



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

BUDGET ESTIMATES 2025-2026

Supplementary questions

Portfolio Committee No. 7 – Planning and Environment

Environment

Hearing: Thursday 4 December 2025

Answers due by: Responses due by 5.00 pm Monday 19 January 2026

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BUDGET ESTIMATES 2025-2026
SUPPLEMENTARY QUESTIONS

Questions from Ms Sue Higginson MLC
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EPA

Methane Emissions from Coal Mines

- (1) What is the progress of the proposal to regulate methane emissions from coal mines?
- (2) What is the EPA doing to better deal with fugitive and unaccounted emissions?
- (3) How important is such action in meeting the State's climate targets?

Coal Fired Power Stations

- (4) Given the importance of regulatory certainty for coal fired power stations in taking steps to meet Group 6 limits by 2030, when will EPA review the regulations?
- (5) Will the EPA commit to the review of the regulations well ahead of 2028?

Training & Staffing

- (6) Has the EPA proactively inspected any 'harvest sites operating under Western Integrated Forestry Operations Approval (IFOA): If not, why not? If so, where when with what results?
- (7) Has the EPA formally assessed and documented its risk rating for forestry operations in Western IFOA regions? If not, why not? If so:
 - (a) Who conducted the formal assessment?
 - (b) When?
 - (c) How was it conducted?
 - (d) What were the results of the risk assessment?
 - (e) Who documented this assessment and when?
 - (f) How was it documented?
- (8) How has the decision to restructure the forestry branch of EPA, and rely on its general compliance staff affected the capacity of the EPA to inspect native forestry operations and respond to complaints of non-compliance from members of the public?

- (9) To date, how many members of EPA's general compliance staff have completed 'Introduction to Native Forestry Regulation'?
- (a) What percentage is that of EPA's general compliance staff?
- (10) To date, how many members of EPA's general compliance staff have completed the 'Forestry Skills and Capability Program'?
- (a) What percentage is that of EPA's general compliance staff?
- (11) Is the completion of any additional training required to enable EPA's general compliance staff to lead, conduct or participate in criminal investigations into identified environmental offences? If so:
- (a) What additional training is required?
- (b) Who provides that training?
- (12) To date, how many members of EPA's general compliance staff have completed any additional training required to lead, conduct or participate in criminal investigations into offences committed before, during or after native forestry operations?
- (a) What percentage is that of EPA's general compliance staff?
- (13) Has EPA's general compliance section acquired the equipment necessary for EPA staff to undertake inspections of native forestry operations? Including:
- (a) Internet enabled tablet with the correct program installed
- (b) Specialised tree diameter measuring tapes;
- (c) Range finders?
- (d) Dendrometers?
- (e) Snake bite kits?
- (14) Have EPA's general compliance operations staff been trained in the use of the internet enabled tablet and programs necessary for undertaking inspections of native forestry operations? If so:
- (a) How were they trained?
- (b) Who trained them?
- (c) What percentage of the EPA's general compliance staff have been trained?

- (15) Have EPA's general compliance staff been trained in the use of range finders, dendrometers and snake bite kits, being equipment required when inspecting native forestry operations? If so:
- (a) How were EPA staff trained?
 - (b) Who trained them?
 - (c) What number of EPA staff completed this training?
- (16) What further measures is EPA planning to take in 2026 to increase the number of staff available to conduct inspections?
- (17) Have key targets for increasing the number of EPA staff available been adopted?
- (18) What steps have you taken to fully implement the signed Memorandum of Understanding (MoU) between EPA & FCNSW?
- (19) Are there any issues or approaches that are required to fully implement the MoU which remain outstanding and require resolution before they can be included? If so:
- (a) What are these matters?
 - (b) How does EPA propose to progress these outstanding matters in 2026?

Brigalow–Nandewar and South-Western Cypress IFOAs

- (20) Why was an extension granted to both the Brigalow-Nandewar and South-Western Cypress IFOA's without a proper assessment of how continued logging will affect threatened species in forests already known to be ecologically vulnerable?
- (a) What surveys, reports or assessments were relied upon for this decision?
 - (b) What reviews were undertaken to assess the effectiveness of fauna and flora surveys?
 - (c) Were all monitoring programs for threatened species completed and were the results applied to develop prescriptions for all those species?
 - (d) Was the required study of the sustainable yield for logs and other timber products undertaken to DECCW's satisfaction for Brigalow–Nandewar?
- (21) What are you doing to address the serious ongoing pollution to Sydney's Drinking Water Catchment near Wallerawang, noting that the key EPA pollution licence that permits pollution discharges into Wangcol Creek, LDP1, has no salinity limit?

