



## LEGISLATIVE COUNCIL

2023

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 97

THURSDAY 21 SEPTEMBER 2023

(The Questions and Answers Paper published on Monday to Friday of each week will contain, by number and title, all questions to which answers have been received the previous day and any new questions asked that day. Consequently, the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown.

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<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q & A No. 77 (Including Question Nos 1146 to 1147)	14 September 2023
Q & A No. 82 (Including Question Nos 1183 to 1184)	21 September 2023
Q & A No. 83 (Questions—Nil)	-
Q & A No. 84 (Including Question Nos 1185 to 1186)	25 September 2023
Q & A No. 85 (Questions—Nil)	-
Q & A No. 86 (Including Question Nos 1187 to 1190)	27 September 2023
Q & A No. 87 (Including Question Nos 1191 to 1191)	28 September 2023
Q & A No. 88 (Including Question Nos 1192 to 1192)	29 September 2023
Q & A No. 89 (Including Question Nos 1193 to 1197)	3 October 2023
Q & A No. 90 (Including Question Nos 1198 to 1200)	4 October 2023
Q & A No. 91 (Including Question Nos 1201 to 1205)	5 October 2023
Q & A No. 92 (Including Question Nos 1206 to 1214)	6 October 2023
Q & A No. 93 (Including Question Nos 1215 to 1215)	9 October 2023
Q & A No. 94 (Including Question Nos 1216 to 1224)	10 October 2023
Q & A No. 95 (Including Question Nos 1225 to 1247)	11 October 2023
Q & A No. 96 (Including Question Nos 1248 to 1250)	12 October 2023
Q & A No. 97 (Including Question Nos 1251 to 1252)	13 October 2023

**31 AUGUST 2023**

(Paper No. 82)

\* 1183 ENVIRONMENT—PARKS AND RESERVES OF THE TWEED CALDERA PLAN OF MANAGEMENT—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) Can the Minister advise whether the Parks and Reserves of the Tweed Caldera Plan of Management (PRTCMP) allows public access to climb the summit of Mt. Warning?
- (2) Can the Minister advise when the PRTCMP was last amended to give effect to the Aboriginal Place Management Plan for Mt. Warning, which states, on page 19, that the PRTCMP “would require amendment to ensure the Aboriginal Place is managed in accordance with this Aboriginal Place Management Plan into the future”?
  - (a) If the PRTCMP has not yet been amended to give effect to the provisions of the Aboriginal Place Management Plan as described above, what is the present status of the legal enforceability of the provisions of the Aboriginal Place Management Plan ?
- (3) Can the Minister confirm that one of the seven protesters who climbed Mt. Warning on Australia Day was interviewed by National Parks and Wildlife Services investigators?
  - (a) What was the nature of this investigation?
    - (i) Under what authority was this investigation taken?
    - (ii) How many National Parks and Wildlife Services investigators were involved?
    - (iii) How long did the National Parks and Wildlife Services investigation take place?
  - (b) Can the Minister confirm that among the issues raised was the alleged “desecration” of the site?
  - (c) What other issues were the subject of the National Parks and Wildlife Services investigation?
  - (d) What was the outcome of the National Parks and Wildlife Services investigation?
    - (i) Is there a report on this National Parks and Wildlife Services investigation?
  - (e) Is the report publicly available?
    - (i) If not, can the Minister provide a copy of this report?
- (4) Can the Minister clarify whether a charge or allegation of “desecration” is open to National Parks and Wildlife Services investigators under the PRTCMP?
  - (a) What is the definition of “desecration” under the PRTCMP?
  - (b) Under what provision of the PRTCMP is “desecration” addressed?
  - (c) Under what provision of the PRTCMP are charges or allegations of “desecration” enforced?

