made some recommendations around things like embedded networks and others. The thing I'd say about the importance of virtual power plants is that virtual power plants allow us to actually share the benefits of grid stability and other things within the grid, not just to the people who have it on their house.

First of all, there is a public benefit in being able to share that, particularly for people who can't access renewables, for example, in their areas. Having access to that and the

No. Question

stability of the grid that that provides is really important. That's something that we're continuing to deal with. It's an evolving area, but the orchestration via — at the moment, under the Federal plan, a thousand batteries are going in a day. It's pretty exciting. It actually means we have to have less of the big kit and more of that, but we need to orchestrate it, because otherwise the benefit to just one household is not really there. I'm constantly reviewing our PDRS scheme, which is what the VPP stuff sits under. Is it working? Is it enough? What are the other incentives? How do we make it fair for people?

Ms ABIGAIL BOYD: Would the consumer advocate, under the PDRS, have a role in ensuring that consumers are —

The Hon. PENNY SHARPE: I don't think so, but let me find out. I don't believe so, no.

Answer:

The NSW Consumer Energy Strategy includes actions to improve virtual power plant (VPP) consumer protections, including:

- Requiring the Independent Pricing and Regulatory Tribunal to report on VPP services of retailers in the annual energy retail market monitor report. This action is complete.
- Public consultation to expand consumer advocacy through the Energy and Water Ombudsman NSW's jurisdiction to new energy service providers, such as VPPs. This would include VPPs incentivised by the Peak Demand Reduction Scheme. This action is in progress.

16. Interim Transmission Planning review – Transcript pages 26-27

The Hon. JACQUI MUNRO: Thank you, Minister. Very generous. The interim transmission review options paper, released in June this year, says that key bodies — including EnergyCo, AEMO, Transgrid and the department — lack clear guidance on roles and responsibilities and that, whilst there is some guidance, there is no clear explanation of each party's role in transmission planning. Surely, given the urgency for energy security and the anxiety that we've spoken about with rural and regional communities, this is not acceptable for a good rollout.

The Hon. PENNY SHARPE: Look, it's a complex system. It's a complex system as a result of it being mostly privatised and having to coordinate a road map that relies heavily on private sector investment, working with Government through EnergyCo to have this done. That's why we're doing it. When we came to Government and I became the Minister —

The Hon. JACQUI MUNRO: Just to be clear: the clear roles and responsibilities of each organisation are something that should be clarified, would you agree with that?

The Hon. PENNY SHARPE: Yes, no doubt, and that's what we're trying to do through the review.

The Hon. JACQUI MUNRO: What do you think the roles and responsibilities of each of those organisations should be and how should they be outlined?

No. Question

The Hon. PENNY SHARPE: I appreciate that you might want me to spell all that out in detail. I'm happy to take that —

The Hon. JACQUI MUNRO: I would love that.

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

Answer:

The purpose of the NSW Transmission Planning Review is to identify the features of optimal transmission planning arrangements for NSW. The Review has considered the roles and responsibilities of each entity involved in transmission planning in NSW, including EnergyCo, the Australian Energy Market Operator, Transgrid and the Department of Climate Change, Energy, the Environment and Water.

My office received the Review's Final Report on 8 September 2025.

The NSW Government is now considering the recommendations and plans to publish the Final Report with the Government's response on the Department's website by the end of 2025.

17. Nature Strategy funding – Transcript page 29

The Hon. JACQUI MUNRO: Does the New South Wales Government Nature Strategy have any specific funding tied to it?

The Hon. PENNY SHARPE: There are people working on it, yes.

The Hon. JACQUI MUNRO: Is it specific funding, or is it just a part of existing roles and people spend a couple of hours on it each week?

The Hon. PENNY SHARPE: It's the key strategy that we have to turning around the very biodiversity loss that you've just highlighted. We're working through the Nature Strategy. There are obviously people working on that. There are programs that will sit under it and that will have to be worked through.

The Hon. JACQUI MUNRO: What are those programs that are working under it?

The Hon. PENNY SHARPE: Well, the types of programs, so things like Saving our Species. There's a whole range. I can hand over to Mr Lean in terms of how we're dealing with this, but the Nature Strategy is going to set out the targets and the plans for how we're going to deal with biodiversity loss. It's going to deal with habitat protection. It's going to deal with how we deal with threatened species. The big part of where I'm trying to get to is actually how do we take an ecosystems approach. I have a very strong view that species by species is not the way that we're actually going to turn this around.

If ecosystems are healthy, then the plants and animals within them — whether they're threatened, whether they're critically endangered — are part of it. That's the sort of systems thinking we're using to try to deal with this, and we're working through that. That will ultimately come as changes to the Biodiversity Conservation Act. The programs and policies that we'll fit under that, whether it's the excellent threatened species work done by Savings our Species — those are the kinds of things. But I might hand to Mr Lean if he wants to talk about the detail about what's underneath it.

No. Question

The Hon. JACQUI MUNRO: I might get the specifics later, if that's okay. I'll come back to you. I do appreciate it. Just to clarify, given it's a systems approach, are you intending to have a pot of money associated with the rollout of those programs, or is it that existing parts of the department —

The Hon. PENNY SHARPE: I always want money. I will be talking to the Treasurer at length about these matters. I sit on the ERC. We'll be doing all of that, but I can't tell you now about what we're going to do.

The Hon. JACQUI MUNRO: Is it your intention that there be money in the next budget?

The Hon. PENNY SHARPE: My intention is there's always money in the budget.

The Hon. JACQUI MUNRO: So it's taking money from other existing areas to undertake that work?

The Hon. PENNY SHARPE: No, I wouldn't say that. I wouldn't say that at all.

The Hon. JACQUI MUNRO: Well, is it being added to those other areas?

The Hon. PENNY SHARPE: We haven't been through the budget process yet, so I'm not in a position to tell you about that. If you want to ask about happened in the last budget, we can talk about that. The budget estimates are the ones that we've just done. I can't foresee the future in terms of what the next budget will look like.

The Hon. JACQUI MUNRO: If you could elucidate what parts of the budget have got funding associated with the nature strategy, that would be most welcome.

The Hon. PENNY SHARPE: We'll take that on notice.

Answer:

The Nature Strategy will draw from and include a range of existing and potentially new Department of Climate Change, Energy, the Environment and Water functions and programs.

18. Long-Term Energy Service Agreements – Transcript pages 29-30

The Hon. JACQUI MUNRO: There's a question about the LTESAs.

The Hon. PENNY SHARPE: From who?

The Hon. JACQUI MUNRO: Stakeholders.

The Hon. PENNY SHARPE: Which stakeholders?

The Hon. JACQUI MUNRO: There's concern about minimal visibility of whether projects are being delivered and how much money is being spent and how it will impact bills. There's a concern that there isn't enough transparency.

The Hon. PENNY SHARPE: What specifically in terms of transparency is missing?

The Hon. JACQUI MUNRO: The concern is that the Government is awarding multi-decade contracts to energy projects that haven't even received planning approvals and that their progress is not being tracked. Is that accurate?

The Hon. PENNY SHARPE: No, I would reject that their progress isn't tracked. We are tracking very carefully every single program that's coming into energy because, as

No. Question

we've talked at length about, as coal-fired power comes in, the amount of renewable energy that goes in is really important. Every project that is going through the planning system is being watched very carefully. Don't forget they have to report into AEMO in relation to what they're going to be contributing to the grid. That's all fine. The issue in relation to the LTESAs I might take on notice in terms of how much public information there is, because there is quite a bit of public information — this is not hidden — but we need to work through that. It is, of course, part of the design of the road map, which we supported.

Answer:

Long-term Energy Service Agreements (LTESAs) are awarded through a competitive tender process run by ASL (formerly AEMO Services) as the NSW Consumer Trustee. The Scheme Financial Vehicle is the counterparty to LTESAs.

ASL assesses projects based on merit criteria set out in its tender rules which are published on its website.

Public information about LTESAs is available in many locations including ASL's website and reports, the Department of Climate Change, Energy, the Environment and Water's website, and the Independent Pricing and Regulatory Tribunal's Roadmap annual report.

19. Heritage Strategy funding – Transcript page 30

The Hon. JACQUI MUNRO: Going to heritage, your draft heritage strategy promises 29 actions over five years but comes with zero additional funding. How do you plan to deliver the 29 commitments with no money?

The Hon. PENNY SHARPE: Well, it's still draft. It hasn't been finalised. We've done the draft heritage strategy — first ever heritage strategy for New South Wales. It's being finalised as we speak. I was really lucky to speak to a bunch of practitioners and staff from the Heritage Council of NSW recently.

The Hon. JACQUI MUNRO: Did they or you have a date for when it will be made public?

The Hon. PENNY SHARPE: No, but I can find out in terms of what the likelihood is.

The Hon. JACQUI MUNRO: Just to go back to that budget question, is there any money in the 2025-26 budget that relates to heritage strategy recommendation implementation?

The Hon. PENNY SHARPE: No, because they haven't been finalised yet.

The Hon. JACQUI MUNRO: So it won't be until the next budget?

The Hon. PENNY SHARPE: Not necessarily. Let me take the rest of that on notice because there is obviously work that's being undertaken in terms of the strategy that is funded. Within the strategy, there are a bunch of other things. Some of it is planning, some of it's — we've just put out record funding in terms of supporting things on the State Heritage Register. I think there was about \$8 million.

