



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2021-2022 Supplementary Questions

Portfolio Committee No. 7 Planning and Environment

ENERGY AND ENVIRONMENT

Hearing: Tuesday 26 October 2021

Answers due by: 23 November 2021

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ENVIRONMENT

Questions from The Hon Mark Banasiak MLC

Control of Horses in Kosciuszko National Park

1. Is the NSW government planning to engage professional shooters from New Zealand to shoot horses in Kosciuszko National Park?
 - (a) What is the status of these plans/contracts?
 - (b) Have contracts been awarded?
 - i. What is the value of the contracts?
 - ii. What is the number of animals contracted to be removed?
 - iii. Do the contracts include removal of any species other than horses?
 - iv. Which other species?
 - v. Does the contract specify that carcasses will be removed from KNP?
 - vi. How will carcasses be disposed of?
 - vii. When will shooting operations commence and conclude?
 - viii. Will shooting operations be conducted from the air, ground, or both?
2. Was a tender for this work prepared and advertised in Australia inviting professional Australian shooters the opportunity to bid?
 - (a) If yes, where and when?
 - (b) If no, why not?
3. Are the firearms and ammunition to be used specified in the contract?
 - (a) If yes, what are the firearm specifications (make, model, calibre, actuation method) and ammunition specifications (make of cartridges, bullet weight, bullet type)
 - (b) Will the New Zealand contractors be using their own firearms?
 - (c) If yes, are these firearms 'Prohibited' firearms in NSW?
 - (d) What capacity magazines will be used in the firearms?
 - (e) Has Australian Border Force given approval, and issued permits, for the New Zealand contractors to bring their own firearms, magazines and ammunition into Australia?
 - (f) Has NSW Police Firearms Registry issued permits for use of these firearms in NSW?

Answer:

- 1–3. Contractors have not been engaged to control wild horses in Kosciuszko National Park. Decisions regarding control will be made after the Kosciuszko National Park Wild Horse Heritage Management Plan is finalised.

Questions from the Hon Mark Pearson MLC

Kangaroos

4. Can the Minister explain
- (a) why the Kangaroo Advisory Management Panel minutes of the 14th April 2021 have not been uploaded onto the DPIE website and
 - (b) when will they be published on the DPIE website?
5. In the NSW 2021 kangaroo management quota report on p.15 DPIE announced the expansion of two commercial harvest zones being the Griffith zone and the South East zone. The Griffith Commercial Zone was expanded to include the non-commercial zone of Wagga Wagga.
- (a) Can the Minister explain the reasoning behind DPIE's decision to expand this zone?
 - (b) Does the Minister acknowledge that by including an additional 24,480 sq Km to the zone it will make inaccurate any calculation based on the previous data?
 - (c) Does the Minister acknowledge that by adding a new area to the zone, it will give the false impression that the kangaroo population has remained stable or appeared to increase?
 - (d) Does the Minister acknowledge that the quota report which included this new expanded zone, was last surveyed in 2019 and does not take into account the drought that persisted until 2020?

Answer:

I am advised:

- 4.
- (a) The Kangaroo Management Advisory Panel (KMAP) minutes are usually ratified at the subsequent panel meeting and then published. The minutes from the 36th KMAP meeting on 14 April 2021 were ratified by the KMAP at the 37th KMAP meeting on 2 November 2021.

- (b) The minutes from the 14 April 2021 meeting are available on the website at <https://www.environment.nsw.gov.au/topics/animals-and-plants/wildlife-management/kangaroo-management/kangaroo-management-advisory-panel>.

5.

- (a) The commercial kangaroo management zones were expanded to include the non-commercial zone area around Wagga Wagga due to demand from landholders for commercial harvesting options to manage kangaroo numbers. At the same time, the Griffith zone was split into Griffith North and Griffith South zones because the new Griffith zone would have been larger than ideal for commercial kangaroo program management. Almost all of the former Wagga Wagga non-commercial zone is now in Griffith South commercial kangaroo management zone.
- (b) Calculations for the new Griffith North and Griffith South zones account for the expanded area around Wagga Wagga. The expansion does not render calculations inaccurate.
- (c) Adding the additional area to the commercial kangaroo management zones does not affect evaluations regarding whether the populations are increasing, decreasing or remaining stable. The most effective way to do this evaluation is within individual zones or via considerations of long-term average kangaroo densities.
- (d) This expanded area was surveyed in 2019, 2020 and 2021. These results are included in the Griffith South Zone results.

ENERGY AND ENVIRONMENT

Questions from Ms Abigail Boyd MLC

Coal Fired Power Stations

6. How much money is being assigned to address the recommendations from the Coal Ash inquiry report?
7. Why did the EPA issue a penalty notice to AGL for the most recent coal ash spill in April this year, rather than taking other regulatory action? Especially given this was a similar incident to the spill in 2019, which attracted a \$1 million enforceable undertaking.
8. Where is the EPA up to with its investigation into coal ash environmental impacts in Lake Macquarie, given it indicated that it was undertaking this during the coal ash inquiry during the course of its evidence?
9. The owner and operator of Bayswater Power Station, AGL Macquarie Pty Limited, has entered into an Enforceable Undertaking worth \$1.1 million with the NSW EPA following the pollution of a local creek. Part of that undertaking was for AGL Macquarie to deliver \$500,000 towards local environmental projects which were still to be determined. The local environmental projects were to be for the benefit of the local community and approved by the EPA.
 - (a) Which projects were selected
 - (b) What is their current status
 - (c) How much of the \$500,000 has been delivered so far?
10. Has a load reduction agreement been entered into between the EPA and the owners of Vales Point Coal Fired Power Station, under Division 4 of Part 1 of Chapter 2 of the Protection of the Environment Operations (General) Regulation 2021?
 - (a) What were the terms of that agreement?
 - (b) Have the terms of that agreement been fulfilled?
11. What were the conditions placed upon Vales Point in order for them to be granted an exemption from emissions standards in 2012, and again in 2017?
12. Vales Point and Liddell power station were required to prepare Pollution Reduction Studies to “undertake a review of international best practice measures to minimise the generation, and emission, of nitrogen oxides (NO_x) from coal fired electricity generation. The Vales Point report, delivered in 2017, identified Selective Catalytic Reduction (SCR) as the most effective control to reduce NO_x. Their licence is currently being reviewed for renewal, will that renewal include an enforceable undertaking to install emissions reductions technology such as SCR?

Answer:

I am advised:

6. The EPA anticipates that the cost of addressing recommendations 3 and 7 will be approximately \$750,000.
7. The EPA issued AGL Macquarie Pty Limited a penalty infringement notice for the alleged pollution of waters concerning a discharge of coal ash at Bayswater Power Station in April 2021. This incident was promptly identified by the licensee and they acted to minimise the discharge. As such, the discharge was significantly smaller in scale than the incident that occurred in September 2019. The matter was considered in accordance with the EPA's Compliance Policy and a penalty infringement notice was determined to be the appropriate and proportionate regulatory response.
8. The EPA is collaborating with the Department of Planning, Industry and Environment's Environment, Energy and Science Group to finalise a detailed plan to assess the environmental condition of Lake Macquarie in the vicinity of power stations.
9.
 - (a) The EPA has accepted the following local projects under the enforceable undertaking that are aimed at delivering local environmental benefits.

Project Name	Proponent	Estimated Total Cost of Project	Proposed Funding Amount (incl. GST)
Hunter Beach and Karoola Wetlands – removal of invasive weeds	Muswellbrook Shire Council	\$3 million	\$250,000
Muscle Creek Nature Trail and Revegetation – weed management and revegetation	Muswellbrook Shire Council	\$250,000	\$237,500
Lake Liddell Recreation Area Revegetation	Lake Liddell Recreation Area and Hunter Region Landcare Network	\$12,500	\$12,500
Total Funding Proposed			\$500,000

(b) The removal of invasive weeds by Muswellbrook Shire Council as part of the Hunter Beach and Karoola Wetlands Project is scheduled to be completed by 31 December 2021.

The weed management and revegetation by Muswellbrook Shire Council as part of the Muscle Creek Nature Trail and Revegetation Project is scheduled to be completed by July 2022.

The Lake Liddell Recreation Revegetation Project by the Lake Liddell Recreation Area and Hunter Region Landcare Network is scheduled to be completed by 30 April 2022.