EPA Cuts

- (22) Is your interpretation of the requirement for a 15% reduction in senior executives that a 15% reduction in the number of individual roles is required, that a 15% reduction in FTE is required, or both?
- (23) Can you please explain how the Government's Core Work Policy has informed the restructure and the proposed cuts to frontline Operations staff, specifically its commitment to "rebuild internal capability", "safeguarding institutional knowledge" and to "end the culture of outsourcing"?
- (24) Can you please list each of the 6 senior executive positions that will be delimited and their FTE?
- (25) According to Union analysis, there are 7 vacant director positions in the Environmental Protection Authority, do you plan to fill those positions once the restructure has concluded?
- (26) Were any consultants engaged to inform the EPA restructure?
 - (a) If yes, please provide the names of the consultants and the total costs of their services.
- (27) Can you please explain how previous consultants' reports (e.g. Ways of Working Operations, 2023 'Big Opportunity' restructure, 2020 restructure) informed this restructure?
- (28) The Ways of Working Report recommended 8 additional unit heads, a reduction in span of control for Unit Heads (from avg 7 to 5), and an increase in span of control for Managers (from avg 2 to 3). Can you please explain how these recommendations have been addressed?
- (29) Can you please explain why there was a dramatic increase in expenditure on staff during the 2023-24 financial year?
- (30) Has the increased spend on staff during the 2023-24 financial year informed the need for cuts now?
- (31) Could you please explain how this restructure will impact specific investigations and areas of concern, including:
 - (a) Cleanaway fires?
 - (b) Snowy Hydro Kurri Kurri investigation?
 - (c) Prosecution of Forestry Corporation for charges in Tallaganda State Forest?
 - (d) Poo balls?
 - (e) Asbestos in mulch?

DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER

- (32) Is the Department committed to ensuring rental properties are required to replace heating and hot water systems at their end of life with energy efficient electric systems, in accordance with the Consumer Energy Strategy?

Small-medium gas decarbonisation

- (33) Why is the industrial sector, namely small-medium industries, not included within the scope of the NSW gas decarbonisation roadmap?
- (34) Since the industrial sector is excluded from the committed gas decarbonisation roadmap, is DCCEEW developing a separate strategic plan to provide both financial and technical support for the industrial sector, namely small-medium industries, to decarbonise from gas? If so:
- (a) When and how is this being developed?
 - (b) What will be the consultation process?
 - (c) When will it be released?

NSW Bushfire Program Funding

- (35) After Recommendation 15 of the NSW Bushfire Inquiry recommended to "roll out the most effective bush fire preparedness programs to all communities and at-risk cohorts in bush fire prone areas across NSW" - what additional funding has been made available to support this roll out?
- (36) What designated funding is being provided to the NSW Rural Fire Services and other fire management agencies to ensure that current practices are undertaken with environmental sustainability in mind?

Biodiversity Certification Extension Albury

- (37) What empirical evidence are you aware of which demonstrates that biodiversity values have been maintained or improved in Albury LGA since certification began in 2011?
- (38) Given the documented decline of Sloane's Froglet in Thurgoona since monitoring began in 2010 how can the Department claim the current certification is working?

- (39) What is the total quantified loss of critically endangered Box Gum Woodland on certified land since 2011?
- (40) Has the Minister fulfilled their statutory duty under Schedule 7, Part 8 s27(2) of the repealed Threatened Species Conservation Act to review the EPI prior to this extension?
- (a) If so, when and what were the findings?
- (b) If no Ministerial review occurred, what are the grounds for not suspending or revoking certification as required by the Act?
- (41) Why is Albury permitted to operate a unique “hybrid” scheme that conflicts with both the repealed TSC Act and current Biodiversity Conservation Act requirements?
- (42) How can certification be considered valid when it triggers the Biodiversity Offset Scheme on the same certified land (e.g., Thurgoona Link Road, Inland Rail)?
- (43) Why are only 27 additional species proposed for assessment when the Biodiversity Assessment Method generates far more threatened species predictions? What happened to the other 31 species identified at Terry Court?
- (44) If an extension is granted, how will Serious and Irreversible Impact entities (Sloane's Froglet, Box Gum Woodland, Regent Honeyeater, Swift Parrot) be assessed on certified land?
- (45) Given that s6.7 of the Biodiversity Conservation Regulations 2017 requires refusal of Development Applications with significant Serious and Irreversible Impact impacts, how is this reconciled with certification that assumes no assessment?
- (46) What is the total area of C2 and C3 zoned land lost to development since 2011 in the Albury LGA?
- (47) Are you concerned that Albury’s Local Environmental Plan has not been amended to protect C3 zoned land as recommended by the Department in February 2023?
- (48) Can you explain why the Stage 1 Biodiversity Assessment Method for Thurgoona-Wirlinga was not completed through to Stage 2, which would establish a proper Biodiversity Certification Assessment Report for this precinct?
- (49) What evidence exists that constructed frog ponds have been effective in maintaining Sloane's Froglet populations, given the species’ ongoing decline?