Answer:

Refer to the answer given later in the hearing, recorded on page 52 of the uncorrected transcript.

No. Question

20. Wood heaters – industry regulation – Transcript page 34

Dr AMANDA COHN: In my last remaining bit of time, I want to ask you again about wood heaters. There is significant concern from health groups and experts that the current standards in Australia are not fit for purpose. The standards are set at a national level. Are you aware that the chair of the standards committee is the general manager of the industry body?

The Hon. PENNY SHARPE: No, I wasn't aware of that.

Dr AMANDA COHN: Now that you are, do you think it's acceptable that this is an industry that is functionally regulating itself?

The Hon. PENNY SHARPE: I wouldn't be that definitive. This is the first that I've heard about it. I don't know who else is on the committee. Obviously, national standards are set nationally. It's not something that I would weigh in on without more information. I'm happy to take it on notice.

Answer:

Refer to the answer given later in the hearing, recorded on page 83 of the uncorrected transcript.

Australian/New Zealand standards for solid fuel burning appliances, AS/NZS 4012 and AS/NZS 4013, are jointly published by Standards Australia and Standards New Zealand. The standards are developed through an open process of consultation and consensus. See www.standards.org.au/standards-development/developing-standards/process.

New standards were published in June 2025 with a stricter emission limit to come into effect in 2030. The new standards were prepared by a joint technical committee with representatives from over 20 organisations across industry, government and other sectors in Australia and New Zealand. The NSW Environment Protection Authority is represented on the committee. The standards reflect the latest scientific and industry experience and are kept under continuous review after publication.

Committee information, including the nominating organisations, is available from the Standards Australia's website, via its Connect portal: connect.standards.org.au/#/dashboard.

21. Wood heater sale impacts on electrification targets – Transcript page 34

Dr AMANDA COHN: The industry's own figures are very proud that wood heater sales continue to increase, which is very concerning given the carbon emissions they produce and the particulate pollution that they produce. Are you on track to meet your own electrification goals if wood heater sales are actually going up? We're having more new ones installed.

The Hon. PENNY SHARPE: Which targets are you asking about?

Dr AMANDA COHN: You've rolled out incentives for electrification.

The Hon. PENNY SHARPE: Is this the Clean Air Strategy? Is that what you're talking about?

No. Question

Dr AMANDA COHN: I was asking under the framework of electrification and carbon, but I'm happy to have an answer in the framework of the Clean Air Strategy too.

The Hon. PENNY SHARPE: Let me take it on notice. It will require a calculation in terms of uptake. Let me take it on notice. I don't want to guess.

Answer:

Refer to the answer given later in the hearing, recorded on page 52 of the uncorrected transcript.

22. Council regulation of wood heaters – Transcript page 34

Dr AMANDA COHN: I'm very frequently contacted by residents impacted by particulate smoke pollution who have contacted local councils, which don't have the capacity or capability to effectively monitor and regulate wood smoke issues. The Clean Air Strategy talks about the Government supporting councils to better manage smoke from wood heaters. Will you consider greater support, guidance and tools to the local government sector so that they can respond to residents appropriately?

The Hon. PENNY SHARPE: To be honest, I've got some information here, but it probably doesn't really go to your question. Let me take it on notice and get you a more fulsome reply, which I think would be better. Otherwise, I would just be telling you things that you already know.

Answer:

Refer to the answer given later in the hearing, recorded on page 83 of the uncorrected transcript.

In August 2025, the NSW Environment Protection Authority (EPA) wrote to councils with updated guidance on smoke abatement notices. The EPA has also updated its website with this advice: www.epa.nsw.gov.au/Your-environment/Air/reducing-wood-smoke-emissions/council-resource-kit/smoke-abatement-notices.

23. Energy price impacts on inflation – Transcript page 36

The Hon. TANIA MIHAILUK: Inflation has jumped to 2.8 per cent as of July 2025, and electricity prices alone have surged roughly 13 per cent. Has your Government modelled the physical impact of these energy price spikes on overall inflation?

The Hon. PENNY SHARPE: Across what? I'd have to take that on notice.

Answer:

The Minister for Energy is not responsible for inflation forecasts. This question should be referred to the Treasurer.

24. Microplastics in rivers – Transcript pages 37-38

The Hon. TANIA MIHAILUK: Minister, can I quickly ask you about the Coastal Management Act. Are you on top of that? Are you comfortable with the latest figures across the data about microplastics in the rivers across New South Wales?

No. Question

The Hon. PENNY SHARPE: Yes, I'm across it. Do I think it's good? No. Are we trying to deal with it? Yes.

The Hon. TANIA MIHAILUK: They've classified the Georges River as being graded good in the 2022-23 estuary report by the NSW Coastal Council. Then, the latest AUSMAP data shows that Eora Beach recorded 2,495 microplastics per square metre. That's got to be one of the worst — that's got to be a really high figure. Are you not concerned about that? How can that be classified as good?

The Hon. PENNY SHARPE: I'm concerned about microplastics everywhere. Microplastics are ubiquitous in the environment. We're doing a lot of work to reduce plastics, and that's already occurring outside the plastics plan.

The Hon. TANIA MIHAILUK: Do you fund any money to AUSMAP for their work?

The Hon. PENNY SHARPE: I don't know. Do we?

The Hon. TANIA MIHAILUK: Can you take that on notice?

TONY CHAPPEL: I think the EPA may have provided some support for that exercise. We certainly collaborate with them.

The Hon. PENNY SHARPE: Why don't we take it on notice. We'll find out.

TONY CHAPPEL: Yes, let's take it on notice.

The Hon. TANIA MIHAILUK: It looks like their data is far more comprehensive than perhaps the data that you are relying on.

The Hon. PENNY SHARPE: Why don't we take that on notice. I'm happy to do the differences. It depends on what they're measuring. It depends on when they're measuring it.

Answer:

AUSMAP is delivered by the Total Environment Centre (TEC). The NSW Environment Protection Authority (EPA) previously provided TEC funding under two rounds of the Community Litter Grants Program (prior to 2021) to develop methods to reduce litter and microplastics:

- Round 5 \$37,514
- Round 6 \$90,000.

The Estuary Report Card that is being referred to is the Department of Climate Change, Energy, the Environment and Water's (DCCEEW's) statewide estuary water quality monitoring program. Since 2007, DCCEEW, in collaboration with local councils, monitors water quality and ecosystem health in estuaries across NSW. The results of this monitoring program are used to generate report cards, enabling water quality to be compared. Estuary water quality report cards are based on two main water quality indicators: algal abundance and water clarity.

Microplastic are not currently monitored in the statewide estuary water quality monitoring program.

While AUSMAP has delivered a comprehensive dataset across the State, which includes

No. Question

350 samples from Bermagui to Byron Bay, DCCEEW has completed an even more comprehensive baseline sampling of microplastics within NSW.

In collaboration with the Marine Estate Management Strategy, the EPA has funded DCCEEW to undertake a broadscale microplastic assessment (BMA). The BMA is a baseline assessment of surface water microplastic contamination in the NSW marine estate (from the Tweed River to Nadgee Lake), collecting over 650 samples.

The BMA uses a published method to analyse particles from 0.25-5 millimetres in estuarine surface waters to enable a comprehensive systematic assessment of microplastics over time and space.

The statewide comprehensive baseline of microplastic contamination in NSW serves as the evidence platform upon which strategic and significant future policy and management actions can be scientifically based to reduce the threat posed by microplastics to the environmental assets and social values of the people in NSW.

The BMA report will be released later in 2025 and will include a report card system that compares microplastics across the State.

25. **Snowy Hydro Scheme funding for environmental impacts** – Transcript pages 38-39

The Hon. JOHN RUDDICK: Minister, as you know, the Snowy Mountains Hydro-Electric Scheme in the 1960s was a huge engineering operation, and we didn't have as much concern about environmental impacts at the time. In the late '90s there was a study taken out. It revealed that there were 400 sites of environmental damage, and 35 of them were considered to be major problems, like asbestos, weed invasions, erosion, soil dumps et cetera. What then happened was the Snowy Mountains hydro chipped in \$32 million. They gave it to the NSW Treasury, and they then gave it to the National Parks and Wildlife Service.

The Hon. PENNY SHARPE: In what year, John?

The Hon. JOHN RUDDICK: In 2003. It's ancient history, but it's important. That money has been sitting there and some work has been done, but the people who really love the Kosciuszko National Park have told me that they have really struggled to get any transparency on that money. There is a pot of money sitting there. We would like to, first up, get your understanding of why it's hidden behind some commercial-in-confidence arrangements, which doesn't sound right. When can we find out exactly how much money is remaining, how many sites have been restored, and what the remaining funds will be used on?

The Hon. PENNY SHARPE: Can I just say, I'm going to take the whole question on notice, but I can provide you with some information — and appreciate this. Before we start, I did want to tell you this. As we speak, the Snowy hydro scheme is providing 5.9 per cent of all of New South Wales's electricity right now.

The CHAIR: Wow!

The Hon. PENNY SHARPE: There you go. But in terms of the scheme, the advice that I have got is that there was a rehabilitation program that worked across 144 sites in the park over that period of time. The rehab included earthworks, stabilising slopes, preventing erosion, weed control and planting of native vegetation. Basically, the

No. Question

biggest impact that's been on that is the fires. People would know that the fires massively impacted Kosciuszko National Park, and some of those sites were burnt. Just as an example, at one of the sites where we have the corroboree frog rehabilitation, it came over the hill. It is in a very isolated site. It was under pressure, and it was defended. As a result of that, some of the works had to be done twice because of the fires, so there was some funding from the previous Government to do that work.