(c) AGL Macquarie Pty Limited has advised it has paid the required amounts in full to each of the project proponents.

10. There is no load reduction agreement in place between the EPA and the current licensee of the Vales Point Power Station.

(a) Not applicable.

(b) Not applicable.

11. In 2011, the licence was varied to include a condition that NO_x emissions from the boiler units were taken to belong to Group 2 for the purposes of the Protection of the Environment Operations (Clean Air) Regulation 2010 until 1 January 2017. The variation reduced the NO_x concentration limits for these points from 2500 mg/m³ to 1500 mg/m³; and reduced the solid particles concentration limit in line with phasing out of Group 2 limits under the Protection of the Environment Operations (Clean Air) Regulation 2010.

In 2015, the licensee of Vales Point Power Station applied to extend the exemption of the nitrogen oxides air concentration limit required under the Protection of the Environment Operations (Clean Air) Regulation 2010. In approving the variation, the EPA included a requirement (by way of a Pollution Reduction Study) for the licensee to investigate international best practice control measures for the generation and emission of NO_x and submit a report to the EPA detailing an evaluation of the feasibility of installing such control measures at Vales Point Power Station. The report was submitted to the EPA in 2017.

12. The EPA is currently assessing licence variation applications submitted by the operators of Vales Point and Liddell power stations to extend an exemption of the nitrogen oxides air concentration limit required under the Protection of the

Environment Operations (Clean Air) Regulation 2021. The EPA is yet to determine these Licence Variation Applications.

Net Zero Plan

13. Does the Net Zero Plan and the plan to 2030 include an increase in fossil fuel production and consumption?
14. Has the quantum of fugitive emissions from recently greenlit coal mining operations been factored into the NSW Net Zero Plan?
15. Does the Net Zero Plan have a strategy for reducing emissions from agriculture and land use?
16. How will the Net Zero Plan be enforced?
17. How many Expressions of Interest to develop clean manufacturing precincts (CMPs) decarbonisation roadmaps have been received so far?
18. Who attended the CMP EOI online briefing session on Wednesday 20 October?
19. Who attended the CMP EOI online briefing session on Tuesday 26 October?
20. How many people attended the information session on 13 October for the Clean Technology Research and Development Grants Program?

Answer:

13. The emissions projections underpinning the plan account for direct emissions from expected future coal and gas production and consumption in NSW and estimated emission abatement from these activities under Net Zero Plan programs such as the Net Zero Industry and Innovation Program.
14. The emissions projections for the Net Zero Plan account for fugitive emissions from existing and potential new coal mining based on NSW coal production forecasts developed by the Department of Regional NSW (Mining, Exploration and Geoscience).
15. As part of the Net Zero Plan, the NSW Government is developing a Primary Industries Productivity and Abatement Program to support abatement in the agriculture and land sector. This will include a toolkit of initiatives such as co-investment in abatement projects, education and outreach, and market development. This program will focus on system-wide benefits, including environmental, economic, social and cultural co-benefits from investment in the primary industries and land sector. The Government is looking to leverage significant interest in the financial

sector in investing in low emissions, high natural capital projects. Improvements in natural capital on-farm result in a win-win-win situation for farmers, investors and government.

16. NSW is held accountable for achieving its emissions reduction objectives through the Environment Protection Authority's State of the Environment reports, which will assess the State's actual emissions reductions against its objectives.
17. The tender closes on 7 December 2021.
18. 101 participants attended the CMP Expressions of Interest online briefing session on Wednesday 20 October representing regional stakeholders in the Hunter and Illawarra region. Participants included organisations from heavy industry, energy companies, consulting firms, technology companies, government agencies, and universities.
19. 79 participants attended the CMP Expressions of Interest online briefing session on Tuesday 26 October representing regional stakeholders in the Hunter and Illawarra region. Participants included organisations from heavy industry, energy companies, consulting firms, technology companies, government agencies, and universities.
20. 164.

Waste tyre disposal

21. What barriers are there to recycling end of life heavy mine tyres?
22. The NSW Government has recently awarded \$4 million in infrastructure grants to three different projects dedicated to waste tyre recycling. Does the government agree with Whitehaven's assertion that recycling waste heavy vehicle tyres is not feasible in Australia?
23. Why was Whitehaven Coal only given a caution after the EPA found instances of tyres being buried without necessary licence conditions at various times between 2014 and 2020?
24. Will the EPA make recommendations to vary the rehabilitation requirements and bond amounts for the mines found to have been illegally burying thousands of large mining tyres, to account for the foreseeable impact on groundwater and local environment?
25. Will the EPA make recommendations to vary the rehabilitation requirements and bond amounts for Maules Creek, following their application to bury large mining tyres on site rather than recycle them?

Answer:

I am advised:

21. The EPA understands that barriers to recycling oversize mine tyres include:
 - Logistics – transport of the tyres from regional and remote areas is expensive and difficult, often requiring specialised trucks and safety escorts.
 - Processing facilities and capacity – there are very few facilities that have processing equipment that can manage the very large mine tyres.
22. In August 2021, the NSW Government funded three projects with a total value of approximately \$4 million to better manage waste tyres generated in NSW. This included over \$2.8 million to introduce new infrastructure capable of processing waste Off the Road (OTR) tyres. This project is expected to divert 3200 tonnes of OTR tyres per year from on-site disposal, landfill or overseas exports.
23. The EPA understands that the tyre recycling industry in Australia currently does not have the capacity to cater for the volume and size of end-of-life heavy mining plant OTR tyres produced by the mining industry each year. The size of OTR tyres also means that their disposal in existing landfills is not feasible. The EPA made the decision to issue official cautions to six open cut coal mines operating in the Namoi Region in this context, and in the absence of clear evidence of environmental harm, after reviewing the considerations within its Prosecution Guidelines and Compliance Policy.
24. Mine rehabilitation and bonds are the responsibility of the Resources Regulator NSW.
25. See response to 24 above.

Load Based Licencing

26. In 2014, the EPA sent an online survey to the approximately 167 organisations which at that time held the 250 licences in the LBL scheme, with seventy responses received. Were responses received from:
 - (a) Delta Electricity/Sunset Power International
 - i. Did they describe the scheme as an appropriate way to encourage emission reductions?
 - ii. Did they agree that the LBL scheme has been an incentive in reducing their own emissions reductions?

- iii. Did they state their LBL fees were significantly lower than the cost of upgrading equipment to reduce emissions?
 - (b) AGL Macquarie
 - i. Did they describe the scheme as an appropriate way to encourage emission reductions?
 - ii. Did they agree that the LBL scheme has been an incentive in reducing their own emissions reductions?
 - iii. Did they state their LBL fees were significantly lower than the cost of upgrading equipment to reduce emissions?
 - (c) Energy Australia NSW
 - i. Did they describe the scheme as an appropriate way to encourage emission reductions?
 - ii. Did they agree that the LBL scheme has been an incentive in reducing their own emissions reductions?
 - iii. Did they state their LBL fees were significantly lower than the cost of upgrading equipment to reduce emissions?
 - (d) Origin Energy
 - i. Did they describe the scheme as an appropriate way to encourage emission reductions?
 - ii. Did they agree that the LBL scheme has been an incentive in reducing their own emissions reductions?
 - iii. Did they state their LBL fees were significantly lower than the cost of upgrading equipment to reduce emissions?
- 27. Since seeking public feedback on the load-based licencing review issues paper in late 2016, what additional information has been sought from other parties?
 - (a) Did those parties include any operators of coal-fired power stations?
 - i. If yes, which operators were asked for additional information?
 - ii. What information was requested of them? What evidence did they provide?
- 28. Which actions that were intended to be taken by the EPA as a result of the review of the load-based licencing were tested?
 - (a) Did the tested actions modelled result in a reduction of air pollution from coal-fired power stations?
 - (b) Will those tested actions remain in the final version of the reviewed load-based license scheme?

- i. If no, why not?