Questions from Ms Cate Faehrmann MLC

Broken Hill

- (50) For the following data provided in answer to Question on Notice 4725, please provide a breakdown of how many of the houses that were remediated were Aboriginal households and how many were non-Aboriginal households:
- (a) 31 homes remediated in 2020-2021;
 - (b) 22 homes and one community building remediated in 2021-2022;
 - (c) 21 homes remediated in 2022-2023;
 - (d) 38 homes remediated in 2023-2024;
 - (e) 29 homes remediated in 2024-2025; and
 - (f) 1 home remediated to date in 2025-2026 - to date.
- (51) For each of the years specified above in question 3, please provide the total cost of remediation.
- (52) For each of the seven homes that were re-remediated in Broken Hill between 2022 and 2024, please provide the year the home was first remediated and detail the remediation actions undertaken, and then provide the year and remediation actions undertaken for all subsequent remediation works.
- (53) Is a home assessment offered to all children in Broken Hill who have a blood lead level above 5ug/dL?
- (a) If not, is there a blood lead level threshold at which home assessment is offered?
 - (b) What is the average wait time between a detection of an elevated blood lead level in a child and a home assessment?
 - (c) If no potential sources of lead exposure are identified at a child's home are other potential places of exposure, such as daycare, kindergarten or a local playground, assessed?
- (54) Is home remediation offered to all children in Broken Hill who have a blood lead level above 5ug/dL and whose home has been identified as a potential source of lead exposure?
- (a) If not, is there a blood lead level threshold at which home remediation is offered?

- (b) What is the average wait time between a detection of an elevated blood lead level in a child and home remediation (where their home has been identified as a potential source of lead exposure)?
- (55) For each of the following, when was the last time the EPA undertook any sampling in Broken Hill, and what were the results of that sampling, if any has occurred? Please provide copies of or links to reports wherever available:
- (a) lead in surface water;
 - (b) lead in groundwater;
 - (c) lead in sediment;
 - (d) lead in stormwater run-off;
 - (e) lead in rainwater tanks; and
 - (f) lead in the vertical distribution of soil.
- (56) The environment protection licence for Perilya Broken Hill Limited, North Operations (EPL 2683) sets requirements for monitoring concentrations of pollutants discharged including through air monitoring (section M2), however it does not include limit conditions (under section 3 of the licence) in relation to air quality or dust emissions. What, if any, air quality or dust emissions limits are Perilya North Operations required to meet?
- (a) Are Perilya North Operations required to meet any specific limit requirements in regards to lead emissions from their premises (including areas of active mining, processing, stockpiling, on-site haulage and tailings)?
 - (b) The operating conditions include a requirement that “The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.” (O3.1) How is this enforced?
 - i. How is “minimises” defined for the purpose of this condition?
- (57) The environment protection licence for Perilya Broken Hill Limited, Southern Operations (EPL 2688) sets requirements for monitoring concentrations of pollutants discharged including through air monitoring (section M2), however it does not include limit conditions (under section 3 of the licence) in relation to air quality or dust emissions. What, if any, air quality or dust emissions limits are Perilya Southern Operations required to meet?

- (a) Are Perilya Southern Operations required to meet any specific limit requirements in regards to lead emissions to air from their premises (including areas of active mining, processing, stockpiling, on-site haulage and tailings)?
 - (b) The operating conditions include a requirement that “The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.” (O3.1) How is this enforced?
 - i. How is “minimises” defined for the purpose of this condition?
 - ii. How is “minimises” defined for the purpose of this condition?
 - (c) Section L2 of the licence sets concentration limits for pollutants discharged at specified points. These limits only apply to one of the two water and/or land monitoring points. Why are there no concentration limits applied at monitoring point 2?
 - i. What and where is monitoring Point 2?
 - (d) Section M2.4 of the licence specifies “A discharge to waters from Point 2 must not occur unless more than 75 millimetres of rain falls in Broken Hill within the previous three (3) days.” What waters are being referred to?
- (58) The environment protection licence for Broken Hill Operations (EPL 12559) sets requirements for monitoring concentrations of pollutants discharged including through air monitoring (section M2), however it does not include limit conditions (under section 3 of the licence) in relation to lead emissions. Are Broken Hill Operations required to meet any specific limit requirements in regards to lead emissions from their premises (including areas of active mining, processing, stockpiling, on-site haulage and tailings)?
- (a) The operating conditions include a requirement that “All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.” (O3.1) How is this enforced?
 - i. How is “minimises” defined for the purpose of this condition?
 - ii. Why are Broken Hill Operations not required to “minimise” or “prevent” emissions, unlike the two Perilya mining operations?
 - (b) Has Broken Hill Operations ever exceeded the air concentration limits specified in section L2.2 of their licence?
 - i. If so, when, by how much and for what pollutants?

- ii. If so, what was the EPA's response to each exceedance event?