Sorry, I'm just having a look in relation to that. I'm told that all the funds have been expended, but I just don't have enough detail. Let me take the rest of that on notice. I think the challenge here — I understand people's need for transparency. I think, when this original arrangement occurred, it was back in the day long before SO 52s and the level of transparency that we now have. I don't have enough to give you today. I'm happy to share it with you, but let me just take it on notice.

Answer:

The Former Snowy Scheme Sites (FSSS) Rehabilitation Program was initiated in 2003 when the National Parks and Wildlife Service committed to one of Australia's most complex and challenging rehabilitation projects in Kosciuszko National Park. The aim of the project is to rehabilitate high-risk sites in Kosciuszko National Park that were in a degraded and unsafe state from Snowy Scheme construction activities in the 1950s to 1970s. Under the program, 144 sites have undergone significant rehabilitation action.

The expenditure of all FSSS funds (\$54 million) was completed in 2024–25. Funds were provided from the payments made by Snowy Hydro Ltd following corporatisation.

In January 2020, during the final stages of the FSSS program, the Dunns Road bushfire severely burnt many sites. Subsequent storm damage, including heavy erosion and sediment runoff, increased the remediation work required at 29 sites. Recovery work on these impacted sites commenced in 2020–21, with three sites still being remediated. It is expected that the sites located at higher altitude will require further weed control and other works, such as fencing removal, until 2029.

As FSSS funds are now expended, this remediation work is being completed with funds secured through an insurance claim of \$7.4 million.

26. Kosciuszko National Park clearing for transmission projects – Transcript page 41

The Hon. WES FANG: Minister, how many hectares of Kosciuszko National Park have been clear-felled in order to provide clearance for transmission projects?

The Hon. PENNY SHARPE: I'd have to take it on notice, but I know it's significant.

The Hon. WES FANG: It's significant.

The Hon. PENNY SHARPE: Just to be clear, it's a Federal project —

The Hon. WES FANG: Understood, Minister, but —

The Hon. PENNY SHARPE: — that was put through by the previous Government.

The Hon. WES FANG: Minister, not relevant to the question I was asking.

The Hon. PENNY SHARPE: It is, if you're worried about it.

No. Question

The Hon. WES FANG: It's not, because I'm asking about —

The Hon. PENNY SHARPE: If you're worried about what I've inherited from you, then it is that.

The Hon. WES FANG: No. I'm asking, in relation to the areas that have been clear-felled in order for you to put those transmission lines through Kosciuszko National Park, what did you do with the timber?

The Hon. PENNY SHARPE: I'm not putting them through, just to be clear. They're not my transmission lines.

The Hon. WES FANG: What happened to the timber? We have a hardwood timber shortage in the State. What did we do with the timber?

The Hon. PENNY SHARPE: I know that there are some issues about this. The detail of that, though, I'm happy to take on notice and come back to you. If I can come back before the end, I'll do that.

The Hon. WES FANG: Do you know, Minister, if some of those trees were woodchipped instead of being provided to mills?

The Hon. PENNY SHARPE: I don't know. As I said, let me — what are you wanting to put to me? Let me get you a response. I'm not across the detail of that. I'm happy to come back to you.

The Hon. WES FANG: My understanding is that, despite there being a hardwood shortage in this State, National Parks have effectively woodchipped most of those trees instead of providing them to the mills to provide hardwood.

The Hon. PENNY SHARPE: It wouldn't be National Parks. As I said, the detail that you're asking is a little unclear, but I'm happy to take it on notice. If we can get an answer before the end of the hearing, I will provide that.

The Hon. WES FANG: Okay. Did you consider actually using the resource to actually generate income and provide relief to those —

The Hon. PENNY SHARPE: As I said, let me find out. I don't know. Let me find out.

Answer:

The only recent transmission project in Kosciuszko National Park is a section of the Snowy 2.0 Transmission Connection project.

The State Significant Infrastructure approval (SSI 9717) was approved by the former Minister for Planning on 2 September 2022 for the Snowy 2.0 Transmission Connection project.

Condition A6 allows a maximum disturbance area in Kosciuszko National Park of 81 hectares.

Condition B21 of SSI 9717 requires that the Biodiversity Management Plan for the project must “*maximise the salvage of resources within the disturbance area for reuse in the restoration of vegetation and habitat on site, including native vegetative material, hollow logs, ground timber, and topsoil containing vegetative matter and native seed bank*”.

No. Question

27. Commandant's house – Scheyville National Park – Transcript pages 42-43

The Hon. WES FANG: Okay. If that's the case then, Minister, why is there still a dispute around the commandant's house? Why hasn't National Parks commenced, or even completed, the work that they should have done under the instruction of Heritage NSW? You are the Minister for both departments.

The Hon. PENNY SHARPE: I know. Let me have a look — I do have some information here.

The Hon. WES FANG: Whilst you're looking at that, I might put a further question, Minister.

The Hon. PENNY SHARPE: Yes, I'm looking specifically for the commandant's house. Just give me a minute; I've got it here. I know that there's a request to license additional buildings within Scheyville, and that includes the commandant's house. The advice that I have is that National Parks is seeking a detailed proposal from Hunter Anzac Memorial Limited.

The Hon. WES FANG: Whilst that's occurring, do you accept that Heritage NSW has indicated that there are immediate works that need to occur on the commandant's house?

The Hon. PENNY SHARPE: I'd need to take that on notice in terms of what directions they've made, but you're probably right.

The Hon. WES FANG: Why hasn't National Parks and Wildlife Service commenced that work?

The Hon. PENNY SHARPE: I believe there has been some work that's been done. I'll take on notice how much has actually been done. There's also been some funding from the Commonwealth in relation to this, which is also assisting. Sorry, my advice is that they've actually reopened. Let me take the detail of that on notice and I'll come back to you. I'll try to do it within the hearing.

Answer:

Refer to the answer given later in the hearing, recorded on pages 80 and 81 of the uncorrected transcript.

28. Land transfer status – Scheyville National Park – Transcript page 43

The Hon. WES FANG: Thanks, Minister. In relation to the fact that it was Defence property before it transferred across to National Parks, are you convinced that Crown Lands has transferred it correctly to National Parks and Wildlife Service and that the majority of Scheyville does not in fact still sit with Crown Lands ?

The Hon. PENNY SHARPE: I'm not aware of the issue that you raise. Are you suggesting that there was some problem in the transfer and the creation of the park?

The Hon. WES FANG: My understanding is that they can't find the deed that transferred from Defence to National Parks for the whole part of the — there were two parts —

The Hon. PENNY SHARPE: Was it 1996?

No. Question

The Hon. WES FANG: — and only one part of the two parcels of land was transferred correctly. In fact, it's very likely that Scheyville still sits with Crown Lands.

The Hon. PENNY SHARPE: Interesting. I haven't heard that before. I'll take it on notice. We'll find out.

Answer:

This question refers to Lots 1 and 2 in Deposited Plan 530013. Before being reserved as Scheyville National Park, Lots 1 and 2 – and adjoining parcels – were owned by NSW Land and Housing Corporation (Landcom), not Defence.

The Landcom land was deemed Crown land, making it eligible for reservation under the *National Parks and Wildlife Act 1974* (NPW Act).

On 4 April 1996, all the above land was reserved under the NPW Act as Scheyville National Park. Landcom formally transferred land titles to the National Parks and Wildlife Service in August 2010 under transfer dealing AF701944.

The titles for Lot 1 and 2 correctly list the State of New South Wales as the registered proprietor, with Scheyville National Park noted in the second schedule.

No further transfer actions are required.

29. Direction to Transgrid – Transcript pages 43-44

The Hon. WES FANG: Minister, have you issued a direction to any network operators in relation to the new powers you have under that bill?

The Hon. PENNY SHARPE: Not yet, no.

The Hon. WES FANG: You haven't issued any directions?

The Hon. PENNY SHARPE: Over the period of time of being a Minister, I have, but under this, no.

The Hon. WES FANG: So there is no direction yet to ACERZ or Transgrid in order —

The Hon. PENNY SHARPE: No, but I think one's coming.

The Hon. WES FANG: When do you expect that that will happen?

The Hon. PENNY SHARPE: I don't know. I'd need to ask the department when they're going to get it to me. Soon.

ANTHONY LEAN: I think the process is underway, but we need to go through a couple of steps in terms of consultation.

The Hon. WES FANG: And those directions are required in order to allow ACERZ and Transgrid to secure finance for those synchronous condensers, is that correct?

ANTHONY LEAN: It's not related to ACERZ.

The Hon. PENNY SHARPE: This first round is primarily, as we've said, about the synchronous condensers for Transgrid and for the compressed air in Far West but —

The Hon. WES FANG: So none of these directions will involve ACERZ and the seven synchronous condensers?

No. Question

The Hon. PENNY SHARPE: No. Let's be clear here: You're guessing about a lot of things and speculating about a lot of things.

The Hon. WES FANG: We have to, Minister. We don't get answers.

