

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**WRITTEN QUESTION**

Mr Higgins to the Minister for Environment and Natural Resources:

Annual Report – Department of Environment and Natural Resources

1. In the performance achievements listed on p36, the first achievement is: “Resumed a consultative approach to water planning and water advisory committees.” Can you please explain how the department’s previous approach stopped being consultative?
2. In the performance achievements listed on p40 “Signed five-year funding agreements with the Arid Lands Environment Centre, Environment Centre Northern Territory and the Environmental Defenders Office.” What conditions, performance criteria or oversight are attached to these grants?
3. Would you please provide further information regarding the NT PFAS Interagency Working Group, its work done to date, and future work plans especially for PFAS findings not associated with the Department of Defence? Where will further PFAS testing be done by the Northern Territory Government?
4. We note the section in large coloured font mentioning 25% separation rate for the department. Is this a good result for the department?
5. The annual report states the department has 296.5 full-time equivalent staff. What was the equivalent number (that is in areas currently included in the Department of Environment and Natural Resources) on 30 June 2016?

Annual Report – Environment Protection Authority

1. The annual report states that “a number of other (non-Defence) sites in the Northern Territory have been identified as requiring screening-level investigation based on the type and amount of PFAS usage in the past”. Where are these sites and when will the tests occur?
2. Has work progressed on drafting the environmental regulations for hydraulic fracturing since the imposing a moratorium on hydraulic fracturing? If yes, please provide further details in this regard.

Annual Report – Department of Environment and Natural Resources

1. In June 2013, the then Northern Territory Government disbanded the Darwin Harbour Advisory Committee and Daly River Management Committee (DRMAC), replacing them with a single broad based representative committee called the Northern Territory Catchment Advisory Committee (NTCAC).

Disbanding the DRMAC effectively terminated the Ooloo and Katherine Water Advisory Committees as they were sub-committees of DRMAC, which then stalled development or revision of Water Allocation Plans in the region. These committees were established under the *Water Act* to advise the Minister on Water Allocation Plans. Water Allocation Plans in turn provide transparency in the rules around water allocations and water management in areas of high competition.

Water Advisory Committees were in place over the period of the last Government in the Howard, Berry Springs and Alice Springs Water Allocation Plan areas, but these were not active, or supported to undertake planning.

The Katherine Water Advisory Committee was operational for a time and completed the review of the Katherine Tindall Water Allocation Plan in 2016. Likewise the Berry Springs Water Advisory Committee was reactivated for a short time and advised on the Berry Springs Water Allocation Plan, which was declared by the former Minister in July 2016.

Advertising to re-establish Water Advisory Committees for the Alice Springs; Ti Tree; Howard; and Ooloo Water Advisory Committees commenced from March 2016. The Ooloo and Howard Water Advisory Committees were in place prior to the change of Government in August 2016.

Since the change of Government, Water Advisory Committees have been appointed in the following Water Allocation Plan Areas: Mataranka/Daly Waters, Ti Tree, Alice Springs, Katherine Western Davenport and Rapid Creek. In addition the Darwin Harbour Advisory Committee was re-established in June 2017.

Importantly, these committees are active, progressing the development of Water Allocation Plans and have dedicated technical staff to support their deliberations to advise the Minister, and the department, on water resource matters.

2.
 - Arid Lands Environment Centre, Environment Centre Northern Territory and the Environmental Defenders Office have signed NTA service agreements to support the functions provided by an environmental policy officer.
 - The objectives, deliverables and performance indicators are consistent for each organisation, as detailed in the Services and Service Plan.
 - Annual progress reports detailing the recipients' performance of the services against the performance indicators are provided to the

Environment Grants Manager (as outlined in the Reporting Requirements of the Services and Service Plan).

- Contract monitoring and ongoing communications frequently occurs between the environmental policy officer and the Environment Grants Manager.
- Daily performance of the environmental policy officer is managed directly by the respective organisation.

Services and Service Plan (extract from actual NTA Service Agreement for Environmental Policy Officers)

Objectives:

- i. *To proactively engage with the Territory government with thoughtful and innovative submissions that contributes to the development of rigorous and contemporary environmental regulatory framework.*
- ii. *To liaise with the community and represent the communities' interest on environmental matters associated with environmental regulatory reform and the development of environmental policy.*

Deliverables:

- i. *An officer is appointed, in active service, for the period of the grant to perform/coordinate the duties of a policy officer.*
- ii. *Written submissions representing community interests in relation to environmental regulatory reform and policy development are made. Where there is opposition to a proposal alternative solutions are presented.*
- iii. *Regular environmental reform and policy information is provided to members, supporters and the broader community through effective communication.*
- iv. *Key Personnel may participate on government working groups, stakeholder reference groups or other forums, to assist in the delivery of environmental regulatory reform and the development of environmental policy.*