Bowdens Air Monitoring

- (59) What is the EPA's role, if any, in setting a trigger level within Bowdens Silver's Air Quality and Greenhouse Gas Machine Plan, as required to be developed under a condition of consent?

Air monitoring compliance for mines

- (60) How many infringement notices has the EPA issued to mines in NSW in relation to breaches of air monitoring conditions or air emissions limits in environmental protection licences in each of the following years:
 - (a) 2021-2022;
 - (b) 2022-2023;
 - (c) 2023-2024; and
 - (d) 2024-2025?
- (61) How many prosecutions have there been for breaches of air monitoring conditions or air emissions limits on environmental protection licences for the same years.

Review of Clean Air Regulations

- (62) Has recommendation 6 of the inquiry into Current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales been progressed?
 - (a) If yes, what were the results of the review?
 - i. When will this review be made public?

Pesticide regulation

- (63) How many complaints has the EPA received regarding the potential misuse of pesticides between 2015-2025, breaking data down by year?
 - (a) How many complaints has the EPA followed up with an onsite compliance visit?
- (64) Between 2015-2025:
 - (a) How many advisory letters has the EPA issued in relation to the potential misuse of pesticides?

- i. How many of these were issued to the blueberry industry?
- (b) How many formal warnings have been issued?
 - i. How many of these were issued to the blueberry industry?
- (c) How many official cautions have been issued?
 - i. How many of these were issued to the blueberry industry?
- (d) How many clean-up actions have been issued?
 - i. How many of these were issued to the blueberry industry?
- (e) How many prevention notices have been issued?
 - i. How many of these were issued to the blueberry industry?
- (f) How many penalty notices have been issued?
 - i. How many of these were issued to the blueberry industry?
 - ii. What was the associated fine for each penalty notice issued?
- (g) How many prosecutions have been commenced under the Pesticides Act 1999?
 - i. How many of these relate to the blueberry industry?
 - ii. How many prosecutions have been successful under the Pesticides Act 1999?

Blueberry industry

- (65) A joint statement from the EPA and NSW Food Authority on 3 October 2025 referred to the testing of blueberries for thiomethin and concluded that blueberries are safe to eat. Were blueberries washed before testing?
- (a) How many farms did the blueberries that were tested originate from?
 - (b) Were blueberries tested for any other common pesticides?
 - (c) Were blueberries tested for dimethoate?
 - i. If yes, what were the results of the testing?
 - ii. If not, will testing be repeated in light of the AVPMA's decision to suspend specific dimethoate substances?

- (66) What were the results of the compliance campaign that the EPA undertook in early November 2025 targeting pesticide use on blueberry farms in Coffs Harbour, Clarence Valley and Nambucca local government areas?
- (a) How many farms were site visits conducted at?
 - (b) How many, if any, advisory letters, formal warnings or official cautions have been issued as a result of the campaign?
 - (c) How many, if any, clean-up actions, prevention notices or penalty notices have been issued?
 - (d) Were any farms found to be using dimethoate? If so, how many?
 - (e) Were all farms that are or have been the subject of complaints to the EPA visited as part of the campaign?
- (67) Has the EPA completed any testing undertaken as part of the pesticide water quality monitoring program in Coffs Harbour and Nambucca Valley?
- (a) When are the results from this testing going to be made publicly available?
 - (b) How many locations will sampling be undertaken at?
 - i. Are any of these sites located on blueberry farms?
 - (c) Will testing occur on an ongoing basis? If so, how regularly?
 - (d) Will testing be expanded in the future to cover soil sampling?
- (68) Recommendation 5 in the NSW Anti-Slavery Commissioner's 2024-25 Annual Report is to further strengthen training for frontline workers... to identify and address modern slavery. Have frontline workers at the EPA undergone any training to identify modern slavery within the industries they regulate?

EPA job cuts

- (69) How many compliance officer positions (FTE) does the EPA currently have?
- (a) How many of these positions are filled?
 - (b) How many compliance officers are based in the Coffs Harbour City Council and Nambucca Valley Council areas?
 - (c) Are any compliance officer positions focussed exclusively on regulation of horticulture and/or agriculture?
 - i. If so, how many across NSW

- ii. How many in the Coffs Harbour City Council and Nambucca Valley Council areas?
- (70) How many, if any, compliance officer positions will be lost under the restructure?
- (a) If any, are any of these positions located in the Coffs Harbour City Council and Nambucca Valley Council areas?
- (71) Which areas of the EPA will be subject to job cuts?
- (a) Can the EPA confirm that no frontline workers will be affected by the job cuts?