The Hon. PENNY SHARPE: We make public a lot of this information and we will do so once it's finalised. As I've said to you, the department's doing the work. These directions are complicated. They need to be legally robust and they need to be worked through properly. I will await that. I have full faith in my department to be able to provide that to me. I can try and find out when that's likely to occur, but the detail of what's in there and out, particularly in the middle of consultation with affected parties, is not something I'm going to share with this Committee at this point in time.

Answer:

I have made the direction regarding Transgrid's procurement of synchronous condensers.

30. Changes to Toorale environmental water flows – Transcript pages 48-49

Ms CATE FAEHRMANN: Minister, what was the catalyst to seek legal advice that triggered the environmental watering freeze?

The Hon. PENNY SHARPE: Just give me a minute. I'm aware of this issue.

Ms CATE FAEHRMANN: In terms of helping to guide the response — hopefully — I was told during Water estimates that it was in relation to a specific watering event.

The Hon. PENNY SHARPE: Yes. I think there are three things that are coming together here. It's complicated. I think there are three things that are occurring here, and Mr Lean has just whispered in my ear that it wasn't as a result of a specific event.

Ms CATE FAEHRMANN: All right, that's useful.

The Hon. PENNY SHARPE: There is a new kind of requirement that hasn't been considered previously, which is having metering in place that complies with the Non-Urban Water Metering Policy. The second issue is the technical issue around how "take" is defined under the Water Management Act. What has also been driving concern around this is the stop work order being directed in relation to the operating arrangements for Toorale. I think those three things have come together. Can I just say up-front that I totally accept that this is very problematic and that we need to get to the bottom of it pretty quickly. The idea that we're not going to be able to deliver the environmental water as we should is really important. Minister Jackson and I are working through it pretty quickly.

Ms CATE FAEHRMANN: There can also be an exemption potentially granted by you or the water Minister, I understand.

The Hon. PENNY SHARPE: Yes, it's the water Minister

Ms CATE FAEHRMANN: In terms of the freeze, how much of it is self-imposed, if you like, from your department and how much of it is NRAR's position?

The Hon. PENNY SHARPE: I might give this to Mr Lean. He's been tackling that. I'm not trying to be tricky about it. He knows the details; it's a detailed question. Or I can take it on notice.

No. Question

Ms CATE FAEHRMANN: It's been very hard to work out from our questions.

The Hon. PENNY SHARPE: It is, yes.

ANTHONY LEAN: Just to be clear, it's the Commonwealth Environmental Water Holder that has indicated that he is putting a freeze in place. We are looking at each planned water event on a case-by-case basis and making a decision around whether we're able to proceed in light of the two issues that have been identified around section 60 and the issue around water transferring from one source to another, and the issue around the non-urban metering reforms as well and whether there's a risk in proceeding with that because we're unable to properly measure the take where we're required to do that.

Ms CATE FAEHRMANN: This has been the issue with floodplain harvesting for a hell of a long time and they're still able to take, including stuff that you can't measure — for example, rainfall run-off. It's a bit ridiculous.

The Hon. PENNY SHARPE: It's a change in the way in which this has been interpreted, and we're trying to respond as quickly as possible. I have got some advice around planned events. The advice that I have is that there are 56 events planned this year. Only one event so far has been cancelled and 12 have already been delivered or are about to be.

Ms CATE FAEHRMANN: I think 1 September was a critical date for some. I think, the marshes —

The Hon. PENNY SHARPE: You're across the detail much better than me. My understanding is that, just specifically on the marshes — I know well, and I know the landholders well up there — they've received one release, there's another one underway and there's another one planned next month. I think there is an impact because the Commonwealth water holder is pulling some back. So whether the volumes are the same, I can't give that answer, but I'll take it on notice.

Answer:

Environmental water is managed adaptively to respond to changing circumstances such as weather events. This year the Macquarie Marshes have benefited from a wet winter and water has been delivered from the **translucent environmental water allowance**, which is triggered by inflows to Burrendong Dam. Over July and August 2025, inflows to the marshes totalled 57 gigalitres, 27 gigalitres of which was debited from the environmental water allowance, with the balance coming from tributary flows.

Additional **discretionary releases** from Burrendong Dam were planned to start on 1 September 2025 to deliver a spring pulse in the Wambuul-Macquarie River upstream of the marshes and take advantage of spring conditions and increasing water temperatures, both of which are important for native fish response.

The start date for this pulse was delayed to allow a **stock and domestic replenishment** flow to be delivered to the Gum Cowal (in the eastern marshes) and to ensure environmental water deliveries are compliant with the metering and take requirements.

Having completed the requisite risk assessment, **NSW-held environmental water** deliveries have now commenced. The first of the flow reached the Macquarie Marshes on 12 September 2025.

No. Question

The Commonwealth Environmental Water Holder also contributed **Commonwealth-held environmental water** to the event.

Further **discretionary environmental water** deliveries to the eastern marsh will not proceed until the necessary meters are installed at the Gum Cowal regulator.

Delivering the discretionary **active environmental water allowance** component can now proceed given the amendments to the Water Management (General) Regulation 2025 that were tabled on 10 September 2025 clarify the requirements for delivering environmental water across a water source boundary.

Explanatory Terms

Environmental water allowance is made available in the water sharing plan and is made up of two sub-allowances: the translucent sub-allowance; and the discretionary active sub-allowance.

NSW-held environmental water are water licences owned by the NSW Government used for environmental purposes.

Commonwealth-held environmental water are water licences owned by the Commonwealth Environmental Water Holder used for environmental purposes.

Discretionary releases are made up of a combination of discretionary active environmental water allowance and held environmental water licences (either NSW or Commonwealth owned).

Stock and domestic flow is made available in the water sharing plan as a replenishment flow for stock and domestic purposes.

31. Toorale water management – Transcript page 51

The Hon. WES FANG: Minister, to your knowledge, has DCCEEW or its predecessor agencies ever been issued a stop work order by the NRAR before at Toorale or anywhere else?

The Hon. PENNY SHARPE: I'm not aware of it, but let me take it only notice. I don't believe so.

The Hon. WES FANG: In relation to the OMP for the site, it was dated —

The Hon. PENNY SHARPE: Are you talking about Toorale?

The Hon. WES FANG: Yes, and the operating and maintenance plan. Was it still in date? It finished in June 2024. Has it been updated?

The Hon. PENNY SHARPE: I think we should take that on notice.

Answer:

Regarding the stop-work order, refer to the answer given later in the hearing, recorded on page 87 of the uncorrected transcript.

The Toorale Operating and Maintenance Plan (OMP) was approved on 6 June 2022. The OMP was valid until August 2025, when the Water Group of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) completed its review of the operating conditions in the OMP. As a result of that review, DCCEEW Water

No. Question

incorporated updated operating conditions in the re-issued work approvals. Those approval conditions no longer refer to the OMP.

Now that DCCEEW Water's review has been completed and new approvals issued, the OMP will be updated to reflect the changed conditions. While the OMP no longer forms part of the works approval, it is necessary for it to still be in place as it is a condition of consent for the infrastructure work at Toorale.

32. **Authority to survey – Queensland-Hunter gas pipeline** – Transcript page 52

The CHAIR: Minister, DCCEEW is currently carrying out public consultation on the draft regulatory changes relating to the gas supply and pipeline projects in New South Wales – so both the two proposed guidelines: one on the authority to survey and the other on compulsory acquisition. As you know, Santos is current engaging and communicating with landholders. Can you please confirm that you will not permit Santos to invoke the authority to survey along the Queensland-Hunter gas pipeline route until the public consultation for those two guidelines and draft amendments to regulations is properly done?

The Hon. PENNY SHARPE: I'd need to check where it is. Obviously there's no request before me around authority to survey. I have provided authority to survey on the Hunter line. Can I just take that on notice?

The CHAIR: Yes.

The Hon. PENNY SHARPE: I think what you're fundamentally asking me is for a commitment that I won't doing something. I won't give you that commitment. What I will do is make sure that we're doing – part of the work that we're doing is a result of investigations previously, and the guidelines are about making sure that community consultation is done properly. It's a bit sort of chicken and egg, so I'm not going to give you a guarantee around that. I'm not sure where it is in the system to getting to me, so let me just find out. I just don't know.

Answer:

Santos has an Authority to Survey along the Hunter Gas Pipeline route. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) is consulting stakeholders on draft guidelines for Authority to Survey. This consultation does not change the rights already granted to Santos under its Authority to Survey.

Santos has advised DCCEEW it does not intend to invoke its Authority to Survey while DCCEEW is consulting stakeholders on the draft guidelines. Santos continues to engage landholders on negotiated agreements to access lands for survey work.

33. **Wamberal coastal management plan timing** – Transcript pages 53-54

The Hon. JACQUI MUNRO: Can I confirm, is it within your responsibility to set policy for coastal erosion?

BRENDAN BRUCE: The Government sets the coastal management framework, which sets out the overarching policy framework. Responsibility for delivery of coastal management work sits with local councils.

No. Question

The Hon. JACQUI MUNRO: On 1 April the Premier told Wamberal residents that he'd be back with a plan. I'm curious, has the Premier or the Minister come to you with any questions about Wamberal or have you undertaken any work in relation to that area?

BRENDAN BRUCE: I can't speak on behalf of the Premier. I haven't had any discussions with the Minister around any further actions around Wamberal.

ANTHONY LEAN: Could I just add, there is a piece of work underway, which is a study being jointly done by the Reconstruction Authority and the department, that is looking at the option of sand nourishment, which is one of the solutions that has been proposed in relation to Wamberal.