Answer:

26. A summary of the findings of the survey were included in Appendix C of the Review of the Load-based Licensing (LBL) Scheme - Issues paper:
<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/lbl/load-based-licensing-review-issues-paper-150397.pdf>.
- (a) – (d) See the response to question 26.
27. The EPA continues to seek scientific, engineering and economic information from various parties with the appropriate expertise to inform potential improvements to the LBL Scheme. This advice ensures the LBL Scheme continues to be an effective tool in reducing and preventing harmful air and water emissions. This information may be presented as part of future public consultation on the review of the LBL Scheme.
- (a) No.
- i. Not applicable.
- ii. Not applicable.
28. The review of the LBL Scheme is continuing. The EPA is continuing to develop potential improvements to the scheme that meet the objectives of the review. Most actions being considered were outlined in the Review of the LBL Scheme - Issues paper: <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/lbl/load-based-licensing-review-issues-paper-150397.pdf>. The EPA will release supporting information when it next consults on possible improvements to the LBL Scheme.
- (a) – (b) See the response to question 28.

Other

29. Has the Korea Electric Power Corp. (KEPCO) made any representations to the Minister regarding the Bylong Valley, specifically regarding a prospective hydrogen project in the valley?
30. How much is the sum of money held in conservation bonds for biodiversity offsets?
- (a) Is it appropriate that biodiversity offsets are accounted for under a system of Net Present Value when there are no cash flows associated with offsets?

Answer:

29. My office's usual practice is to refer correspondence to the Department for advice. The Department has reviewed its records and has not found any correspondence matching the description asked by the member.
30. Conservation bonds are not used for biodiversity offsets. Biodiversity offsets are not accounted for under a system of Net Present Value. Biodiversity offsets are generally accounted for in numbers and types of biodiversity credits. Offset sites are supported by cash flows. When a landholder with a Biodiversity Stewardship Agreement sells biodiversity credits, they are required to deposit a specified amount (known as the total fund deposit) into the Biodiversity Stewardship Payments Fund. The Biodiversity Conservation Trust manages and controls this fund. The Biodiversity Conservation Trust invests these assets and uses the assets and investment proceeds to support annual payments to Biodiversity Stewardship Agreement holders. As at 30 September 2021, the fund assets held in TCorp were valued at \$185.9 million.

Questions from Ms Cate Faehrmann MLC

EPA Pesticides

31. How many notifications were made to the EPA in the years 2019, 2020 and 2021 regarding pesticide or chemical pollution incidents in NSW where damage to non-target vegetation was reported?
32. Which regions of NSW have reported incidences of non-target vegetation damage as a result of pesticide or chemical pollution drift and how many reports were made per region?
33. What measures have been taken by the EPA to investigate each reported incidence of non-target vegetation damage as a result of pesticide or chemical pollution drift?
34. Has the EPA identified any misapplication of pesticides or chemicals that have resulted in damage to non-target vegetation in NSW? If yes, which pesticides or chemicals were identified and what actions were taken?
35. How many on-the-ground assessments of the extent of damage to non-target vegetation in regions that have reported damage from pesticides or chemicals in the years 2019, 2020 and 2021 been conducted by EPA?
36. If on-the-ground assessments of vegetation damage were conducted, what were the qualifications of the person conducting the assessments in relation to identifying vegetation damage and diffuse pesticide and chemical pollution incidents?
37. Has any funding been provided directly by the EPA or by the NSW Government towards the establishment or ongoing operations of 'Stop Off-Target Spraying (SOS) groups'?
 - (a) If funds have been provided what is the amount of funding that has been provided and is funding ongoing?

Answer:

I am advised:

31. The following number of notifications were made to the EPA regarding pesticide or chemical pollution incidents in NSW where damage to non-targeted vegetation was reported:
 - In 2019, 48 notifications were made.
 - In 2020, 58 notifications were made.
 - In 2021, 41 notifications were made.

32. The table below sets out the Local Government Areas (LGA) of NSW which have reported incidences of non-target vegetation damage as a result of pesticide or chemical pollution drift and the number of reports made per LGA.

Local Government Area	No. of reports per LGA
Albury, Bayside, Bega Valley, Bland, Blayney, Cabonne, Cootamundra-Gundagai, Cumberland, Deniliquin, Dubbo Regional, Dungog, Edward River, Eurobodalla, Glen Innes Severn, Inner West, Inverell, Kempsey, Lithgow, Liverpool, Mid-Western Regional, Mosman, Murray River, Newcastle, Parkes, Penrith, Port Stephens, Randwick, Richmond Valley, Shoalhaven, Snowy Valleys, Strathfield, Upper Hunter, Uralla, Walcha, Warren, Weddin, Wollongong, Woollahra.	1
Armidale Regional, Bellingen, Blue Mountains, Canterbury-Bankstown, Carrathool, Cessnock, Clarence Valley, Cowra, Lismore, Murrumbidgee, Orange, Parramatta City, Snowy-Monaro, Sutherland, Tenterfield, Wingecarribee, Yass Valley.	2
Bega Valley, Blacktown, Greater Hume, Hilltops, Leeton, Liverpool Plains, Maitland, Nambucca, Warrumbungle.	3
Ballina, Coffs Harbour, Coonamble, Lake Macquarie, Tamworth Regional.	4
Central Coast, Moree Plains.	5
Bellingen, Tweed.	6
Mid-Coast, Narromine.	7

33. The EPA endeavours to action every complaint it receives. Such action ranges from initial incident triaging, to desktop assessment, to field-based inspections and sampling through to detailed investigations that may result in compliance and enforcement action. Compliance and enforcement action may include the issuing of formal

warnings, official cautions and penalty notices and where appropriate, criminal proceedings.

34. The EPA has identified a number of alleged offences in relation to the inappropriate application of pesticides in relation to reports of damage to non-target vegetation. The active ingredients identified through these investigations include 2-4-D, 2-methyl-4-chlorophenoxyacetic acid (MCPA), chlorpyrifos, clopyralid, flumetsulam, glyphosate, picloram, triclopyr. In response, the EPA issued eight formal warnings, six official cautions and five penalty notices.
35. The EPA has undertaken around 30 on ground assessments in relation to reports of damage to non-target vegetation.
36. EPA Officers have a range of potential qualifications covering science and environmental management through to civil and criminal investigations. The EPA also relies on other expert advice where required.
37. The EPA has provided, via partnership or contractual arrangements, a total of \$259,600 for Stop Off-Target Spraying (SOS) to deliver programs or actions in the period June 2019 to February 2021. No ongoing funding is being provided nor was there funding towards establishment of SOS groups.

Whitehaven's Narrabri Coal Mine

38. Whitehaven's project approval for Narrabri includes a condition that requires the company to "implement all reasonable and feasible measures to minimise the greenhouse gas emissions" from the mine.
 - (a) What reasonable and feasible measures are being implemented at Narrabri underground mine?
 - (b) Can you provide some examples of reasonable and feasible greenhouse gas minimisation measures at other coal mines in NSW?
 - (c) Does the Department have any policy or guidelines on what would be considered "reasonable and feasible measures"? If yes, please provide on notice.
39. An updated Greenhouse Gas Minimisation Plan for Narrabri underground was provided to the Department in 2017 by Whitehaven. Reference: page 30 of Whitehaven's [last independent environmental audit](#), published February 2020. Why has the Plan not been approved by the Department?
 - (a) What is the status of the Plan?

- (b) Has the Department corresponded with the Office of Environment and Heritage in relation to the Plan? What was the correspondence about and when?
- (c) Has the Department met with or corresponded with Whitehaven since the Plan was submitted?
- (d) What was the correspondence about and when?
- (e) Can the Department please provide on notice the latest version of the Plan in the Department's possession?

Answer:

38–39. These are matters for the Minister for Planning and Public Spaces.

Greenhouse gas emissions from Ravensworth Underground mine in NSW

40. Please outline the strict conditions to minimise emissions at Ravensworth underground? (Development consent DA 104/96, modification 9)
- (a) Has the Department enforced those conditions?
 - (b) Has the Department corresponded with Glencore about its emissions at Ravensworth underground since the mine was placed in care and maintenance?
 - (c) Is the Department aware that Glencore has switched off its flares at Ravensworth underground? If so, when did the Department become aware of this

Answer:

40. This is a matter for the Minister for Planning and Public Spaces.

Native Vegetation Clearing

- 41. What is the number of active investigations into breaches under part 5a of the Local Land Services Act 2013?
- 42. What is the number of active investigations into breaches under the National Parks and Wildlife Act 1974?
- 43. What is the number of active investigations into breaches under the Biodiversity Conservation Act 2016?
- 44. How many prosecutions has there been for breaches under Part 5A of the Local Land Services Act 2013?
- 45. How many prosecutions has there been for breaches under Biodiversity Conservation Act 2016?
- 46. How many prosecutions has there been for breaches under the National Parks and Wildlife Act 1974?