Independent review of Cadia's environmental monitoring program design and data

- (72) Did the independent review of Cadia's environmental monitoring program design and data, commissioned by the EPA, utilise any external datasets or did it rely solely on Cadia Valley Operations' monitoring data? Were any of the following datasets provided to the reviewers:
- (a) Any groundwater, surface water or aquatic systems data collected by the EPA?
 - (b) Any groundwater, surface water or aquatic systems data collected by or for the Cadia Community Sustainability Network?
 - (c) Any groundwater, surface water, aquatic systems or rainwater tank data collected by Dr Ian Wright?
 - (d) Any groundwater, surface water or aquatic systems data collected or analysed by GHD?
- (73) Were potential impacts to any of the following waterways considered by the reviewers, and if not, why not:
- (a) Flyers Creek?
 - (b) Belubula River?
 - (c) Swallow Creek?
- (74) Were the role of fault lines in contributing or exacerbating potential impacts to surface water, groundwater or aquatic ecosystems considered by the reviewers?
- (a) If not, why not?

Questions from Ms Abigail Boyd MLC

DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER

- (75) What specific modelling shows Eraring must remain open beyond the revised date, and why wasn't that modelling made public when the original closure extension was justified?
- (76) What assumptions about data-centre growth, electrification, and peak demand have changed since your last public forecast—and why weren't these included in your previous scenario planning?
- (77) Did EnergyCo provide advice to the government warning that extending Eraring would suppress wholesale prices and deter new renewable investment? If so, where is that advice?
- (78) What is the forecast delay to new renewable, storage or firming projects caused by keeping Eraring online?
- (79) What is the status of the NSW Renewables workforce plan?
- (80) What is the reason for the Peak Demand Reduction Scheme target for 2026-27 being revised downward to 0.5%?
- (a) Does this decision indicate a reduced appetite for demand reduction?
- (81) For each of the State Significant data-centre projects approved since 2021, can the Department tell the Committee what their forecast annual electricity consumption is? If not, why does the Department approve 24/7 industrial loads without knowing how much electricity they will use?
- (82) What is the combined megawatt load of all data-centre projects approved or in the SSD pipeline in Greater Sydney? Has the Department ever attempted to calculate this number?
- (83) During the hearing, we were told that the Department had conducted modelling on the wholesale price impacts of data centres.
- (a) Can you please provide that modelling
- (b) What were the scenarios that were modelled?
- i. What was the wholesale price impact of each of those scenarios?
- (84) Can the Department state the total expected electricity load of all proposed and approved data centres in NSW, and the total expected water consumption? If not, how is the Department able to plan for either system?

- (85) What modelling has the department conducted on the combined energy and water footprint of NSW's growing data-centre sector? If no modelling has been done, why not?
- (86) Does the Department accept that data centres are effectively becoming one of the largest new industrial loads in NSW? If so, why is there still no whole-of-government strategy governing their energy and water requirements?
- (87) Has the Department modelled how projected data-centre load growth affects NSW's ability to meet its legislated emissions targets? If not, how does the department know the targets remain achievable?
- (88) Does the Department accept expert warnings that data-centre electricity demand may grow faster than NSW's renewable generation pipeline? What contingency has the Department prepared?
- (89) Can the Department guarantee that new data-centre load will not force NSW to rely more heavily on gas generation during peak periods?
- (90) Does the Department support requiring hyperscale data centres to be directly transmission-connected so that augmentation costs are not pushed onto residential customers?
- (91) Does the Department require proponents to demonstrate that their data centres will be supplied by renewable energy? If not, how does the Department ensure these large loads do not drive up emissions?
- (92) How much of NSW's remaining "carbon budget" does DEEW estimate will be consumed by data-centre electricity demand by 2035? Has the Department done this calculation?
- (93) Has the department advised the Minister that uncontrolled data-centre growth could jeopardise NSW's legislated 2035 emissions target?
- (94) Does the Department support mandatory renewable-matching or firming requirements for large 24/7 loads? If not, why is the burden shifted to the rest of the system?
- (95) What analysis has the department conducted on the impact of data-centre cooling water demand during a drought or under Level 2/3 water restrictions?
- (96) Does the Department believe Sydney's water system can absorb up to 9.6 GL/year of new data-centre demand—equivalent to nearly 2% of system capacity—without consequences for other users?
- (97) Does the department support requiring all new data centres in water-stressed regions to use recycled or non-potable water for cooling? If not, why?

