



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 320

WRITTEN QUESTION

J Davis to the Minister for Lands, Planning and Environment, Hon Joshua Burgoyne MLA:

Northern Territory Environment Protection Authority (NT EPA) Independence and Governance

1. Section 43 of the Environment Protection Act 2019 imposes general duties on proponents, including at paragraph (b) the duty “to consult with affected communities, including Aboriginal communities, in a culturally appropriate manner”. The Northern Territory Environment Protection Authority’s annual report for 2024–25 refers at page 24 to obligations under section 43 to consider the principles of ecologically sustainable development, the environmental decision-making hierarchy and the waste management hierarchy.
 - a. Does the NTEPA assess compliance with the duty in section 43(b), and in which document is that assessment recorded?
 - b. In which published guideline, policy or procedure is the NTEPA's interpretation of those duties set out? Please provide the title and date.
 - c. How many times has a proponent been found not to have complied with a section 43 duty in the five years to 2025–26, and what action followed in each case?
 - d. If non-compliance with section 43 is not separately recorded, in which system is it recorded and in what format?
2. What are the formal arrangements between the NTEPA and the Office of the Territory Coordinator, and in which document are they recorded?
 - a. Has the NTEPA advised the Minister of any concern that the operation of the Territory Coordinator Act 2025 could affect the discharge of its statutory functions? If so, on what date, and can that advice be provided?

- b. Has the Minister sought the NTEPA 's view on that question and, if so, on what date?
3. Given the economic significance of liquefied natural gas (LNG) exports to the Territory, what safeguards ensure that environmental regulation remains independent of economic development objectives?
 - a. Has the NTEPA recommended against a major industrial proposal on air quality grounds at any time? If so, which proposal and on what date?
 - b. Has the Government rejected or modified advice from the NTEPA concerning pollution risks at any time? If so, in respect of which proposal, on what date, and can the advice and the decision be provided?
 - c. Is there any statutory or administrative requirement that the NTEPA 's advice be published where it is not accepted?
4. Does the Chair of the Northern Territory Environment Protection Authority hold, or has he held during his term, any paid engagement with a government relations or lobbying firm?
 - a. If so, was that engagement disclosed to the NTEPA and to the Minister, on what date, and where is the disclosure recorded?
 - b. Has any client of that firm been a proponent in a matter before the NTEPA during his term and, if so, what conflict of interest management applied?
 - c. What action has the Minister taken in relation to any such disclosure?
5. Why did the NTEPA extend the life of the Darwin LNG plant and clear it for the Barossa gas project without requiring the operator to rectify a major methane leak recorded as having existed for nearly 20 years?
 - a. The NTEPA's statement of 2 September 2025 records that "the facility's fugitive methane emissions are adequately regulated through the Safeguard Mechanism and any duplicative regulation by the NTEPA of the same emissions makes no sense whatsoever." Does the Government agree with that position, and on what basis?
 - b. Why were no changes made to the emissions monitoring program when EPL217 was renewed on 19 September 2025, in the context of public attention on the storage tank leak?
 - c. Will the Government appoint an independent assessor to oversee the regulation and licence renewal of the Darwin LNG facility?