Answer—

- (1) The Wollumbin summit track and Aboriginal Place is closed to public access under clause 6(1) of the National Parks and Wildlife Regulation 2019. The plan of management for Parks and Reserves of the Tweed Caldera 2004 is not the means by which walking access to the Wollumbin summit is restricted.
- (2) The Wollumbin summit was declared an Aboriginal Place in 2014 under the National Parks and Wildlife Act 1974 (NPW Act). In 2019 the plan of management for the Parks and Reserves of the Tweed Caldera was amended to recognise the establishment of the Wollumbin Aboriginal Place.
  - (a) Section 85 of the NPW Act outlines the requirements to ensure the proper care, preservation and protection of an Aboriginal Place while Section 86(4) of the NPW Act provides that it is an offence to harm or desecrate an Aboriginal Place. An Aboriginal Place management plan is not itself legally enforceable but contains information relevant to the application of provisions of the NPW Act that apply to Aboriginal places. See also response to question 1.

- (3) Yes.
- (a) The investigation relates to the alleged unauthorised entry into Wollumbin National Park while the park was closed to the public as well as the allegation that this may have resulted in harm or desecration to an Aboriginal Place.
- (i) The investigation is being undertaken by an officer authorised under Section 156B of the NPW Act.
- (ii) One Department of Planning and Environment Investigator and one National Parks and Wildlife Service (NPWS) officer.
- (iii) The investigation is ongoing.
- (b) Yes.
- (c) The alleged offences outlined in 3a were the only subject of the NPWS investigation.
- (d) The investigation is ongoing.
- (i) A report has not been prepared as the investigation is ongoing.
- (e) Not applicable.
- (i) Not applicable.
- (4) Under Section 86(4) of the NPW Act, it is an offence to harm or desecrate an Aboriginal place.
- (a) 'Desecration' is not defined in the NPW Act.
- (b) See response to 4 above.
- (c) See response to 4 above.

\* 1184 ENVIRONMENT—RENEWABLE ENERGY ZONES—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) Can the Minister advise:
- (a) How many renewable energy projects have been approved for the first Renewable Energy Zone to date?
- (b) How many renewable energy projects are presently before the Intergovernmental Panel on Climate Change awaiting a decision?
- (c) What is the average anticipated approval process for renewable energy projects in the first Renewable Energy Zone?
- (d) What is the anticipated operative date for the first Renewable Energy Zone?
- (2) Is the Minister aware of any delays associated with renewable energy projects before the Intergovernmental Panel on Climate Change?
- (a) If so, how many complaints have been received with respect to these delays?
- (b) What are the reasons for these delays?
- (c) What action has been taken with respect to mitigating these delays?

Answer—

- (1)(a) This is a matter for the Minister for Planning and Public Spaces.
- (b) The Intergovernmental Panel on Climate Change does not have a decision-making role in renewable energy projects in New South Wales.
- (c) This is a matter for the Minister for Planning and Public Spaces.
- (d) The Energy Corporation of NSW's Network Infrastructure Strategy provides information about anticipating timing of Renewable Energy Zones. Initial energisation of the first stage of the first Renewable Energy Zone in the Central-West Orana region is expected in 2027/2028.
- (2)(a-c) There are no renewable energy projects before the Intergovernmental Panel on Climate Change.

**21 SEPTEMBER 2023**

(Paper No. 97)

1251 TREASURER—BUDGET ALLOCATION - CLIMATE CHANGE—The Hon. Mark Latham to ask the Treasurer—

- (1) How much funding has the 2023/24 Budget allocated to climate change programs?
- (2) Why has the Treasurer spent this amount when he can't specify the impact of this outlay on the reduction of global heating (as per the Treasurer's answer to my Supplementary Question on 21 September)?

1252 CLIMATE CHANGE—CLIMATE CHANGE—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) I refer the Minister to the answer by the Treasurer to my Supplementary Question on 20 September, namely:

“My supplementary question to written answer is directed to the Treasurer. For the various global heating policy measures the Treasurer outlined in his budget, by what amount, measured in degrees Celsius, will they reduce global heating?”

Where he answered:

“This question is best answered by the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage.”

- (a) What is the answer?

David Blunt AM  
Clerk of the Parliaments