47. How many hectares of unexplained clearing were discovered in;
- (a) 2020?
 - (b) 2019?
48. How many full-time-equivalent compliance officers are currently employed?
49. Has any analysis been conducted into staffing requirements for compliance officers?

Answer:

41. As at 8 November 2021, there are 355 active investigations relating to clearing native vegetation under part 5a of the *Local Land Services Act 2013*.
42. As at 8 November 2021, there are 91 active investigations relating to Aboriginal Cultural Heritage matters under the *National Parks and Wildlife Act 1974*.
43. As at 8 November 2021, there are 99 active investigations relating to threatened and protected species and communities, and nine relating to commercial kangaroo management under the *Biodiversity Conservation Act 2016*.
44. One.
45. Zero.
46. There has been one prosecution for an Aboriginal Cultural Heritage offence since 25 August 2017.
- 47.
- (a) Data not yet available.
 - (b) In 2019, 75,636 hectares of unexplained clearing was detected on rural regulated land. Of this, 29,292 hectares was clearing of woody vegetation and 46,344 hectares was clearing of non-woody vegetation.
48. There are 37 full-time equivalent staff working in the compliance program (as at 1 October 2021).
49. Yes.

Metropolitan Coal Mine

50. Has an analysis of the health of the Hacking River been conducted to determine its suitability prior to the translocation of platypus populations?
51. Has an analysis been conducted on the potential impact of the Metropolitan Coal Mine on any potential translocated platypus population?

52. Is water from Peabody's Metropolitan Colliery holding dams allowed to discharge into creeks which run into Royal National Park waterways under Environment Protection Licence No. 767?

Answer:

I am advised:

50. The reintroduction project will include extensive surveys throughout Royal and Heathcote national parks, using visual surveys and Environmental DNA sampling to confirm the suspected absence of platypus in the rivers. The team will also assess whether the rivers are able to support introduced platypuses and this will include investigations of food resources, burrowing habitat and water quality.
51. The EPA regulates water discharges from two premises in the Hacking River catchment – Metropolitan Collieries and Helensburgh Waste Disposal Depot – through environment protection licences. These licences include conditions to protect water quality. In addition, there are a number of Pollution Reduction Programs on Metropolitan Collieries Pty Ltd's licence that aim to further reduce water quality impacts.
52. See answer provided on page 58 in the Answers to questions on notice taken at the Energy and Environment Budget Estimates hearing on 26 October 2021.

Biodiversity Offsets

53. What is the proportion of current offsetting obligations transferred to the Trust which the Trust has not yet fulfilled?
54. Are there any offset obligation types the Trust does not expect it will be able to fulfil either due to the difficulty of sourcing credit supply for particular ecosystems or because the Trust is currently under resourced (as developer charges have been too low)?
- (a) If yes, how many/what types are of concern?
- (b) What is the plan for these offset obligations?
- (c) Generally to what extent has the Trust been financially under-resourced by the use of the Biodiversity Offsets Price Calculator in the first four years of the BOS?
55. Has the BCT identified any types of habitat that cannot be offset?

Answer:

53. As at 30 September 2021, 47 per cent of the offset obligations transferred to the Biodiversity Conservation Trust (BCT) (or 37 per cent by number of credits and 36 per cent by dollar value) have been acquitted, acquired or are in the process of being acquired (i.e. the BCT has contracted with the landholder to purchase the credits). This leaves 53 per cent of offset obligations outstanding as at 30 September 2021.
54. The BCT delivers offsets in accordance with the offset rules detailed in clause 6.6 of the Biodiversity Conservation Regulation 2017. This enables the BCT to meet offsets using:
- like-for-like credits
 - conservation actions
 - credits in accordance with the variation rules; or
 - any other conservation measures approved by the Minister for Energy and Environment.

The BCT's aim is to deliver like-for-like offsets. To 30 September 2021, all offsets have been acquitted on a like-for-like basis. However, should the BCT be unable to secure like-for-like credits, it may need to use the variation rules or conservation actions. The BCT expects that this may be needed for some offset obligations comprising species credits. The BCT publishes a quarterly report showing the offset obligations that it has completely acquitted, including the loss or gain made for each obligation. The net loss to date as at 30 September 2021 is \$180,000. The soon to be released BCT Annual Report for 2020–21 will record that it has a forecast gross loss of just over \$12 million for credit obligations incurred through payments into the Biodiversity Conservation Fund. This may be partially offset by gains made on biodiversity credits acquired strategically by the BCT. The realised loss once the credits are acquired may also vary from this forecast loss.

55. There may be some plant community types that are hard to secure as like-for-like offsets in the future. To date, the BCT has secured like-for-like offsets, including by working directly with landholders to establish Biodiversity Stewardship Agreements to protect like-for-like habitat.

Waste to Energy Incinerator Project

56. Why are the emissions limits in the Draft EPA Energy from Waste Policy significantly higher than those in the European Union?
57. Why does the waste policy require periodic sampling for certain substances when the EU requires continuous monitoring?
58. Are municipal waste to energy incinerator projects being classified as renewable energy?

Answer:

I am advised:

56. The Energy from Waste Policy Statement was revised in June 2021 on the advice of the Office of the Chief Scientist and Engineer. The Policy Statement now sets air emission standards that are the same, or more stringent, to what applies globally.

Like-for-like emission limit values cannot be directly compared across jurisdictions, and must be considered in the context of how various air emission frameworks are applied, for example each framework will vary in how it applies:

- units of measurement
- limits on percentiles
- averaging periods
- reference conditions (temperature, pressure, reference gas correction, etc.)
- monitoring requirements
- allowable exceedances or statistical analysis applied to a standard
- treatment of monitoring data – including allowance for monitoring uncertainty
- jurisdictional discretion imbedded in the regulations.

The Energy from Waste Policy Statement also enables the EPA to set more stringent emission limits than those specified in the Policy Statement to address a project specific risk, or to promote reduced average emissions and continuous improvement.

57. Energy from waste proponents are required to undertake detailed technical assessments during the planning phase of their proposal. If specific risk factors are identified, the EPA can require more onerous monitoring requirements in the environment protection licence conditions, including, but not limited to, continuous monitoring of additional pollutants.
58. No, energy from waste is not classified as renewable energy.

Dingoes

59. How does the department ensure that native dingoes are not being targeted by efforts to eradicate wild dogs?
60. What genetic testing is performed by the department to ensure eradication efforts are not targeting dingoes?
61. What efforts are taken by the department to determine dingo populations?
 - (a) What is the current estimated dingo population in NSW?
62. Does the department track the numbers of wild dogs killed? If so how many were killed in;
 - (a) 2020?
 - (b) 2019?
 - (c) 2018?
 - (d) 2017?
 - (e) 2016?

Answer:

59. The term ‘wild dogs’ refers to dingoes, feral dogs and their hybrids. The National Parks and Wildlife Service (NPWS) undertakes targeted wild dog control in accordance with its obligations under the *Biosecurity Act 2015* in areas of national park where there is a risk of negative impacts upon livestock production. NPWS does not undertake wild dog control across large areas of the national parks estate – in these areas, wild dogs fulfill the natural ecological role of the dingo.

60–61 (a).

NPWS works with the Department of Primary Industries, Local Land Services and researchers to collect and analyse samples from wild dogs across NSW to better understand their genetic composition and their populations.

There is no current estimate for the total number of dingoes on national parks in NSW. However, it is estimated that across NSW approximately 2 per cent of wild dogs have greater than 90 per cent dingo DNA, with 89 per cent of wild dogs having between 60 and 90 per cent dingo DNA.

62. The primary methods for wild dog control are ground and aerial baiting, noting that large areas of national park are not baited. In those areas where baiting occurs, it is not possible to calculate the exact number of wild dogs removed using ground and aerial baiting. These techniques are supplemented with trapping and shooting. The

numbers below represent the number of wild dogs removed through either trapping or shooting by NPWS staff and/or contractors for each year (it does not include wild dogs removed by baiting).