- (98) Can the Department point to any data-centre project where it required a binding, enforceable cap on potable water use?
- (99) Has the department assessed the risk that data centres could outcompete housing, hospitals, manufacturing or agriculture for limited water supplies during drought?
- (100) Does the department have a position on whether evaporative cooling—using millions of litres of potable water per day—should be allowed in new data-centre developments in Sydney?
- (101) Has the Department considered mandating zero-water cooling or hybrid cooling systems for hyperscale centres? If not, why not, given widely available alternatives?
- (102) Why does NSW have no minimum performance standards for cooling efficiency (e.g., maximum WUE) when industry and academia consider such metrics standard?
- (103) Is the department routinely notified when Planning approves a data-centre project with substantial water or energy implications? If not, how can the department fulfil its responsibilities for system stewardship?
- (104) What environmental safeguards does the department apply to large data-centre clusters regarding heat rejection, noise, or cumulative microclimate impacts?
- (105) Does the Department agree that multiple hyperscale centres in one corridor (e.g., Macquarie Park) could create significant localised environmental harm?
- (106) Can the department identify any environmental condition it has imposed—rather than Planning—on any data-centre project in the past five years?
- (107) What formal mechanism exists for the department to coordinate with the Department of Planning on data-centre approvals? Can DEEW provide evidence that this mechanism has worked?
- (108) Has the department provided any advice to Planning recommending refusal, redesign, or staging of a data-centre project due to water or energy constraints? If not, why not?
- (109) Does the department agree that the current system has no clear “gatekeeper” ensuring data-centre growth is environmentally or energy-system sustainable?
- (110) What evidence can DEEW provide today that NSW can absorb the next decade of data-centre growth without compromising water security, grid stability, emissions targets, or environmental outcomes?

- (111) If the Department cannot provide modelling, does it accept that NSW is approving multi-billion-dollar, multi-decade baseload users without a science-based assessment of their resource impact?
- (112) Does the department agree that without a coordinated strategy, data centres could become the single most environmentally and energetically significant industry in NSW—yet the least regulated?

ENVIRONMENT PROTECTION AUTHORITY

- (113) What is the projected increase in PM2.5, NOx and mercury emissions if Eraring remains operational beyond its current timeframe, and why hasn't the EPA published that impact assessment?
- (114) What updated public health modelling has the EPA done on Lake Macquarie communities if Eraring runs for an extra three to five years—and why hasn't that been publicly consulted on?
- (115) Has the EPA assessed the additional ash dam, water discharge or cooling water impacts from extended operation—and does the operator meet today's standards or legacy grandfathered standards?
- (116) How many diesel generators have been approved across all NSW data-centre consents since 2021, and what is their combined potential emissions profile?
- (117) Does the EPA acknowledge that a single hyperscale data centre can have diesel generation capacity equivalent to a small power station? If so, why isn't it licensed as one?
- (118) Why does the EPA allow data centres to operate diesel generators during heatwaves or grid stress—the exact times when air quality harms are highest?
- (119) Has the EPA ever measured or required monitoring of heat rejected from data-centre cooling systems? If not, how does it assess microclimate impacts?
- (120) Does the EPA have any framework for assessing the cumulative heat island effects of multiple large data centres in the same precinct?
- (121) Please identify all instances where the imposed enforceable noise limits on data-centre cooling or generator farms beyond generic industrial conditions?
- (122) Has the EPA conducted any analysis of the chemical composition of cooling fluids used by data centres, and their potential impacts in spill, leak, or treatment scenarios?

- (123) Do data centres require an EPA licence for wastewater discharge from cooling systems? If not, why not?
- (124) Can the EPA point to where in current policy water-intensive cooling systems are regulated for environmental impact?
- (125) Does the EPA consider data centres to be “industrial facilities” for the purposes of environmental regulation, or merely “commercial buildings”? Why?
- (126) If an industry proposed 30–170, or even up to 400MW of continuous load with diesel-plant backup, would the EPA normally treat it as a scheduled activity requiring licensing? Why do data centres escape that scrutiny?
- (127) Does the EPA accept that the current system leaves a regulatory void in which high-pollution emergency systems are effectively self-regulated by proponents?

NET ZERO COMMISSION

- (128) Where in your decarbonisation pathway does a further Eraring extension fit—and what is the emissions budget impact? Please quantify the additional CO₂ load to 2030.
- (129) If the Commission agrees to an Eraring extension, how does that reconcile with your legislated duty to keep NSW on track for the 2030 and 2050 targets?
- (130) What modelling shows NSW can still meet its 2030 target if the state’s largest coal generator continues to run well beyond the original revised closure date?
- (131) Did the government ask the Commission to re-run scenarios that assume prolonged coal generation, and if so, why were those scenarios never released publicly?
- (132) Is the Commission comfortable that repeated extensions undermine investor confidence in NSW’s energy transition, and have you quantified this investment delay risk?
- (133) If emissions rise due to an extension, what sectors or communities must absorb the additional reductions? Who pays for the extra abatement?
- (134) Has the Commission modelled the impact of current and proposed data centres on NSW’s legislated emissions pathway? If not, how is it discharging its statutory obligations?
- (135) Does the Commission accept that the increasing prevalence of LIBL projects, such as data centres, could force NSW to burn more gas/coal to meet demand, thereby undermining the state’s net-zero trajectory?

