

18 August 2025

The Commissioners
Independent Planning Commission
By email

Dear Commissioners

Restart of Redbank Power Station (SSD-56284960) – Response to Public Submissions and Meeting Concerns

I submit this response on behalf of Mike Haywood Sustainable Resource Solutions Pty Ltd (MHSRS) in support of the Restart of Redbank Power Station (SSD-56284960), addressing the concerns raised during the public meeting on 11 August 2025, and in written submissions.

Experience and Background

Verdant Earth Technologies Limited (Verdant) has engaged me through my consultancy MHSRS to act in the role of General Manager Sustainable Fuels and Renewable Energy, where I have been tasked with biomass sourcing, regulatory compliance, and environmental sustainability for this project.

This submission is informed by my 5 years engagement with Verdant, 30 years of waste management and renewable energy expertise as a former President of the Australian Council of Recycling, State President of the Waste Management Resource Recovery Association and inaugural member of the governments Zero Waste SA (now Green Industries SA) and the Australian Industrial Ecology Network.

It encompasses my first-hand discussions in relation to the management of Invasive Native Species (INS) with Local Land Services (NSW) (LLS) management for the West and Central Western Regions, the Department of Primary Industries, CSIRO, the NSW Department of Agriculture, the Cobar Shire Mayor Jarrod Marsden, multiple local farmers and land owners in the Cobar, Bourke, and Bogan shires and a review and analysis of various reports and papers on the long term environmental problems of INS.

I have also referenced the recent NSW government statutory review of the native vegetation provisions of the LLS Act and the Biodiversity Conservation Act 2016 titled the NSW Plan for Nature (July 2024) and the Land Management (Native Vegetation) Code 2018 (LMNV Code) Amendment Order 2025 Discussion Paper (Local Land Services, NSW Government), June 2025.

Public Meeting and Submissions

I have reviewed the public meeting speakers and submissions (to Friday 15 August) from interested parties and community members, including Lis Ashby, Candice Bartlett, Pegg Putt, Professors Hugh Possingham, David Watson, Donald Butler, Brendan Mackey, Dr. Ben Ewald, and representatives from the Nature Conservation Council (NCC), Environmental Defenders Office (EDO), and local groups such as the Knitting Nanas Hunter Loop.

I have prepared this submission primarily to address matters raised by objectors in relation to the Verdant fuel plan. Key matters I wish to address are:

- 1) Native Forestry residues
- 2) The use of INS as a fuel

Native Forestry residues

Many objectors continue to express concern in relation to the alleged use of Native forestry residues.

Following earlier concerns from community groups in relation to the use of forestry residues from logging, Verdant took on board these concerns and modified its application transforming its fuel plan so as to exclude the use of native forest residues from logging.

Invasive Native Species

A number of objectors have raised concerns about the use of INS stating that it is not a genuine restoration practice, that utilising it may increase what is viewed by them as land clearing and effect biodiversity, that woody weeds include valuable native plants and may push marginal threatened species towards extinction. This is not the position as adopted by the NSW government.

I have visited the Cobar peneplain and seen firsthand the effect of INS encroachment and the devastating environmental impacts on native grasses, flora and fauna on the former rangelands. INS is a long term recognised environmental problem and INS management must be distinguished from land clearing per se.

Current practices are that the INS is cleared by farmers, windrowed and burnt.

Verdant is planning to remove this waste biomass once windrowed and utilise it as a fuel, eliminating the open fires and combusting the waste in its modern enclosed biomass generator with minimal emissions.

Historical Context

Early government inquiries, such as the 1901–1902 Royal Commission on Land Settlement and the 1908 Royal Commission on Forestry, documented woody vegetation encroachment (e.g., cypress pine, mulga) in the Cobar Peneplain due to overgrazing and fire suppression.

These reports (NSW Parliamentary Papers, 1908) noted initial conditions shifting from open woodlands to dense scrub.

In the 1930s, the NSW Agricultural Gazette drew attention to the problem (Carn, 1938). The next major expose' of the problem came with the publication of the report of the Inter-departmental Committee [Anon., 1969] that drew attention to the increasing severity of the problem and illustrated its impact on landholders in the Cobar ~ Byrock area.

Further comment on the issue was made by two members (including Judy Messer former Chair/Ceo) of the Nature Conservation Council of New South Wales after an inspection of tree and shrub invaded areas in the Western Division [McLoon and Messer, 1988]. In addition to the scrub invasion issue, the report discussed a wide range of problems affecting the area.