- (a) 328 wild dogs.
- (b) 338 wild dogs.
- (c) 143 wild dogs.
- (d) 244 wild dogs.
- (e) 214 wild dogs.

Kosciusko

63. How much additional funding will be allocated to the National Parks and Wildlife Service to implement the Kosciuszko Wild Horse Management Plan?
- (a) How much of that will be allocated to the monitoring and research foreshadowed in section 7 of the draft plan?

Answer:

63. Decisions on funding allocations for implementation of the Kosciuszko National Park Wild Horse Heritage Management Plan will be made after the plan is finalised.

Wollemi National Park / Hawkins, Rumker and Ganguddy-Kelgoola potential coal release areas

64. Has the NSW Government considered at any time the reservation of the Coricudgy and Nullo Mountains State Forests into the National Park system?
- (a) Have NSW Forests and NPWS held discussions about their transfer?
65. Is the NSW Government aware of the UNESCO World Heritage Committee's concerns about coal mining in the vicinity of the Blue Mountains World Heritage Area?
66. How will the NSW Government ensure the World Heritage status of the Blue Mountains is not lost due to the impacts of coal mining?
67. How is the NSW Government taking into account the impact of the Gaspers Mountain bushfire on the regional ecology in the PRIA decision?
68. How is the NSW Government taking into account the impact of the Gaspers Mountain bushfire on the availability of habitat for threatened and vulnerable species in the PRIA decision?

Answer:

64. There has been no formal consideration.
- (a) No.
65. Yes.
66. Any development in or near the World Heritage property is subject to rigorous environmental assessments and approvals under both State and Commonwealth environmental laws.
67. This is a matter for the Minister for Planning and Public Spaces.
68. This is a matter for the Minister for Planning and Public Spaces.

Questions from The Hon. Mark Buttigieg MLC

COVID supports

69. Can an individual apply for the Energy Accounts Payment Assistance Scheme more than once?
70. What was the average price of electricity in a household bill in NSW for 2020-2021?
- (a) By how much has it increased/decreased during the lockdown period of 23 June 2021 to 11 October 2021?
- i. By how much has it increased?
- (b) How many NSW consumers asked for extensions on energy bills for 2020-2021?
- (c) How many NSW consumers asked for emergency grants and supports for energy bills for 2020-2021?
- (d) How many NSW consumers were disconnected from their retail provider during 2020-2021?
- (e) How many NSW consumers are currently paying the electricity reference price?

Answer:

69. Yes, customers can apply for Energy Accounts Payment Assistance twice per year, per fuel type.
70. The NSW Independent Pricing and Regulatory Tribunal (IPART) is responsible for reporting on electricity retail price changes on an annual basis. IPART's annual market monitoring draft report for 2020–21 has determined the average annual electricity bill in July 2021 to be \$1177 in the Ausgrid region, \$1375 in the Endeavour Energy region, and \$1621 in the Essential Energy region.
- (a) This data is not available.
- (b) This data is not available.

- (c) 52,197 customers
- (d) The Australian Energy Regulator reported that there were 5824 residential customers disconnected in the first nine months of the 2020–21 financial year. This data includes voluntary and involuntary disconnections. The data for Q4 2020–21 is yet to be published.
- (e) In Q3 2020–21 there were 341,525 residential customers in NSW on standard offer retail contracts. Standard offer retail contracts are not necessarily priced at the reference price, but for an average consumption level must be priced at, or below, the reference price.

Gas prices

- 71. What did the Government do to manage increasing gas wholesale market prices over the past 12 months?
- 72. If higher pricing persists due to tightening global markets and plant outages, has the Department modelled the impact on the viability of manufacturing businesses?
- 73. The ACCC gas inquiry report in January 2021 notes that there is a risk of gas supply shortfalls leading to higher prices and “that less progress has been made than we would expect, and that we find ourselves one year closer to a potential shortfall.”
 - (a) What steps has the Government taken to mitigate this risk?
 - (b) What is the Government’s assessment of the likelihood of a potential shortfall?

Answer:

- 71. In July 2021, the NSW Government released its Future of Gas Statement. The Government is progressing actions outlined in the statement, including the implementation of a memorandum of understanding (MoU) with the Australian Government supported by almost \$2 billion over 10 years to lower energy prices, reduce emissions and boost gas supply in NSW. Under the MoU, NSW has set a target to inject an additional 70 petajoules of gas per year into the NSW market. Priority projects approved or currently going through planning approvals include Australia’s first liquified natural gas import terminal in Port Kembla and the Port of Newcastle gas terminal. The Government has also approved the development of the gas production and associated infrastructure in Narrabri. Committed upgrades to the Moomba-Sydney Gas Pipeline and a commitment to improve the Eastern Gas Pipeline are also expected to alleviate pipeline constraints in delivering gas from Victoria and South Australia to customers in NSW during the peak demand period.

These projects will increase supply in the domestic market and help to put downward pressure on consumer prices for NSW households, small businesses and large industrial users.

72. No.

73.

(a) The Future of Gas Statement provides a clear and consistent policy framework for gas exploration and development in NSW. The Government is progressing the actions outlined in the statement and will continue to investigate other opportunities.

(b) The Narrabri Gas Project is expected to make a significant contribution to unlocking gas supply and improving energy security for NSW. Gas supply security will be further supported through interstate imports and by imported terminals and pipelines, and supplemented by LNG imports from overseas. This will ensure gas supply can be flexibly scaled to respond to demand.

Smart meters

74. How is the Government promoting the uptake of smart meters to vulnerable and multicultural communities?

Answer:

74. The NSW Government is supporting the industry-led roll out of smart meters in NSW. Since December 2017, national rules require all new and replacement meters to be smart meters, which promotes the uptake of smart meters across all communities. In addition, households participating in the NSW Government's Solar for Low-Income Households trial and Empowering Homes program must install a smart meter.

Kurri Kurri Gas Plant

75. How will the Kurri Kurri Gas Plant affect the NSW Government's plan to reduce emissions by 50% by 2030?

76. Will the NSW Government pay for the transmission lines required to connect the proposed gas plant to the existing network?

Answer:

75. The Kurri Kurri Gas Plant can potentially assist in emissions reduction in NSW by displacing coal fired generation capacity that has higher emissions.
76. No.

NSW Electricity Infrastructure Roadmap

77. Was the modelling work required for the NSW Electricity Infrastructure Roadmap undertaken by the Department or outsourced to an external party?
- (a) If the latter, how many contracts have been issued?
- i. What is the total value of those contracts?
 - ii. Does the Department have the capacity in terms of staff and funding to implement the NSW Electricity Infrastructure Roadmap in-house?
78. Noting energy companies are making significant investments in upgrading transmission capacity, is the NSW Government assisting with these upgrades or will these costs be passed on to consumers?

Answer:

77. The modelling work for the NSW Electricity Infrastructure Roadmap was undertaken by Aurora Energy Research.
- (a) One contract was awarded to Aurora Energy Research.
- i. \$302,000 (excluding GST).
 - ii. The 2021–22 NSW Budget provides \$379.6 million over four years to implement the Roadmap and includes funding to establish the Consumer Trustee, Financial Trustee, Regulator, Infrastructure Planner, Renewable Energy Sector Board, Jobs Advocate and Energy Security Target Monitor. A Taskforce has been created, involving staff from across the Department.
78. The NSW Government is providing funding to ensure transmission upgrades in the Central West-Orana Renewable Energy Zone are shovel-ready by the end of 2022. The Transmission Development Scheme may also facilitate a network operator accessing low cost financing for new transmission development, if needed. The *Electricity Infrastructure Investment Act 2020* (the Act) provides for the cost of Renewable Energy Zone Network Infrastructure projects and Priority Transmission

Infrastructure projects to be recovered from the scheme financial vehicle, which will issue contribution orders to NSW distribution businesses.