- (136) Has the Commission estimated what proportion of NSW’s remaining “carbon budget” could be consumed by data-centre growth?
- (137) Can the Commission point to any requirement ensuring that new LIBL data-centre load is accompanied by equivalent new renewable generation and firming?
- (138) Does the Commission agree that data-centre demand is growing faster than the rate of renewable build-out?
- (139) Does the Commission accept that high constant loads increase the need for firming, raising the risk of gas-peaker utilisation?
- (140) Has the Commission been consulted by the Department of Planning on any recent data-centre SSD approvals?
- (141) Does the Commission have any mechanism to veto, condition, or advise on developments that create major new emissions sources indirectly through electricity demand?
- (142) Will the Commission publish an annual assessment of data-centre electricity demand and its impact on NSW emissions? If not, why not?
- (143) Does the Commission believe current reporting standards allow the public to understand how much electricity new data centres actually use?
- (144) Does the Commission agree that without binding renewable-matching requirements, data centres may become the single largest new driver of NSW emissions?

ENERGY CO

- (145) What specific modelling shows Eraring must remain open beyond the revised date, and why wasn’t that modelling made public when the original closure extension was justified?
- (146) What assumptions about data-centre growth, electrification, and peak demand have changed since your last public forecast—and why weren’t these included in your previous scenario planning?
- (147) Did EnergyCo provide advice to the government warning that extending Eraring would suppress wholesale prices and deter new renewable investment? If so, where is that advice?
- (148) What is the forecast delay to new renewable, storage or firming projects caused by keeping Eraring online?
- (149) What is the total forecast load from data centres seeking to connect in Greater Sydney and Western Sydney? Has EnergyCo calculated this number?

- (150) Has EnergyCo modelled whether the proposed data-centre cluster growth is compatible with NSW's planned transmission build-out and REZ timelines?
- (151) Will EnergyCo support a rule requiring hyperscale data centres to connect directly to transmission infrastructure, as occurs in other jurisdictions?
- (152) Has EnergyCo calculated the additional future network augmentation burden—substations, feeders, transmission links—costs due to data-centre growth?
- (153) Does EnergyCo think it is fair that data centres externalise their grid costs onto every other NSW electricity consumer?
- (154) Has EnergyCo assessed the system-strength implications of multiple large “block loads” engaging at once?
- (155) What analysis has EnergyCo done on the interaction between data-centre demand and heatwaves, when NSW's reliability margin is narrowest?
- (156) Can EnergyCo confirm that data centres will not reduce NSW's reserve plant margin below reliability standards?
- (157) Has EnergyCo provided any advice to Planning indicating that cumulative data-centre load is not sustainable without significant new infrastructure?
- (158) Why is there no coordinated NSW strategy on where data centres should or shouldn't connect, given their multi-decade baseload profile?
- (159) Does EnergyCo accept that NSW risks replicating Ireland's experience, where data centres absorbed 18% of national electricity?
- (160) EnergyCo has signed a commitment deed with Ausgrid to deliver the network infrastructure needed for the Hunter-Central Coast Renewable Energy Zone (REZ). What role does EnergyCo maintain in ensuring the highest levels of safety and quality standards on these sites?
- (161) We've seen really concerning reports about Ausgrid's cavalier attitude towards safety and quality, which has resulted in them slashing nearly 70% of their electrical inspector roles. Ausgrid has said blackouts as a result of faulty and unsafe installations are just a nuisance but not a real issue. Do you agree with that characterisation?
- (162) What responsibility does EnergyCo take in directing Ausgrid to ensure higher levels of safety on their projects?

Questions from the Opposition

Sydney Ring (South)

- (163) Has the government taken any steps to secure the land corridor for the Sydney Ring South including the Greendale Area to South Creek Corridor, highlighted teal in Transgrid's submission to the Australian Energy Market Operator (AEMO)¹, where they note that delaying development introduces the risk that the preferred solution “becomes no longer viable in its current form”?
- (164) Was the NSW government consulted by the Australian Energy Regulator, prior to their approval of Transgrid's request to delay their response to the Sydney Ring South PADR in the 2024 IASR?
- (165) Did Transgrid at any stage request the NSW government to progress Sydney Ring South via the EII framework, and if so, what was the NSW government's response?
- (166) Given that AEMO's 2025 IASR workbook identified the transfer capacity from CNSW-SNW-South is only 2,540MW in peak demand, how does the NSW government propose that up to 2.2GW of power from Snowy 2.0 (or any other generation arriving on HumeLink when it is complete, including from South Australia or the South West REZ), would enter Sydney when AEMO already identifies the Bannaby-Sydney West line as the most limiting element?
- (167) Does the NSW government assess the impact of counter-price flows and the potential cost impact of negative residuals when assessing approvals of wind farms?
- (168) Will the NSW government delay planning approval for wind farms in Southern NSW who will likely contribute excessive counterprice flows into Victoria until transmission constraints between Southern NSW and the Sydney Newcastle Wollongong load centre are resolved?
- (169) What information as the NSW government received from Transgrid about possible options, timing and capability for the “switching station and modular power flow controllers” that were made actionable in the 2024 ISP?