With respect to Inedible Woody Shrub Invasion, McLoon and Messer noted that:

'Council acknowledges that woody shrub invasion incurs higher productivity costs and owner returns and that it is a serious problem that may force lessees of their land if not controlled. It is therefore recommended that Council support the principle of woody shrub control provided that each affected species is well conserved in the parks and reserves system, that cumulative threat to threatened species habitat is avoided and that the general habitat amenity of the region is conserved.'

This was adopted as Western Division Policy (1988)¹ by the NCC Executive and Annual Conference formally recognising woody shrub invasion as a serious problem and supporting control in principle subject to conservation safeguards.

The Wentworth Group's *Blueprint for a Living Continent*² (2002, p. 12-13) (Blueprint) further emphasised landscape repair through incentives for farmers to manage invasive scrub sustainably, paying for environmental services like biodiversity restoration principles echoed in modern LLS approaches

Pages 10 - 11 of the Blueprint makes special reference to shrub invasion in the following terms:

"Clear distinction needs to be made between the need to stop broadscale clearing of remnant native vegetation and the need to control shrub invasion in the semi-arid and arid pastoral areas of Australia.

This part of Australia 'has been managed by indigenous Australians for 45,000 years, using fire. Since European settlement these fire management practices have changed which is causing environmental damage in some areas. Landscapes such as the Mulga lands in western Queensland have changed so much because of lack of vegetation management, such that production and conservation values have been compromised. The Wentworth Group believes that stopping the broadscale

¹ [NCC Policy \(Western Division\)](#)

² Blue Print for a living [Continent](#)

destruction of remnant native vegetation is the single most important action the Queensland, New South Wales and Tasmanian governments can take to protect the future of Australia's landscapes.."

In 2002, the Department of Land and Water Conservation (DLWC, a precursor to LLS) produced a guide on managing INS, which has been updated over subsequent decades (2010, 2018, 2020 editions by LLS/DPI) to reflect evolving ecological understanding, policy frameworks, and techniques like controlled thinning and set asides.

To this day, the

"management of native species is intended to improve the local environment by enabling landholders to manage invasive native species that have reached unnatural densities and dominate an area or are invading an area where that species is not known to have previously occurred. Management activities are intended to promote the regeneration and regrowth of more natural and diverse range of native vegetation."

(Refer: Pg 10 Land Management (Native Vegetation) Code 2018 Amendment Order 2025 NSW government discussion paper.)

INS management V land clearing

Land clearing, as defined under the Biodiversity Conservation Act 2016 (s7.3), involves broad removal of native vegetation for development, agriculture, or infrastructure, often leading to habitat loss or fragmentation if unmitigated.

In contrast, INS removal under the Land Management (Native Vegetation) Code 2018 (Part 3) is a targeted management practice to control unnatural densities (e.g., Acacia, Callitris) and restore ecosystems, such as open rangelands in the Cobar Peneplain, enhancing biodiversity and productivity.

General land clearing risks net loss, contributing to the reported 40% rise in clearing since 2018 (NSW Government Response 2024), often requiring offsets to mitigate habitat destruction.

INS management, however, promotes net gains by restoring open landscapes, supporting native grasses, small marsupials, and birdlife (Ecosystems Method 2008), as evidenced by case studies like Etiwanda Rangeland Raised. The Mosely family's 20-year holistic management at Etiwanda (90 km south of Cobar) transformed degraded land by managing INS, doubling livestock capacity (10–20,000 DSE) and enhancing perennial grasses, demonstrating biodiversity restoration (Soils For Life, updated 2024).

INS management hectares and volumes

The Verdant Feedstock Study shows that INS management is a significant issue with some 640,709 hectares approved for restoration.

This is substantiated from the LLS Public Information Register (April 2024 update), listing ~870 INS certificates since 2018 (~19,000 ha cleared annually, with 3,800 ha set-aside), confirming abundant regulated supply in regions like Western/Central West LLS, including Bourke and Bogan Shires within the Cobar Peneplain.

The Cobar Peneplain, encompassing 7.4 million hectares with a minimum of 35% adversely affected (2,590,000 ha per NSW Government data), supports this supply, with 640,709 ha approved under Section 60Y certificates.