Performance Indicators:

The effectiveness of this project will be evaluated by reporting on:

- i. *The policy contribution of the Recipient, including by reference to:*
 - a. *The number and nature of policy submissions provided to government;*
 - b. *The dissemination of policy advice to the community*
- ii. *The methods used to garner understanding of community interests and concerns about environmental policy issues, the interests and concerns discovered and actions derived from this understanding*
- iii. *The contributions made in government working groups, stakeholder reference groups or other forums and how these contributions assisted in the development and delivery of environmental policy.*

Reporting Requirements:

All reports must be certified as correct by the Treasurer of the Recipient and signed by its Chairperson or Principal Lawyer.

These reports are required annually, on the date that is one month prior to each anniversary of the date of the agreement. They are prepared by each recipient and received by the Grant Manager who verifies and acquits each report within one month of receipt.

1. *Progress reports, which must detail the recipients' performance of the services against the performance indicators.*

2. *A copy of the recipient's most recent audited financial statements, including income and expenditure statements, balance sheets, and associated notes and other disclosures which must:*
 - a. *Clearly identify the funding and the expenditure of the funding; and*
 - b. *Be audited by a qualified auditor with appropriate professional registration.*
3. The PFAS interagency working group (PFAS IWG) comprises relevant government agencies and industry stakeholders, including but not limited to:
 - NT Environment Protection Authority (NT EPA);
 - Department of Health (DoH);
 - Department of Infrastructure, Planning and Logistics (DIPL);
 - Department of Primary Industries and Resources (DPIR);
 - Department of Environment and Natural Resources (DENR);
 - NT Police Fire and Emergency Services (NTPFES);
 - Air Services Australia;
 - Department of Defence (DoD);
 - Power and Water Corporation (PWC); and
 - Northern Territory Airports.

The meeting provides a useful forum for interagency coordination and sharing of PFAS related information and provides updates on the status of government agency and industry projects in relation to PFAS.

The major role of the PFAS IWG is to develop and implement a strategy that will be used to:

- Identify and investigate locations where PFAS have been historically used in the NT;
- Determine the level of contamination of the environment from historical usage;
- Determine any current storage of products containing PFAS; and
- To take further appropriate action to minimise environmental and human health exposure risks.

The last meeting was held on 16 November 2017 and the next meeting will be scheduled in mid February 2018.

Environmental Investigations of areas potentially impacted with PFAS is the responsibility of the relevant government agency and stakeholder that incorporates the "Polluter Pays Principle". This refers to the 'person' who caused the site contamination is primarily responsible for implementing and funding the assessment and if necessary remediation and audit.

Power and Water Corporation are continuing with their current testing of drinking water quality program

https://www.powerwater.com.au/networks_and_infrastructure/water_services/pfas

PFAS testing is occurring as required for various infrastructure developments in the Territory and NTEPA is providing advice to relevant proponents including DIPL.

The Steering Committee is working with agencies to identify further requirements.

4. Yes, as the agency has a relatively stable workforce in both the professional and administrative employment streams as evidenced on page 50 of the annual report. Our separation rate is predominantly driven by movement in technical jobs, where we compete with the private sector which pays considerably more for similar roles. The agency is considering strategies to improve the retention of technical staff.
5. The full time equivalent staffing number for divisions currently included in Department of Environment and Natural Resources at 30 June 2016 was 315.01.

Annual Report – Environment Protection Authority

1. Relevant government agencies and industry stakeholders are in the process of undertaking environmental investigations at various sites located across the Northern Territory that have been identified with a potential for PFAS impact. The status of the environmental investigations is the responsibility of relevant government agencies and industry stakeholders to complete. The NT EPA can issue directions to organisations to undertake Environment Audits in accordance with S48 of *Waste Management and Pollution Control Act 2016*, however, the NT EPA would prefer to work with organisations to achieve the required outcomes.

The highest priority sites are generally in the vicinity of airports and fire stations.

2. The NT Government is undertaking comprehensive reform of the existing environmental regulatory framework and developing a fully functioning environmental protection Act. This work is being undertaken in two stages. Stage 1 is concentrating on improvements to the environmental impact assessment system and introduction of an environmental approval issued by the Minister for Environment and Natural Resources at the completion of the assessment process. Stage 2 will repeal the *Waste Management and Pollution Control Act* and the *Litter Act* and amend other legislation as required to provide an appropriate regulatory regime for the management of pollution and wastes, and the environmental management of mining, and potentially petroleum, activities.

Environmental regulations for hydraulic fracturing are currently administered by the Department of Primary Industry and Resources.