Solar & Batteries

79. Does the Department record the take-up of household batteries by geographic location or electorate?
- (a) If so, please provide this breakdown.
80. The Australian Energy Market Commission has ruled that distribution networks are now allowed to charge export fees to households with rooftop solar and batteries. Has the NSW Government undertaken any modelling to show the impact the introduction of export fees could have on the uptake of rooftop solar or the pattern of exports?
- (a) How much does the NSW Government expect that households with solar will pay on average to their retailers to export electricity to the grid?
81. The Clean Energy Regulator delivered a report on 15 September 2021 following numerous reports of consumer issues, defective installations, misuse of installer accreditator details and safety and quality concerns in the solar sector. What has the NSW Government done to ensure that NSW's regulatory frameworks for electric installations adequately cover the solar sector?
- (a) What body would a NSW consumer make a complaint to about a solar installation?
- i. What is the budget allocation for this complaint handling body?
- ii. Does this body have standalone staff or are staff in the Department required to manage it in addition to existing responsibilities?
- (b) How does the NSW Government ensure that installers of solar technology are qualified?
- i. Are spot inspections conducted?

Answer:

79. From 1 March 2020, Distributed Energy Resources (DER) including small-scale solar PV, battery storage and other small generators, must be registered on the Australian Energy Market Operator's (AEMO) DER Register. The DER Register data can be found on the AEMO website at: aemo.com.au/energy-systems/electricity/der-register/data-der.
- (a) Through the NSW Empowering Homes pilot program, as at 5 November 2021, battery systems, including battery and solar and battery only, have been installed in a number of postcodes as outlined at Attachment A.
80. No.

- (a) Under the rule change, all distribution businesses are required to offer a basic export level in all their tariffs without charge for 10 years. This means customers will not be required to pay distribution network charges for their solar exports in this period, but they may have limits placed on the level of charge-free exports. I am advised that modelling conducted by the Australian Energy Market Commission showed that households with solar panels and no storage system will continue to have an annual net benefit from their solar panels, with an average of between \$407 for a 2 kilowatt (kW) system to \$1140 for a 10kW system.

81.

- (a) If a NSW consumer would like to raise a complaint about a solar installation they can contact: NSW Fair Trading as the NSW regulator for electrical licensing and installations; the Clean Energy Council (CEC) as the peak industry body and administrator of the CEC Approved Solar Installer accreditation scheme; and the Australian Competition and Consumer Commission in relation to their rights under Australian Consumer Law.
- i–ii These are matters for the Minister for Better Regulation and Innovation.
- (b) This is a matter for the Minister for Better Regulation and Innovation.

Renewable Energy Zones

82. Will the government review the *Just Terms Compensation Act* in recognition of the long-term financial consequences to the farming sector given community concern about use of agricultural land for essential renewable energy infrastructure?

Answer:

82. The NSW Government is reviewing the current arrangements for maintaining social licence for the development of major transmission line infrastructure and will have further announcements about the outcomes of this review in the coming months.

Coal Innovation

83. The NSW Government has signed an MOU with the Federal Government to provide joint funding for over \$2 billion for Coal Innovation Program initiatives. How much of the \$2 billion has been allocated?
84. What is the anticipated emissions reduction from initiatives funded from this \$2 billion allocation?

Answer:

83. Schedule E of the Memorandum of Understanding – NSW Energy Package (MoU) commits the Australian and NSW governments to jointly invest \$1.97 billion, \$960 million from the Australian Government and \$1.016 billion from the NSW Government, to emissions reduction initiatives in non-electricity sectors. The NSW Government funding commitment has been allocated to support a range of emissions reduction programs outlined in Schedule E of the MoU (see: <https://www.energy.nsw.gov.au/government-and-regulation/electricity-strategy/memorandum-understanding>), which are also contained in the NSW Net Zero Plan Stage 1: 2020–2030. It includes \$70 million from the Coal Innovation NSW Fund which is administered by the Department of Regional NSW and supports research and development, demonstration and commercialisation of low emissions coal technologies.
84. The Net Zero Plan Stage 1: 2020-2030 and its related policies are expected to deliver annual emission reductions of between about 29 and 37 megatonnes carbon dioxide equivalent by 2030.

Bushfire preparedness and impacts

85. AEMO's NEM Operations Review of the 2019-2020 summer found that large-scale and rooftop solar both suffered at the hands of enormous smoke plumes and subsequent forecasting errors. What advice has the NSW Government received on the summer readiness of NSW's energy supply for the 2021-2022 summer?

- (a) Given during the 2019-2020 bushfires there were threats to energy infrastructure, what actions has the NSW Government taken to guarantee the state's energy supply over the summer?
86. What was the impact of the 2019-2020 bushfires on the amount of carbon sequestered in NSW?
- (a) Is the NSW Government continuing to count carbon sequestered in NSW' forests even after it has become clear that is at risk due to increasing levels of catastrophic bushfires?
87. Has all the electricity infrastructure damaged in the 2019-2020 bushfires been replaced or repaired?
- (a) Were any replacements/repairs to fossil fuel infrastructure made with renewable energy infrastructure?

Answer:

85. The NSW Government implements its annual Summer Readiness Program in preparation for the peak demand summer period. The program includes the NSW Office of the Chief Scientist and Engineer's Summer Preparedness Assessment of the NSW Energy Market, which has outlined that the Government is well prepared for the 2021–22 summer period in terms of electricity supply. The program also includes demand response protocol preparations such as the Government Energy Action Response and Voluntary Demand Response to support the electricity system if under stress. As part of bushfire preparedness, the Government imposes strict operating licence conditions on electricity network service providers including vegetation management to reduce bushfire impacts. Government agencies are actioning recommendations from the NSW Bushfire Inquiry in which progress is tabled quarterly in Parliament by the Minister for Police and Emergency Services.
86. The 2019–2020 bushfires will have a negligible impact on NSW's progress towards its net zero emission objectives. These bushfires emitted large amounts of carbon dioxide, but regrowth is sequestering significant amounts of carbon in the post-fire years. Further information can be found at <https://www.industry.gov.au/data-and-publications/estimating-greenhouse-gas-emissions-from-bushfires-in-australias-temperate-forests-focus-on-2019-20>.
- (a) Yes. NSW's forests are a large carbon sink. Climate change impacts, including droughts or more frequent and more intense fires, can affect the ability of forests to recover after fire. These impacts will continue to be monitored into the future and reflected in updates to the National Greenhouse Accounts.

Generally, Australia's eucalypt forests re-absorb carbon to balance the carbon emitted during the fires.

87. Electricity network service providers advised the majority of infrastructure damaged in the 2019–20 bushfires was replaced or repaired. They also advised there remains electricity infrastructure that is yet to be fully replaced or repaired. This is because detailed planning and design requirements are being completed to ensure the most efficient and resilient solution for customers is adopted through a rigorous cost-benefit analysis. In the interim, temporary power supply arrangements are in place in particular locations while the most suitable solution is identified and deployed to maintain continuity of supply. Temporary solutions include renewable energy Stand Alone Power Systems (SAPS) that use solar panels and back-up battery systems. SAPS are also being considered as part of long-term solutions and are being trialled with customers. However, most customers have chosen to be reconnected to the network due to current cost efficiencies.

Lane Cove Test Station

88. Has the NSW Government undertaken an evaluation of the implications of the announced closure of the Lane Cove Test Station?
89. Is the NSW Government aware of the risks arising from the closure of the Lane Cove Test Station in relation to energy security and the ability of domestic businesses to supply the domestic market with electrical equipment?
90. Does the NSW Government have any plans to explore ways to ensure that capability to undertake high current testing of electrical equipment is not lost to Australia once Plus ES closes the Lane Cove Test Station?

Answer:

88–90. The NSW Government has facilitated engagement between PLUS ES and the electrical industry to assess implications and risks of the Lane Cove Test Station closure. The engagement resulted in an electrical industry consortium forming to develop possible solutions for continued operations of the station. The Government continues to facilitate engagement between PLUS ES, the industry consortium and the Australian Government to identify possible solutions or alternatives for the provision of the services provided by the station.

Federal Energy Policy

91. Has the Minister written to the Federal Energy Minister encouraging the Federal Government to take an emissions reduction target for 2030 consistent with the NSW Government?
92. Has the Minister written to the Premier, either the former Premier or current Premier, requesting the emissions reduction target for 2030 be raised at National Cabinet or the preceding Council of Australian Governments?

Answer:

91. My views on the approach Australia should take towards emissions reduction are well known. I would encourage the Honourable member to familiarise himself with my numerous public statements on this matter.
92. I refer to my answer above.