The Hon. JACQUI MUNRO: What is the relationship then between the reconstruction work and the coastal erosion policy work? How does that intersect?

BRENDAN BRUCE: The Minister has responsibility for the Coastal Management Act. The key element of that Act is the coastal management framework. We support councils in the development of their coastal management programs. It's within those programs that they then seek approval from Government for funding for delivery of coastal erosion protection works, which could include seawalls or sand nourishment. It's within the framework. Reconstruction Authority is mainly involved where there is emergency works involved.

The Hon. JACQUI MUNRO: This would be considered emergency work in that case.

BRENDAN BRUCE: In Wamberal, there are two separate things happening. One is an ongoing conversation around whether or not a seawall is the appropriate solution for Wamberal. There is also a discussion around some repairs to storm damage which happened, I think, back in April and May. It's in relation to those works that the Reconstruction Authority is involved.

The Hon. JACQUI MUNRO: I am advised that the department has suggested to residents to put in a submission to the CMP, but that might be a year away from being finalised. Is that accurate?

BRENDAN BRUCE: The timing of the CMP is a matter for council. The Minister will consider approval of the CMP once it is submitted. I'd have to take on notice the timing of when we expect the CMP to be submitted.

Answer:

The public exhibition period for the Central Coast Council Draft Open Coast Coastal Management Plan (CMP) went from 14 July to 25 August 2025.

The Department of Climate Change, Energy, the Environment and Water is working closely with Central Coast Council to address any issues with the draft CMP to ensure that it is suitable for certification.

34. Long-Term Energy Service Agreement information – Transcript page 55

ANTHONY LEAN: The reason we advise Government that you should think about setting a longer term target is because we were concerned that there wasn't enough certainty there for people to make those longer term decisions, particularly with long-duration storage, which is things like pumped hydro and so on and so forth. That's why

No. Question

we have the Energy Security Target Monitor to monitor that. After considering that, we make recommendations to the Minister about what steps should be taken, including, for example, asking ASL or the Consumer Trustee to run additional tenders to provide underwriting arrangements that give a greater degree of certainty to people that might want to enter the market. It's a difficult question to answer because we're constantly monitoring what's happening and then giving advice or recommendations as to what Government should do.

The Hon. JACQUI MUNRO: On that LTESA question and what's publicly available on the department's website, I was advised that there weren't any updates to information, despite there needing to be — as referenced before — quarterly updates. Are you familiar with that, that there hasn't been any public reporting on the status of the LTESA projects?

ANTHONY LEAN: I think the Minister provided a supplementary answer to that earlier today, just at the conclusion of the morning session. I haven't got anything to add to that at this point. We'll certainly take it on notice.

Answer:

There is no requirement to provide updates about Long-Term Energy Storage Agreements (LTESAs) on the Department's website on a quarterly basis. The response provided by the Minister on page 52 of the uncorrected transcript provides details on the sources of publicly available information about LTESA projects.

Information about all projects awarded an LTESA is available on ASL's (formerly AEMO Services') website at: asl.org.au/tenders/current-nsw-ltesa-projects.

The current planning status of all projects, including those awarded an LTESA, can be found on the Department of Planning, Housing and Infrastructure's Planning Portal at: www.planningportal.nsw.gov.au.

35. Heat pump grants – Transcript page 56

The Hon. JACQUI MUNRO: Turning to industrial heat pumps, there has been a grant recently announced. I'm curious about how many businesses have applied so far for the grant and how much funding has been allocated.

KIM CURTAIN: I'm not sure if I've got the numbers of how many have applied at this point. I'll try to get it for you and come back.

The Hon. JACQUI MUNRO: Do you know how much funding has been allocated to the program?

KIM CURTAIN: Let me just check. I think the key is that heat pumps can come in through a number of different programs. I'm just checking. I haven't got one spot with just heat pumps. Can I come back to you on that one?

Answer:

Refer to the answer given later in the hearing, recorded on pages 86 and 87 of the uncorrected transcript.

No. Question

36. Nature Positive Farming program funding reallocation – Transcript page 56

The Hon. JACQUI MUNRO: Absolutely. On the Nature Positive Farming program, which was announced at the end of September 2023, there was a decision that saw 38 roles going from various branches. Is that program active, or is that being deferred, or is it cancelled?

ANTHONY LEAN: That program is no longer funded within the budget.

The Hon. JACQUI MUNRO: So that has gone to a different budget? Is it still an active program and with a different department, or it just doesn't exist at all?

ANTHONY LEAN: It doesn't exist as a program any longer. I would say that, as was mentioned this morning, we are developing the nature strategy at the moment. Sitting under that will be a range of programs which will be developed over the next period. In that context, we'll think about what's needed in terms of delivering on the objective around putting nature on a path to recovery.

The Hon. JACQUI MUNRO: I believe that program was funded to \$206 million. Do you know where that money went to? Was it reabsorbed into the budget somewhere else, or was that allocated elsewhere, to your knowledge?

ANTHONY LEAN: I'll need to take that on notice.

Answer:

The Nature Positive Farming program is no longer funded.

As part of the 2025–26 State Budget process, the program funding was used as a budget offset.

37. EnergyCo communications staff – Transcript pages 57-58

The Hon. MARK BANASIAK: How many PR/communication people does EnergyCo have to deal with the renewable energy rollout across the State?

HANNAH McCAUGHEY: We set out our employment numbers in our annual report. Those are the employee numbers that we report in our annual report.

The Hon. MARK BANASIAK: Perhaps on notice, when you do this investigation, are you able to come back to the Committee with the number of how many of these communications staff were put through the Barry test as part of their recruitment?

HANNAH McCAUGHEY: We'll take that on notice.

Answer:

Recruitment related information is not disclosed in order to maintain the integrity of recruitment procedures. EnergyCo has apologised to Mr Barry for the use of the article identifying him as part of the recruitment process and is revising its procedures to prevent this occurring in the future.

38. Koala hub documentation – Transcript page 58

The Hon. MARK BANASIAK: In the few seconds I have left, Mr Lean, are you able to table any documents that the Minister used to justify the written direction to create the

No. Question

koala hubs? I have sought these documents through GIPAA and have not been able to obtain any documents that relate to supporting evidence for the creation of the koala hubs. Could you see whether any of them exist and provide them on notice?

ANTHONY LEAN: I'll have to take that on notice. My understanding is the hubs would have been created largely through a direction from the Minister for Agriculture.

Answer:

Koala hubs were derived by experts in the Department of Climate Change, Energy, the Environment and Water and identify areas of multi-generational, high-density and persistent resident populations.

Koala hubs were identified using BioNet species records from 2000 to 2018, which provide useful information about koala occupancy over time. Koala BioNet records were filtered to ensure only locally significant and persisting populations were identified as hubs. Records from BioNet are available publicly.

39. Transgrid consultation on Central West Orana REZ – Transcript page 62

The Hon. WES FANG: We'll get there in the end. Transgrid disclosed in its system strength PADR that in early 2023, EnergyCo informed them that they planned to self-remediate the system strength for stage one of the Central-West Orana REZ as part of its build, which will be implemented by ACERZ. It later followed up with a formal letter on 24 October 2023 to Transgrid. On what date in early 2023 did EnergyCo first inform Transgrid that ACERZ would centrally procure system strength for Central-West Orana stage one?

HANNAH McCAUGHEY: Thank you, Wes, for your comment. I am grateful for your attention on syn cons. Is the question you're asking what is the date that ACERZ —

The Hon. WES FANG: What date did EnergyCo first inform Transgrid that ACERZ would be the body that would centrally procure the system strength for Central-West Orana stage one?

HANNAH McCAUGHEY: I would have to take that on notice.

The Hon. WES FANG: Can EnergyCo provide the full text of the 24 October 2023 letter to Transgrid?

HANNAH McCAUGHEY: I'll have to take that on notice.

Answer:

A Central-West Orana Renewable Energy Zone (REZ) Access Rights and Scheme Design Position Paper was released by EnergyCo for industry consultation in July 2022. The paper outlined EnergyCo's initial intention to remediate any system strength requirements for Stage 1 Central-West Orana REZ Access Rights Holders through a Centralised System Strength Solution (CSSS), procured by a future Network Operator (now ACERZ).

As the System Strength Regulatory Investment Test for Transmission (RIT-T) progressed through 2022–23, EnergyCo engaged with Transgrid through several joint planning discussions on the RIT-T. Through this joint planning process in early 2023, the

No. Question

need to formalise EnergyCo's position of providing a CSSS for Stage 1 of the Central-West Orana transmission project (via the future Network Operator) was identified. This ensured the Transgrid RIT-T did not double count the System Strength solution based on its obligations under the NER as the System Strength Service Provider for NSW.

The letter sent to Transgrid on 24 October 2023 is provided in the answers to supplementary questions for the 29 August 2025 hearing for the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage.

40. Legal advice – Central-West Orana REZ – Transcript page 62

The Hon. WES FANG: What consultation, if any, did EnergyCo undertake with AEMO, the AER and the consumer representatives before informing Transgrid of its plans to procure system strength via ACERES?

HANNAH McCAUGHEY: EnergyCo engages in constant consultation and engagement with the other market bodies about system strength. It's a vital issue for the consumers of New South Wales. I think the outcome in CWO of procuring seven syn cons is a very good one and an example of why the renewable energy zone works. I think, overall, there would be lots of engagement going on with the AEMO and AER about that, and I think there is a widespread view it was a good outcome for the system.