Based on estimates of tonnages recovered by farmers and the DPI, Verdant has worked on recovering some 85-100 tonnes per hectare. This is significantly higher than some estimates of objectors. On this basis Verdant will be recovering biomass waste from less than 2% of current areas approved for INS management. This does not represent a large, if any increase in current INS management activities.

I note that in reality, the tonnes per hectare outcome should not matter in any event, as INS is an environmental problem that needs resolving. On the basis it is legally and properly managed it is not land clearing.

INS removal of any significant volume requires the approval and involvement of LLS under Part 2 Division 2 of the Land Management (Native Vegetation) Code 2018 and Verdant will require all relevant approvals prior to accepting any biomass waste from INS management.

Habitat loss for threatened species

INS removal is subject to method and impact conditions as set out in Clause 30 of the Code providing suitable protection for habitat loss and any threatened species. Under clause 7 of the code clearing of native vegetation is not authorised if the native vegetation forms part of a critically endangered ecological community.

Current legislation

Commonwealth Government

The Invasive Plants and Animals Committee's *Australian Weeds Strategy 2017 - 2027*³, published by the Australian Government, Department of Agriculture and Water Resources, defines a weed as:

*'a plant that requires some form of action to reduce its negative effects on the economy, the environment as well as human health and amenity. Although most plants that are considered weedy in Australia are exotic, some are also native to Australia.'*⁴

³ Invasive Plants and Animals Committee 2016, *Australian Weeds Strategy 2017 to 2027*, Australian Government Department of Agriculture and Water Resources, Canberra.

⁴ Ibid 3.

The national strategy further provides that:

‘Native plants as weeds should be managed in accordance with state and territory legislation.’⁵

NSW Legislation

The management of native vegetation in New South Wales is governed by Part 5A of the *Local Land Services Act 2013* (NSW). This Act authorises the clearing of native vegetation where such clearing is undertaken in accordance with a Land Management (Native Vegetation) Code⁶.

The current instrument in force is the Land Management (Native Vegetation) Code 2018 (NSW). Part 2 of this Code specifies the circumstances and processes under which invasive native species (INS) may be cleared from a treatment area. Schedule 1 provides a definitive list of species classified as invasive native species for particular regions.

This Code is presently under review by the NSW Government, following the recent closure of public consultation on proposed amendments. The reforms are intended to give effect to the objectives of the NSW Plan for Nature, which commits to strengthening environmental protections across the state.

As outlined in the *Land Management (Native Vegetation) Code 2018 Amendment Order 2025 Discussion Paper*, one of the key objectives of the amendments is to address deficiencies in the current framework that hinder the intended purpose of Part 2 of the Code. Specifically:

‘Invasive native species management is intended to improve the local environment by enabling landholders to manage invasive native species that have reached unnatural densities and dominate an area or are invading an area where that species is not known to previously occur. These activities are intended to promote the regeneration and regrowth of a more natural and diverse range of native vegetation.’⁷

While the discussion paper and proposed amendments reflect a suite of reforms to the Code, including changes to mosaic thinning, equity set asides, clearing caps, and monitoring requirements. The management of invasive native species is principally affected by the strengthening of the test for “invasiveness”⁸, which aims to ensure that the desired outcome for managing species balances environmental and productivity outcomes. The proposed

⁵ Ibid.

⁶ *Local Land Services Act 2013* (NSW) s 60S.

⁷ *Land Management (Native Vegetation) Code 2018 Amendment Order 2025 Discussion Paper*, p 10.

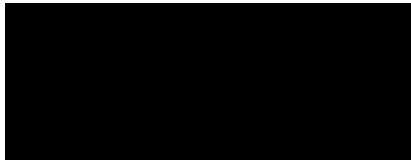
⁸ Ibid p 12.

amendments further strengthen environmental protections by reducing the lifespan of issued certificated under part two from 15 years to 7 years.

Conclusion

From my experience, the use of INS as a feedstock represents a valuable opportunity to beneficially reuse an agricultural waste material that would otherwise be burnt or left to decompose. As outlined in this submission, the negative impacts of INS on productivity and ecological outcomes within regions are well recognised. By providing a productive alternative to field burning, the Redbank project delivers an outcome that aligns with both Commonwealth and NSW legislation, while ensuring the highest and most responsible use of agricultural waste.

Sincerely,



Mike Haywood
Principal - Mike Haywood's Sustainable Resource Solutions