Wild horse management

93. Can the department provide the total number of entries in its Wild Horse Management Threatening and Aggressive Database?
- (a) Can the department provide percentage breakdown of these entries in terms of those that are supportive of wild horse control and those who oppose wild horse control?

Answer:

93. 12.
- (a) All recorded entries are in opposition to wild horse control.

Bush fire preparation in the Illawarra Escarpment

94. How much of the \$125.9 million commitment over 4 years announced in June 2019 to upgrade and maintain the fire trail network in NSW national parks, is allocated to the Illawarra in the 2021/22 budget?
- (a) What hazard reduction activities have commenced or are planned in the Illawarra Escarpment in preparation for the 2021/22 bush fire season?

Answer:

94. The NSW Rural Fire Service (RFS) is funding and managing a coordinated, cross tenure approach to the upgrade of major fire trails in the Illawarra Escarpment. In 2021–22, the National Parks and Wildlife Service (NPWS) allocated \$500,000 to upgrade fire trails in Dharawal National Park, adjoining the Illawarra Escarpment.

- (a) NPWS completed two hazard reduction burns in the Illawarra Escarpment in 2021: Coalcliff Dam (151 hectares) and Regent Mountain (9.9 hectares). Subject to weather and other conditions, the planned NPWS hazard reduction burns for Autumn 2022 in the Illawarra Escarpment include Boomerang (22.4 hectares), Kembla West (374 hectares), Radio Mast (11.4 hectares) and Stanwell Dam (209 hectares).

Walking tracks in the Illawarra Escarpment State Conservation Area

95. How much of the \$80 million committed to establishing the Great Southern Walk is allocated to the Illawarra Escarpment in 2021/22?
- (a) What are the details of this work?
- (b) When will this work commence?
96. How much of the \$149.5 million committed over four years announced by the Government in June 2019 for improving NSW National Parks is allocated to improving national parks and walking trails the Illawarra in this 2021/22 budget?
97. What are the details of the work the Government has completed to maintain, upgrade and improve walking trails and visitor facilities in the Illawarra this financial year?
98. Given that work is scheduled to commence on the Illawarra Escarpment Mountain Bike Network in 2022, what resources has the government allocated to fund environmental conservation work to support the new network this financial year including:
- (a) resourcing for increased staffing such as Rangers?
- (b) remediation of impacted areas from unsanctioned trails?
- (c) environmental conservation activities to address the impact of invasive species such as weeds and feral deer?
- (d) ongoing management of the environmental values of the Escarpment?

Answer:

95. \$2.8 million
- (a) Project planning and environmental assessment.
- (b) Work commenced in July 2021.
96. \$888,000.
97. In the 2021–22 financial year, the National Parks and Wildlife Service (NPWS) has spent \$1.487 million, to maintain, upgrade and improve walking trails and visitor facilities in Budderoo National Park, Illawarra Escarpment State Conservation Area,

Mount Kiera (Byarong Park) Works Depot, Macquarie Pass National Park and Dharawal National Park. This includes routine maintenance, vegetation clearing, safety inspections, track surface maintenance and upgrades to infrastructure that form part of walking trails.

98.

- (a) NPWS has two new Project Officers and a new Project Support Officer to deliver the mountain bike project.
- (b) Where informal mountain trails are in proximity to new trails being built, they will be closed and rehabilitated as part of the Illawarra Escarpment Mountain Bike Project.
- (c) NPWS has employed five new roles in the Illawarra that are involved in conservation management works including pest animal and weed control.
- (d) NPWS is implementing extensive feral animal control including control of deer and goats and weed control.

Questions from Mr David Shoebridge MLC

Kurri Kurri gas plant

- 99. Where is the economic justification of the project?
- 100. During recent blackouts, Tomago Aluminium chose to switch off rather than use the expensive power that could be provided by the Colongra power station (gas-fired). Has the government sought commitment from industry that they will use the power generated by the Kurri gas peaking plant?
- 101. Will the Kurri Kurri power station be 100% green hydrogen ready so that it fits within net zero targets?
- 102. Can the Govt commit to Kurri Kurri power station running on 100% green hydrogen ASAP to align with net zero targets, IEA report and UN climate report?
- 103. What modelling has the government undertaken that shows the operation of the Kurri Kurri power station does push emissions over targeted reductions?
- 104. Given that the Kurri gas/diesel plant is only expected to run for 6-7 hours, before taking a full day to recharge, what was the justification for declaring this project Critical State Significant when batteries would do a much better job at providing reliable power?

105. Has there been an economic feasibility study demonstrating that the plant will be able to compete with faster, cheaper batteries?
106. How can this project be put up for approval when the gas pipeline that it requires to be in operation is not included in the funding announcement or Environmental Impact Statement process?
107. Energy and financial analysts predict that the entire project could cost over a billion dollars. Given Australia's \$1 trillion national debt, how can this public expenditure be justified?

Answer:

99. This is a matter for the Australian Government which is funding the project.
100. This is a commercial matter for Snowy Hydro Corporation as the proponent of the Kurri Kurri Gas Plant.
101. This is a matter for the Minister for Planning and Public Spaces who is responsible for the project development approval.
102. This is a matter for the Minister for Planning and Public Spaces who is responsible for the project development approval.
103. The Kurri Kurri Gas Plant can potentially assist in emissions reduction in NSW by displacing coal fired generation capacity that has higher emissions.
104. This is a matter for the Minister for Planning and Public Spaces who is responsible for Critical State Significant Infrastructure declarations.
105. This is a matter for Snowy Hydro Corporation and the Australian Government.
106. I am advised the proponent made a decision that planning approval for the gas pipeline would be progressed via a separate application.
107. This is a matter for the Australian Government, which is funding the project.

Singleton Biomass plant

108. Regarding the recent proposal to transition the Redbank power plant at Singleton to biomass which is high emissions and environmentally destructive, does NSW have a plan to ensure that the closure of coal fired power stations doesn't lead to a proliferation of these kinds of damaging alternative proposals?

Answer:

108. The Electricity Infrastructure Roadmap is the NSW Government's plan to transform our electricity sector into one that is cheap, clean and reliable. The Roadmap will deliver at least five Renewable Energy Zones (REZs) across NSW. REZs combine renewable energy generation such as wind and solar, storage such as batteries, and network infrastructure such as high-voltage poles and wires, to deliver energy to the homes, businesses and industries that need it. The Roadmap also sets out a pathway for bringing REZs online in time to deliver energy to NSW homes and businesses as coal-fired power stations retire.

The Government has set up the Energy Corporation of NSW to coordinate the delivery of REZs in NSW and ensure they are strategically planned, and that communities are engaged with and share in their benefits. This will assist in delivering REZs that work for local communities and are compatible with existing land uses, economic activities and social values.

Regarding the use of biomass, the Government remains committed to the long-term and environmentally sustainable management of our native forests and ensuring new energy generation proposals align with these objectives. NSW has strict laws to ensure native forests are not logged primarily to produce wood for electricity generation, and only legitimate waste with no other higher value use is being used.

Community scale batteries:

109. How much funding has the government provided (and/or committed) to fund trials and help encourage/develop community-scale battery projects?
110. What steps has the government taken to reduce/remove regulatory barriers for the smooth implementation of projects?

Answer:

109. The NSW Government is supporting several community battery projects, and other related solutions. In March 2020, the Government's Regional Community Energy Fund (RCEF) awarded grants worth approximately \$15.4 million to seven innovative and/or dispatchable renewable energy projects that benefit their local communities. Five of the seven projects supported under the RCEF include a community-scale battery. These projects are expected to unlock up to 18 megawatts of energy storage. Each funding recipient will share their learnings, supporting other regional communities to take control of their energy future.
110. The NSW Government is currently supporting several community battery projects and engaging with industry to understand barriers and impediments to the broader deployment of this technology. Changes made to current rules and regulations to support this technology may have broader ramifications for the entire market. The lessons learnt from current trials being run in NSW and other jurisdictions will inform future Government actions to enable the rollout of community batteries.

EPA prosecutions

111. We are aware of a number of well documented cases of hazardous waste being illegally dumped on private land and properties in the Western Suburbs in 2019 and 2020 which were reported to the EPA, can you advise why these were not prosecuted?
112. What percentage of hazardous waste matters referred to the EPA each year are investigated? Of this how many are prosecuted? How many of these prosecutions are successful?
113. How many prosecutions are currently on foot against Forestry Corporation and Forestry Corporation contractors?