The Hon. WES FANG: We established this morning with the Minister that, in effect, the bill that went through in the last week of Parliament permitted the Minister to make a direction to a network operator. Did EnergyCo seek legal advice on whether reallocating the system strength obligations from Transgrid to ACERES was consistent with the NER and the AEMC's 2021 rule change?

HANNAH McCAUGHEY: I'd have to take that on notice.

Answer:

EnergyCo did not seek legal advice. EnergyCo complied with its obligations under the *Electricity Infrastructure Investment Act 2020*.

41. AER determination – Transcript pages 63-64

HANNAH McCAUGHEY: The AER final determination basically makes sure that it's set out in what's called the NER equivalent, which is the National Electricity Rules equivalent, and so that's where it sets out the overall capital cost.

The Hon. WES FANG: It's only a summary document, to my understanding, but the other concerning bit about that is that it actually doesn't indicate what the return on capital is. Those columns are all zero. The first document, I believe, was in December. It was all redacted. The second document that has come through is all zeros. The public has no idea what rate of return ACERES is gaining on this project. The whole document has been withheld. The other issue is that the determination only talks about the first five – I think it's 15 gigawatts that needs to be balanced. There's only five actually accounted for under this determination. What's going to happen with the other 10? It actually says that this will be done at a later point. How is the public going to find out what the Central-West Orana is costing them and their energy bills?

No. Question

HANNAH McCAUGHEY: The AER final determination sets out the capital cost, which is the NER equivalent, so that's what it sets out for the next period. That's what it does and that's consistent. The reason that NER equivalent has been established is so people can compare it with other similar Transgrid styles —

The Hon. WES FANG: But you can't compare it. It says zero.

HANNAH McCAUGHEY: I think the capital — that would be quite similar with other processes. I think it's —

The Hon. WES FANG: No, it's not. The other reports indicate they have return on capital.

KIM CURTAIN: Just to clarify, the Central-West Orana project is under the EII Act, so it's not a RIT-T project, which is different.

The Hon. WES FANG: I agree, yes.

KIM CURTAIN: Under those projects they actually compete on a competitive basis for a service payment. Rather than bidding for a percentage of return, they're actually bidding for a service payment, and that's what's released by the AER in their determination.

The Hon. WES FANG: What is the service payment they're receiving?

KIM CURTAIN: I don't have it with me, but it's in the determination. It has the dollar figures.

The Hon. WES FANG: Does it publish the dollar figures?

KIM CURTAIN: Yes.

The Hon. WES FANG: Are you sure, or has it been redacted or is it zero, because the December document that was published was redacted. The actual public document was redacted.

HANNAH McCAUGHEY: There was an interim one in December.

The Hon. WES FANG: Yes, which was redacted.

HANNAH McCAUGHEY: And there was another one —

The Hon. WES FANG: The one that was published this month has a whole column of zeros.

ANTHONY LEAN: We might need to take it on notice because we don't have what you're —

The Hon. WES FANG: You're the CEO of EnergyCo. You are rolling out this project. People want to know what they're paying for it, and you don't even know what's in the documents that are specifically about this project.

ANTHONY LEAN: Mr Fang, we can't see what you're looking at.

The Hon. WES FANG: I'm looking at some questions; I'm not looking at any document. This is stuff I read in the last three days.

ANTHONY LEAN: Can we please take it on notice and we'll go away and confirm?

No. Question

Answer:

The Revenue Determination was made by the Australian Energy Regulator in accordance with its guidelines for Network Operators selected through a competitive procurement process to undertake network infrastructure projects in NSW. This is quite different to the process by which revenue determinations are made for non-contestable projects.

In the case of contestably procured projects such as the Central-West Orana Renewable Energy Zone (REZ) Network Infrastructure project, the costs for design, construction, finance, operation and maintenance are determined as part of the competitive process of selecting the Network Operator i.e. all aspects of the development and construction costs for the project (including finance costs) are competed in one integrated solution.

The result of the competitive process is the quarterly service payments over the term of the contract. In the revenue determination these are provided for in each regulatory period.

This is different to non-contestable revenue determinations where the different elements of costs are built-up with the financing costs determined through a rate-of-return established through the regulatory process.

Individual bidders financing assumptions are a feature of their particular structure and this information is commercial-in-confidence to protect future competitive procurement processes and ensure the NSW Government can continue securing the best outcomes for energy consumers.

This is the first time the NSW Government has competitively procured a new transmission network and the appointment underwent a rigorous tender process, overseen by the Australian Energy Regulator who was satisfied that the procurement process was genuine and appropriate.

42. Broken Hill lead impact report – Transcript pages 67-68

Ms CATE FAEHRMANN: Why don't they want the truth about what lead mining is doing to communities? This is what it looks like: the EPA, for four years – including at least a year after you started – was deliberately trying to suppress the information in this report, which shows how dangerous current lead mining is to children's health.

TONY CHAPPEL: I just can't accept any of that characterisation of the EPA's staff and their work is accurate. I'm not actually on the –

Ms CATE FAEHRMANN: How do you explain "When we say release"? This report has the most shocking data in it, but particularly in terms of strategies – the Government's environmental lead program commissioned Professor Mark Taylor to do this work and, in his report, the strategies were around reducing emissions from current lead operations or actually relocating the community and reducing the dust in the air in terms of air monitoring. Instead of putting that out and acting on it and being truthful, the industry was protected. Tell me that that doesn't say that the EPA acted to protect the industry over people's health.

No. Question

TONY CHAPPEL: No, I can't accept that characterisation. The EPA has been running this program since bringing it to the attention of government over a decade ago, and the program has achieved meaningful results. I don't know the detail of the way this report was commissioned or the work with the industry, but it's not unusual, as in any other process, that impacted stakeholders are given an opportunity and procedural fairness to make a comment on a document or a report. I think that language is clearly unfortunate and inappropriate in the implication you're inferring from it. I suspect this is one of our staff who doesn't work in —

Ms CATE FAEHRMANN: Mr Chappel, I'm prepared to give you quite a few emails that show that it's not just an isolated incident, because the emails document bringing the industry in. It's all about the mines and how they're going to react, not doing proactive media and keeping the mines happy — email after email after email. And, when this goes out, it's buried as opposed to taking it seriously and putting in place the strategies that are suggested. Let me be clear: This is about lead in children's blood.

TONY CHAPPEL: I know, and the EPA takes that extremely seriously. In fact, one of the first things I did as the CEO was to write to the then Premier's Department requesting whole-of-government action on consideration of the most effective interventions to shift — the Broken Hill lead program has delivered some improvement, but there is clearly still unacceptable impact, particularly for children in that community, and a large proportion of that population is obviously Aboriginal. So that is utterly unacceptable in many respects. I'm happy to take on notice the broader implication you're raising about those other emails, but I just haven't had the benefit to review those. I'm happy to discuss them further as well.

Answer:

The NSW Environment Protection Authority (EPA) acknowledges and apologises for the delay in formally publishing the report for a broader public audience. The EPA is now implementing more rigorous internal processes to ensure this does not occur again, such as stronger procedures to govern the commissioning of reports and publication timelines.

It is important to understand that while the final report's release was delayed, there was no delay in sharing the draft report and its findings with Government agencies and community members as outlined above in 2020. There was also no delay in the environment protection and human health protection works informed by the report which have been ongoing since that time.

The NSW Government recognises ongoing action is needed in Broken Hill to manage lead levels in the community, and particularly in children.

The Broken Hill Environmental Lead Response Group, led by the Premier's Department, coordinates a strategic, long-term, whole-of-government approach to reducing the community, health, and societal impact of environmental lead in Broken Hill, particularly for children, and to manage any ongoing impacts on children.

Since 2015, the NSW Government has committed more than \$20 million to the Broken Hill Environmental Lead Program (BHELP) program to fund blood lead screening – with around 92% of children aged one to five years screened in 2024 – home remediation, air

No. Question

quality monitoring, and awareness and education, to address childhood lead exposure in Broken Hill.

In the last financial year BHELP remediated 29 homes, and around 130 homes have been made safer for hundreds of residents since 2022.

43. Coal mining emissions modelling – Transcript page 68

The Hon. JOHN RUDDICK: My question is for Mr Lean, the secretary of the climate change department. Mr Lean, your department's net zero modelling forecast for coalmining in New South Wales was for around 16.89 million tonnes in the year 2023-24. Yet the actual data from the Commonwealth indicates that — yours was modelling — the actual number was about 13.7 million tonnes for the same period of time. So your modelling overestimated the carbon emissions from the coal industry by 20 per cent. What confidence can we have in the quality of your modelling?

ANTHONY LEAN: There are some differences between the way the Commonwealth does its modelling and the way New South Wales does its modelling, particularly around the different categories that they use. I'd need to take that specific example on notice and get some advice. If you leave that with me, I'll see if we can get something before the end of today's session.

Answer:

As stated by the Mr Lean on page 86 of the uncorrected transcript, the Department of Climate Change, Energy, the Environment and Water is unable to reconcile the numbers quoted by Mr Ruddick.

For 2022–23, the projected emissions from coal mining were 14.4 million tonnes. The Australian Government later reported (in June 2025) actual emissions for 2022–23 of 14.6 million tonnes, an increase of 1% compared to the NSW projections.