¹ Transgrid Submission to AEMO Draft 2024 ISP. *Indicative 500kV double corridor for Sydney Ring (South)* [Figure 9] <https://www.transgrid.com.au/media/sccgauve/16-february-2024-transgrid-submission-to-aemo-draft-2024-isp.pdf>,

- (170) Is the NSW government satisfied that the solution involving “switching station and modular power flow controllers” that will have the Project Assessment Draft Report (PADR) delivered in June 2026 will allow a timely and effective relief of the network congestion that is causing increasing instances of counterprice flows into Victoria, and allow sufficient flow into SNW load centres from Southern NSW to allow coal stations in the Hunter to close in 2027 or 2029?
- (171) Has the NSW government been in consultations with AEMO in the development of the Draft 2026 ISP, and if so, what was discussed regarding the actionable status of solutions for Sydney Ring South?

Data centres

- (172) Has the Minister requested a briefing on data centres and energy use from the Department?
- (173) Has the Minister requested that the Net Zero Commission undertake work on the potential impacts of data centre development on energy in NSW?
- (a) What are the terms for this work?
- (174) How is the Minister evaluating the carbon footprint of AI-related data centre loads?
- (175) What proportion of NSW’s total electricity demand is currently consumed by data centres?
- (176) What is the projected increase in data centre electricity demand over the next:
- (a) 5 years,
- (b) 10 years,
- (c) 20 years?
- (177) Will the government release modelling on the cumulative grid impact of multiple data centres in the same region?
- (178) What is the risk that data centre load could crowd out residential or industrial demand during peak periods?
- (179) What contingency planning is being done for grid stability as high-load facilities cluster in Sydney’s west?
- (180) Will the government publish annual data centre energy-use to improve transparency?
- (181) What percentage of electricity used by NSW data centres comes from renewable sources in:
- (a) 2022-23,

- (b) 2023-24,
 - (c) 2024-25?
- (182) Does the government require new data centres to procure renewables or invest in local clean-energy generation?
- (183) What requirements for energy generation is the department considering for inclusion in data centre development pathways?
- (a) How will data centre expansion affect NSW's emissions reduction targets in:
 - (b) 2030,
 - (c) 2035,
 - (d) 2050?
- (184) Is there a plan to mandate Power Purchase Agreements for data centres?
- (185) Will the government set emissions-intensity benchmarks for the sector?
- (186) Is the Minister or the Department consulted when Infrastructure NSW considers the location of data centre developments?
- (187) Is the Minister or the Department consulted when the Infrastructure Delivery Authority considers the location of data centre developments?
- (188) Is the Minister or the Department consulted when the Department of Planning considers the location of data centre developments?
- (189) Is NSW reconsidering zoning rules to avoid over-concentration and load stress in LGAs?
- (190) How does the state ensure data centre developments are aligned with long-term grid-expansion planning?
- (191) What role does local community impact play in approval decisions?
- (192) How is the government managing land-use conflicts with industrial, residential, or environmental priorities?
- (193) What measurable economic benefits do data centres bring to NSW beyond construction jobs?
- (194) What modelling has the Department undertaken on the contribution of data centres to productivity and digital-economy growth?

- (195) How does the government ensure the public receives a return on the infrastructure upgrades they require?
- (196) Are there incentives for companies that use high-efficiency cooling and electrical systems?
- (197) Does NSW have a plan to become a national or Asia-Pacific data centre hub?
- (198) How is the state balancing economic opportunities with environmental constraints?
- (199) How much additional electricity demand is expected from AI-specific infrastructure such as GPU clusters?
- (200) Has the government conducted scenario modelling for “high-growth AI” energy demand?
- (201) Are planning rules keeping pace with the rapid scaling of AI workloads?
- (202) Will the government publish a map of all operational, approved, and proposed data centre sites?
- (203) Why is detailed energy-use data not publicly available on a per-facility basis?
- (204) Will the Minister require mandatory disclosure of Power Usage Effectiveness ratings from data centre operators?
- (205) How is the government verifying self-reported sustainability claims from operators?
- (206) Will NSW introduce an environmental-performance star rating for data centres?
- (207) What transmission upgrades are being expedited specifically because of new data centre demand?
- (208) How many dedicated substations have been constructed or planned for data centre precincts?
- (209) Has the government assessed whether current connection-assessment processes are fit for purpose?
- (210) What is being done to prevent speculative development that banks grid capacity without delivering public benefit?
- (211) Does NSW need a specific regulatory framework for high-energy-use digital infrastructure?
- (212) Is the Department considering caps or moratoriums in over-burdened grid areas?
- (a) Where are these areas?
- (213) What steps has the government taken to ensure that data centre growth does not compromise residential energy affordability?

(214) What steps has the government taken to ensure that data centre growth does not compromise environmental objectives?