Answer:

I am advised:

111. As the EPA investigates many illegal dumping cases each year, it is unsure of the case referred to in this question. However, the EPA considers a range of regulatory responses available to it, one of which is prosecution. For example, recently Liverpool Local Court convicted and fined Mr Fouad Arja for offences at Rossmore following a successful prosecution by the EPA. The EPA prosecuted Mr Arja for land pollution, failing to comply with a prevention notice, and carrying out unlicensed waste disposal.

Mr Arja pled guilty to the three offences, was convicted and fined a total of \$180,000, and was ordered to pay the EPA's legal and investigation costs of \$90,000.

112. All of the waste matters referred to the EPA are assessed and investigated under a case management system. From when the EPA was re-established in 2012 to 18 November 2021, it has completed about 675 prosecutions which include numerous prosecutions in relation to waste and waste dumping.

113. 10 (as at 18 November 2021).

55 Coonara Avenue, West Pennant Hills

114. Given that there are large areas of critically endangered ecological communities of Blue Gum High Forest and Sydney Turpentine Ironbark Forest on the Mirvac site at 55 Coonara Ave, West Pennant Hills, why didn't your department insist on getting a survey of the trees within the development area, when it now turns out there are over 450 trees within the demolition footprint alone?

Answer:

114. Local government is the decision maker for development applications under Part 4 of the *Environmental Planning and Assessment Act 1979*. The role of local government as a decision maker is to assess and determine development applications, including applications that the Biodiversity Offsets Scheme applies to; consider a biodiversity development assessment report associated with a development application; condition offset obligations and ensure compliance with conditions of consent.

I am advised the Department of Planning, Industry and Environment has been in contact with the Hills Shire Council who confirmed that council is managing compliance with the consent for the Mirvac site at 55 Coonara Avenue, West Pennant Hills. The Department does not have a role at this time.

If a council decides to reduce the credits required to be retired, the Department has a concurrence role under the *Biodiversity Conservation Act 2016*. I am advised there was no request made to the Department for concurrence to reduce the credits for the development at 55 Coonara Avenue, West Pennant Hills.

Clean Air Strategy

115. Can the Minister explain how the health of Sydney residents will be protected when the 4 waste incinerators currently under consideration for construction in the Sydney basin burn more than 1.5 million tonnes of waste in the Sydney basin per year?
116. Can the Minister confirm what air quality modelling has been done to verify this?

Answer:

I am advised:

115. The NSW Energy from Waste Infrastructure Plan released in September 2021 restricts energy from waste facilities to four priority areas in NSW:

- West Lithgow Precinct
- Parkes Special Activation Precinct
- Richmond Valley Regional Jobs Precinct
- Southern Goulburn Mulwaree Precinct

Outside of these areas, energy from waste facilities will only be permitted if the facilities use waste, or waste-derived feedstock, to replace less environmentally sound fuels, including coal or petroleum-based fuels, to power industrial and manufacturing processes on-site, rather than exporting this energy to the grid.

116. Proponents for energy from waste facilities must prepare an Air Quality Impact Assessment which identifies all potential discharges of fugitive and point source emissions of pollutants. It must consider cumulative impacts within the receiving environment and include, but not be limited to, meteorology and climate, topography, surrounding land-use and ambient air quality. Proponents must also demonstrate their ability to comply with the NSW Energy from Waste Policy Statement, which was updated in June 2021 on the advice of the Chief Scientist and Engineer and sets the strictest air emission standards in the world.

Question from RE-Alliance

117. What is the timeline for community engagement in these regions? What engagement strategy is being adopted? What resources are being deployed to complete this crucial work?
118. With the high number of solar and wind projects being planned and proposed in the REZ, community volunteers are finding themselves stretched and overwhelmed by the sheer quantity of time required to give due consideration to significant changes happening around them. This burden has begun to emerge as a critical issue and risk for small communities who lack the resources and time to adequately respond with cohesive community responses for developers.

How will the Government ensure small local towns have support to pull together adequate and representative responses to developments happening all around them?

119. How will the Government ensure benefits are shared with neighbouring properties? What will the Government do to ensure neighbours of host landholders don't have to cover the costs of increased insurance premiums if other mitigation measures do not work to keep insurance costs down?
120. The indicative merit criteria outlined in the NSW Electricity Infrastructure Roadmap includes eligibility criteria for social impacts, local economic benefits, and compatibility with farming. Given the importance of earning social licence in host REZ regions, what weighting is going to be given to each of these criteria in the finalised merit criteria?
121. The government recently introduced \$3 Billion in incentives to drive a new hydrogen industry in NSW. Will you confirm if the \$3 Billion in incentives will support the state's net-zero goals by only funding hydrogen made from renewable energy sources?

Answer:

117. The Energy Corporation of NSW has a dedicated team responsible for community engagement in the Renewable Energy Zones (REZ). I am advised this team is already undertaking a range of community engagement activities including community meetings, newsletters, meetings with individual landowners, establishing a 'virtual room' with information about the REZs on the internet, and establishing a shopfront in Dubbo to support the Central-West Orana REZ.
118. The Energy Corporation of NSW will be supporting local communities by implementing a range of consultation activities in the regions to ensure local residents and other interested stakeholders have the opportunity to provide feedback on the strategic planning and delivery of renewable energy projects in the REZs. All projects within the REZs are also still subject to the detailed consultation and assessment requirements under the *Environmental Planning and Assessment Act 1979*, and local residents will be able to make a formal submission on the merits of these projects before any planning approval is granted.
119. The support of local communities is central to the NSW Electricity Infrastructure Roadmap. All participating projects in the REZs must demonstrate how they have consulted with nearby landowners, and if necessary, implement additional mitigation to ensure residual impacts on neighbouring properties are acceptable or enter into agreements with affected landowners.

120. The merit criteria for projects participating in the REZs are yet to be finalised. However, they will include a range of social, economic and environmental criteria to ensure that only projects demonstrating community support are accepted into the access scheme under the NSW Electricity Infrastructure Roadmap
121. The incentives being delivered under the NSW Hydrogen Strategy are only for hydrogen produced from renewable energy sources.

Attachment A: NSW Empowering Homes pilot program battery systems installation by postcodes (as at 5 November 2021)

Post codes	Battery and Solar	Battery only	Total
2250	5	2	7
2256	1	-	1
2257	1	2	3
2259	6	2	8
2260	2	3	5
2261	-	3	3
2262	1	2	3
2263	-	1	1
2264	7	1	8
2265	2	2	4
2267	-	3	3
2278	1	-	1
2280	10	1	11
2281	2	3	5
2282	6	1	7
2283	9	1	10
2284	6	4	10
2285	14	7	21
2286	2	-	2
2287	6	-	6
2289	4	-	4
2290	10	2	12
2293	1	-	1
2294	-	1	1
2295	3	1	4
2304	5	-	5
2305	2	1	3
2307	1	-	1
2315	5	4	9
2316	4	1	5
2317	2	1	3
2318	2	5	7
2319	-	2	2
2320	10	8	18
2321	12	2	14
2322	5	4	9
2323	6	5	11
2324	6	6	12
2325	9	6	15
2326	-	4	4

Post codes	Battery and Solar	Battery only	Total
2327	1	1	2
2328	5	-	5
2330	9	3	12
2333	8	1	9
2334	-	1	1
2335	5	1	6
2336	1	-	1
2337	3	1	4
2338	1	2	3
2340	10	-	10
2420	2	2	4
2421	2	-	2
2423	-	1	1
2427	2	1	3
2428	6	1	7
2429	4	1	5
2430	9	6	15
2439	-	1	1
2440	3	2	5
2444	3	-	3
2753	-	1	1
2756	3	3	6
2758	3	-	3
2765	2	3	5
2774	2	-	2
2775	1	-	1
2777	5	-	5
2779	2	2	4
2780	-	1	1
2782	-	1	1
2783	3	-	3
2787	1	-	1
2790	-	1	1
2795	12	-	12
2799	-	1	1
2800	8	4	12
2847	1	-	1
2850	1	-	1
2864	-	1	1
Grand Total	286	134	420