The Australian Government has not yet reported actual data for 2023–24.

44. Heritage NSW Auditor-General report response – Transcript pages 71-72

The Hon. JACQUI MUNRO: Going on to Heritage, there was an Auditor-General's report in 2023 that found that Heritage NSW had 111 publications that hadn't been updated in 10 years — some of them for 20 years, I'm advised. Is there work occurring to respond to that concern?

ELIZABETH OWERS: Yes, there is. There was a very large number of documents, some of them dating back, as you said, into the '90s. We've had a program going for about two years now where we're working through them. It obviously is going to take quite a bit of time to work through those, but it's in train and the work is being done. We're also looking at consolidating. There's obviously a lot of information for people and the public to take on, so we're making sure that we're consolidating, putting the most important information out, and the information that is most relevant and can be maintained.

The Hon. JACQUI MUNRO: Are there particular themes that you're finding that are outdated throughout all the documents — that we should be letting our constituents know about — that are going to be updated or are in the process of being updated?

No. Question

ELIZABETH OWERS: There are a few things going on here. One, I think Heritage was trying to be everything to everyone, and we aren't able to do that. It's around focusing on what the main things are — what are the skill sets that we have in house and that we really are the expert for — and then making sure that there are other groups and people within the community who have skill sets and consultants and organisations who are able to fill those gaps as well, so making sure that there is a space for the right person to be doing the right job there. The other part is that we would have multiple documents covering similar or related processes. It's really bringing it back and thinking from the owner's perspective of the heritage item or from whoever the audience is. What do they need to know, and how do we make sure we're presenting the information in the way that they can digest?

The Hon. JACQUI MUNRO: Are you anticipating that you're going to have fewer than 111 publications? Is the idea that you're basically going to shave —

ELIZABETH OWERS: Absolutely, yes. I will not have done my job if it's still at 111.

The Hon. JACQUI MUNRO: What kind of documents will be removed from the library?

ELIZABETH OWERS: There are a few things here. There are a lot of documents that are on our website at this point in time. Our website is also very large and unwieldy. We're going through a process right now of looking back, working with users of our website to understand again what information they want, and really starting from that user experience process to think about how we put that information out. We actually do have a library, which we are transitioning older documents to. Some of the feedback we get is, "Where is that document from 1997 that I love using and is relevant to the very niche thing that I do?" We want to make sure that people can access the information that they want, and that we're maintaining information that is most relevant and most important.

The Hon. JACQUI MUNRO: I'm advised that the heritage audit also found that Heritage NSW's reporting contained errors and data inconsistencies that limit reliability. Is that part of this work?

ELIZABETH OWERS: I probably need a bit more information.

The Hon. JACQUI MUNRO: It says Heritage NSW's reporting, so I gather it relates to reports. I would suspect that it relates to the work that you're doing.

ELIZABETH OWERS: There is a lot of reporting that we do, so I'd probably need to take that one on notice and just make sure I'm giving you the right information, coming back.

Answer:

There is no link between the program to consolidate publications and reporting requirements in the 2023 NSW Auditor-General's Report on State Heritage Assets.

45. Net Zero Commission reports – Transcript page 73

The Hon. JACQUI MUNRO: I didn't get a chance to ask the Minister this, but is anybody aware of whether the Net Zero Commission has been tasked with doing any additional reports to their normal annual reporting process?

No. Question

ANTHONY LEAN: There have been a few matters that they've been asked to report on. As was mentioned before, there's a refresh of the net zero strategy, or the Net Zero Plan I should say. They've been asked to provide some advice in that context. We can certainly take on notice as to whether there are any other specific referrals.

Answer:

The Net Zero Commission has been asked to provide advice on two matters:

1. Review of the NSW Environment Protection Authority's Proposed Greenhouse Gas Mitigation Guide for NSW Coal Mines
2. The new Net Zero Plan.

46. Solar panel rebates on apartments – Transcript page 74

The Hon. JACQUI MUNRO: That would be very helpful. On solar panels on roofs and the rebates that are for apartment blocks under 55 units, I was wondering how that threshold was come to, because I note that the Government doesn't seem to actually know how many apartment blocks there are under 55. I've been contacted by somebody who has an apartment block with over 55 lots, and they're really keen to get this underway. They've got all of their all their members on board, but they can't access the funding. I just wanted to understand why they aren't able to, basically, get the funding, even though they've got everyone on board.

KIM CURTAIN: I think I'd have to take on notice exactly why it is that that number was chosen. I don't have that level of detail.

Answer:

Refer to the answer given later in the hearing, recorded on page 87 of the uncorrected transcript.

47. Koala translocation review – Transcript page 74

TRISH HARRUP: There haven't been many translocations in recent years in New South Wales, but one of the examples you're probably aware of is Narrandera, which was undertaken in the 1970s. There's now quite a substantial and healthy population there of over 400 koalas, and they were translocated from northern New South Wales and from an island off, I think it was, South Australia or Victoria. So they have been translocated successfully over quite large distances.

The CHAIR: But we have done nothing really since then in terms of that broad geographic change.

TRISH HARRUP: Not in Victoria. I think in other States — there have been some other translocations in Victoria, South Australia and Western Australia.

The CHAIR: In terms of this evaluation that is happening, is there a question being asked whether translocations of that distance are still something that should be contemplated? Is the evaluation that pretty much everything's on the table or is it narrow in its scope?

No. Question

TRISH HARRUP: It's quite broad in its scope. We're looking at all of the aspects of the planning and the execution of the project. We're looking at things like gut biome and the suitability of the trees — that was assessed prior to the translocation as well — but looking at disease as a factor as well.

The CHAIR: The evaluation terms and scope, is there something that might be publicly available for people to know and understand more about what's happening?

TRISH HARRUP: I'm not sure whether there's any information currently available about the scope of the review. I can take that on notice. The intention will be to make the findings publicly available. They will go through an internal and an external expert review, and they're looking to have that done by the end of the year.

Answer:

A summary of the project evaluation scope has been made available on the Department's website at: www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/programs-legislation-and-framework/nsw-koala-strategy/improving-health-and-safety-koalas/translocation-program.

48. State of the Environment report – Transcript page 75

The CHAIR: I've been asked to ask you, Mr Chappel, about the State of the Environment report. Why is the State of the Environment report not supporting local government area scale breakdowns? I think it used to, and perhaps there might have been a change in that. Does that sound —

TONY CHAPPEL: I'm not aware of a change in the methodology. A lot of these data sets are held by other parts of government, and it's very much a whole-of-government effort. Perhaps it's best if I seek some advice on that, and I'll either come back this afternoon or on notice.

The CHAIR: It really is just about that local government area scale breakdown so that it can be used at that level.

Answer:

There has been no change to the methodology used to develop the *NSW State of Environment Report 2024* in relation to local government area scale breakdown.

Previous NSW State of the Environment reports have generally not included reporting at a local government area scale. The reports are statewide assessments of the matters required to be reported on under section 10 of the *Protection of the Environment Administration Act 1991*.

49. Little penguin breeding pairs – Transcript page 75

The CHAIR: It really is just about that local government area scale breakdown so that it can be used at that level. Can I ask if anyone knows about the little penguins at Manly? The question really goes to what are the current estimated numbers of breeding pairs of little penguins in the Manly population? I'm happy, if it's easier, for you to take it on notice.

No. Question

NAOMI STEPHENS: No, I am able to provide an update. I'll just find my notes so I get my numbers right. Was there anything particular you would like to ask me about?

The CHAIR: Yes. Basically, what are the numbers of successful little penguin fledglings for the population for the last three breeding seasons?

NAOMI STEPHENS: I can tell you the numbers for the most recent year. We're down to 15 pairs, 36 eggs and 29 fledglings. I think I'll need to take the previous two years on notice.

Answer:

Refer to the answer given later in the hearing, recorded on page 87 of the uncorrected transcript.

50. Gas Decarbonisation roadmap consultation – Transcript pages 75-76

The CHAIR: I've got a question about the gas decarbonisation roadmap. The website apparently states the Government will consult publicly with all interested stakeholders in 2025 to develop the gas decarbonisation roadmap. Has that begun or can you indicate when that will begin?

KIM CURTAIN: The consultation hasn't begun yet. There is some work that's begun, certainly within the department, but we don't have the exact timelines yet. We're working through with Government on the plans for the –

The CHAIR: Is there a clue? Will it be this year? Have you got any kind of –

KIM CURTAIN: Let me take it on notice, so I can be accurate.

Answer:

Refer to the answer to supplementary question 354 for the 29 August 2025 hearing for the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage.

51. Product stewardship – Transcript pages 81-82

Dr AMANDA COHN: I had a few things to follow up on after I rudely cut off Mr Chappel this morning. The first one was, I was talking to the Minister about the Product Lifecycle Responsibility Act and wondering what you see as potentially the low-hanging fruit or the opportunities for that framework to be applied to other waste streams.

TONY CHAPPEL: It's frankly a transformational framework. When the UK did their regulatory impact statement, we deliberately included all the Treasury guidelines of all the States and Territories in the Commonwealth so it can be replicated. I understand from colleagues in other jurisdictions, a number of them are now progressing the legislation in an analogous way to the way it was adopted here – so that you might imagine a national stewardship scheme, say, for solar panels, but domiciled in one State but operating across Australia in a consistent way. That's the sort of future we're hoping to help enable. In terms of our list of areas for reform, obviously packaging and there's been some discussion of the container deposit scheme and reform of that – that's a different piece of legislation, but it is a notable, very successful stewardship scheme. Our first priority is batteries, lithium ion batteries, in either micromobility

No. Question

devices or embedded categories because they're posing a significant fire risk. We've also said we'll look at the other battery categories once those are done, including those in homes and vehicles.

There's been a long debate nationally about tyres and stewardship of those and how that might operate more effectively. It's a case that potentially is applicable here — perhaps, again, domiciled in another State. It doesn't have to be in New South Wales but some sort of national solution. We also looked at some chemical solvents where we do see potentially a viable benefit of this kind of stewardship. Of course, the Minister took to the energy and climate change Ministers recent meeting a proposal to look at national stewardship arrangements for solar panels so that, instead of disposing of panels when they come off people's roofs as they upgrade, they still operate. We can have a second-hand market or we can have a viable reprocessing, re-manufacturing sector. There are probably a number of other sectors that are not at the top of my mind, but I'm happy to take on notice any others that we consider prospective and also hear other suggestions from stakeholders in the community.

Dr AMANDA COHN: Yes, please. I'd love to hear that list of yours and what you're hearing from other States as well.

Answer:

The NSW Environment Protection Authority is progressing work on product stewardship for both batteries and solar panels.

Other products will be considered by the Government on a case-by-case basis.

52. Gas Decarbonisation roadmap – Transcript pages 83-84

The CHAIR: Can I go back to the gas decarbonisation road map? I think there's a commitment that there'll be something by next year. Does that sound right? I'm not sure who I'm asking.

KIM CURTAIN: It's probably me.

The CHAIR: I think the commitment was there'd be a plan road map by 2026. Is that right?

KIM CURTAIN: Yes, but there's also some work happening nationally on this so we're working out what is the right timing for the State versus the national work that's happening through the Energy and Climate Change Ministerial Council. I can come back on notice on exactly the timing and phrasing of that. I think we came out with the strategy that listed the gas decarbonisation strategy before that work started nationally, and particularly focused on what is the position of gas on the east coast, because it impacts a number of States.

The CHAIR: So there's not currently work happening to develop that road map yet? It's more looking at what the —

KIM CURTAIN: There's work happening, but I think it's now I think falling into a couple of buckets. I just want to make sure I respond in the right way.

The CHAIR: Can I ask just a couple of things — and I'm happy for you to take them on notice. Is there consideration for incentives like those that are happening in Victoria for

No. Question

food processing and so on to help industrial sectors, which are potentially the most easy to electrify? Are these sorts of things on the table for any form of road map that might be developed in New South Wales?

KIM CURTAIN: I can come back on the specifics of that. We do have a number of other programs, though, that are specifically looking at assisting industry with electrification. Sometimes converting from gas to electricity is part of that. So there are other sort of programs we have that fall within that.

The CHAIR: Are we looking at incentives and are we looking at targets? I think it's just trying to get an indication of, if there is information now, where we're heading and what we're planning.

KIM CURTAIN: I'll take it on notice in terms of what we can say at the moment, because it is still in train.

Answer:

The NSW Government is considering electrification and energy efficiency reforms as part of this work.

53. BCT revolving fund acquisitions – Transcript page 85

The CHAIR: Ms Giuliani, with the Biodiversity Conservation Trust, is there works happening within the — is there an acquisition program at all happening through the revolving fund?

ERIN GIULIANI: Yes. That program is a continual program. We're always on the lookout for properties that are for sale that meet our eligibility criteria. I'm happy to share anything you'd like to know about that.

The CHAIR: How many properties have been acquired in the last 12 months?

ERIN GIULIANI: I'm not sure if I've got the last 12 months. I know how many we've done in total. I might come back to you on that if I can. I've got the overall numbers, I'm afraid.

The CHAIR: If you could just do the last 12 months and then the 12 months previous, that would be very helpful.

ERIN GIULIANI: Sure. I'm happy to.

Answer:

The NSW Biodiversity Conservation Trust’s (BCT’s) Revolving Fund Program has ‘revolved’ 18 properties with a cumulative conservation area of 5,784 hectares.

Revolving Fund property acquisitions and sales		
	Properties acquired	Properties sold
September 2024 to August 2025	2	5
September 2023 to August 2024	3	0

The Revolving Fund is currently holding for sale four properties with proposed cumulative conservation areas totalling approximately 1,490.5 hectares.

No. Question

Details of properties currently for sale and those previously sold through the BCT's Revolving Fund Program can be viewed at: www.bct.nsw.gov.au/properties-for-sale.

54. CEWH entitlement delivery – Transcript pages 85-86

The Hon. WES FANG: In relation to an article in *The Weekly Times* on 19 August, CEWH entitlements are being delivered through about 10 regulators and other works across the basin that do not comply with metering regulations. Apart from Toorale Station, are there any other regulators amongst those 10 which are operated by the Conservation Programs, Heritage and Regulation group, National Parks and Wildlife Service or any other organisation within the environment Minister's remit? What water regulators is the Minister responsible for? If you could provide some locations, model numbers and whatever details you've got on that, I would be very appreciative.

BRENDAN BRUCE: I might take that one on notice.

Answer:

The Department of Climate Change, Energy, the Environment and Water (DCCEEW) Conservation Programs, Heritage and Regulation (CPHR) is not aware which 10 regulators *The Weekly Times* article refers to. CPHR is not delivering environmental water to any site where it is unclear whether regulators meet the requirements of the metering regulation.

DCCEEW operate several regulating structures on behalf of the Minister for the Environment. All comply with the requirements of the non-urban metering regulation. The table at Appendix A details these regulating structures, which include weirs and regulators. The locations are shown through the latitude and longitude coordinates, and the Work ID and Water Supply Works Approval numbers are also provided. Further details of these works can be found by searching the Water Supply Work Approval number on the NSW Public Water Register.

A regulating structure is a water control asset constructed to manage how water moves through a river or channel. It usually includes gates, or similar, that can be opened or closed fully or partly to control when, how much, and how fast water flows. These structures are often located along a regulated river and used to direct water to other waterways, floodplains, or wetlands, and to support purposes like flood protection, irrigation, and water for the environment.

55. EV strategy – Transcript page 86

The Hon. JACQUI MUNRO: On the EV strategy and charges, is there a deadline or timeline that you have for actually making a determination on that?

KIM CURTAIN: Not for making a determination. It's something where we've had different thoughts given to us from different parties, so we want to do a consultation before we make a decision.

The Hon. JACQUI MUNRO: So there's no timeline.

KIM CURTAIN: I can take on notice what the timeline is, but I don't have the specifics at the moment.

No. Question

Answer:

The Department of Climate Change, Energy, the Environment and Water is investigating opportunities to facilitate the delivery of kerbside EV charging infrastructure by Distribution Network Service Providers where appropriate (Action 31 of the NSW Consumer Energy Strategy). That work is ongoing.

56. AHIP surrenders – Transcript page 86

The CHAIR: Does somebody have the number on how many Aboriginal heritage impact permits have been granted in the last 12 months?

ELIZABETH OWERS: I do. We have it split down. If I go 2024-25, we have 72 AHIPs. We have 28 variations, eight AHIP surrenders and two AHIP transfers. We have five AHIPs we haven't accepted, and then we have nine AHIPs withdrawn.

The CHAIR: What's the main basis for a surrender?

ELIZABETH OWERS: Good question. I need to check with these ones. I'll take that on notice.

Answer:

Refer to the answer given later in the hearing on page 87 of the uncorrected transcript.

Refer also to the answers given to supplementary questions 282 and 283 for the 29 August 2025 Budget Estimates hearing for the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage.

Appendix A – Regulating structures operated by the Department of Climate Change, Energy, the Environment and Water on behalf of the Minister for the Environment

Work ID	Water Supply Work Approval	Water Source	Structure type	Latitude	Longitude
1000232646	10WA119552	UPPER SNOWY RIVER WATER SOURCE	WEIR	-36.39237986	148.3769422
1000232649	10WA119556	PERISHER CREEK WATER SOURCE	WEIR	-36.41206355	148.4108454
1000232655	10WA119564	UPPER SNOWY RIVER (MUNYANG REACH) WATER SOURCE	WEIR	-36.397242	148.427152
1000232724	10WA119688	THREDBO RIVER WATER SOURCE	WEIR	-36.34146479	148.5459723
1000232726	10WA119690	THREDBO RIVER WATER SOURCE	WEIR	-36.35318452	148.5152726
1000237881	10WA121984	PERISHER CREEK WATER SOURCE	WEIR	-36.41339094	148.4107888
1000096345	40WA405078	MURRUMBIDGEE REGULATED RIVER WATER SOURCE	REGULATOR	-34.38043115	143.7895344
1000191293	40WA412877	MURRUMBIDGEE WESTERN WATER SOURCE	REGULATOR	-34.6668	143.60403
1000192078	40WA413721	UPPER TUMUT WATER SOURCE	WEIR	-35.72061552	148.5059958
1000104568	50WA506875	NEW SOUTH WALES MURRAY REGULATED RIVER WATER SOURCE	REGULATOR	-35.956986	146.521566
1000104570	50WA506876	NEW SOUTH WALES MURRAY REGULATED RIVER WATER SOURCE	REGULATOR	-35.977613	146.578116