



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

Associated Minutes of Proceedings

**Inquiry into the Environment
Protection Bill 2019**

September 2019



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 45

12.00 pm, Thursday, 16 May 2019
Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Ms Sandra Nelson MLA, Member for Katherine

Apologies Mr Chansey Paech MLA, Member for Namatjira

Secretariat: Julia Knight, Committee Secretary
Russell Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETING

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting 44 of 9 May 2019 be confirmed.

Question put and passed.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

On 9 May 2019 the Assembly agreed to extend the report date for the Committee's inquiry into the Youth Justice and Related Legislation Amendment Bill to 6 August 2019.

3. YOUTH JUSTICE AND RELATED LEGISLATION AMENDMENT BILL 2019

Ms Nelson moved and Mrs Finocchiaro seconded that:

1. The Committee forward the proposed questions of the Department to the Minister for Territory Families requesting a written response by Tuesday 28 May 2019.
2. The Committee invite Darwin Press Club, North Australian Aboriginal Justice Agency, Information Commissioner, Children's Commissioner, Jesuit Social Services, Human Rights Law Centre, Danila Dilba Health Service, Northern Territory Legal Aid Commission, Create Foundation, Tangentyere Council Aboriginal Corporation, Central Australian Youth Justice, Criminal Lawyers Association of the Northern Territory, the Northern Territory Police Service and representatives from Territory Families to appear before the Committee at its public hearing on Thursday 30 May 2019.

Question put and passed.

The Committee further agreed that, in the interests of time, unless witnesses wished to place something on the public record that was not covered in their submission, the Committee would dispense with opening statements.

4. NEW BILL REFERRALS

Ms Nelson moved and Mrs Finocchiaro seconded that:

1. The Committee call for submissions to its inquiries into the Education and Care Services (National Uniform Legislation) Amendment Bill 2019 and the Environment Protection Bill 2019 referred in the May sittings to be received by Friday 14 June 2019.

2. The Committee write to responsible Ministers requesting a contact officer in relation to the Bills and inviting departmental representatives to appear before the Committee at a public briefing on Monday 20 May 2019.

Question put and passed.

5. PETITION REFERRAL

Ms Nelson moved and Mrs Finocchiaro seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition No. 34.

Question put and passed.

6. NEXT MEETING

Public Briefing: 9.00 am – 10.30 am, Monday 20 May 2019.

Meeting closed at 12.45 pm.



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 46

9.00 am, Monday, 20 May 2019

Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Ms Sandra Nelson MLA, Member for Katherine
- Apologies:** Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
- Secretariat:** Julia Knight, Committee Secretary
Victoria Ikutegbe, Research Officer

1. PUBLIC BRIEFING

Education and Care Services (National Uniform Legislation) Amendment Bill 2019

The Committee heard from the following witnesses from the Department of Education:

- Agnes McGrath: General Manager Early Childhood Education and Care
- Audrey Billias: Director Early Childhood Policy and Programs
- Michelle Wells: Assistant Director Early Childhood Policy
- Amy Ireland: Senior Manager Legislation Services, Strategic Services

Tabled Papers

TP1-1: Department of Education – Opening Statement

TP1-2: Department of Education – Background Information

2. PUBLIC BRIEFING

Environment Protection Bill 2019

The Committee heard from the following witnesses from the Department of Environment and Natural Resources:

- Joanne Townsend: Chief Executive Officer
- Paul Purdon: Executive Director Environment Protection
- Karen Avery: Executive Director Environment Policy and Support
- Kathleen Davis: Director Environment Policy

Tabled Paper

TP1-1: Department of Environment and Natural Resources – Background Information

3. NEXT MEETING

Public Hearing: 8.30 am – 4.00 pm, Thursday 30 May 2019 – Youth Justice and Related Legislation Amendment Bill 2019

Meeting closed at 10.30 am.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 50

3.00 pm, Monday, 1 July 2019

Committee Secretary's Office

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson
- Apologies** Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Mrs Lia Finocchiaro MLA, Member for Spillett
- Secretariat:** Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETINGS

Mr Paech moved and Ms Ah Kit seconded that:

The Minutes of Meeting No. 49 of 6 June 2019 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. EDUCATION AND CARE SERVICES (NATIONAL UNIFORM LEGISLATION) AMENDMENT BILL 2019

Mrs Worden moved and Mr Paech seconded that:

The Committee adopt the 'No Issues' report, *Inquiry into the Education and Care Services (National Uniform Legislation) Amendment Bill 2019*, to be presented to the Speaker on Tuesday 2 July 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 6 August 2019.

Question put and passed.

4. ENVIRONMENT PROTECTION BILL 2019

Mrs Worden moved and Mr Paech seconded that:

The Committee authorise publication of the submissions received with the exception of submission 9 which the author requested not be made public on the Committee's website.

5. REVISED BILL INQUIRY PLAN

Noted.

6. NEXT MEETING

Deliberative Meeting: 9.00 am – 11.00 am, Monday 15 July 2019.

Meeting closed at 3.10 pm.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 51

9.00 am, Monday, 15 July 2019

Litchfield Room

Present:	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Mrs Lia Finocchiaro MLA, Member for Spillett Mr Chansey Paech MLA, Member for Namatjira Mrs Kate Worden MLA, Member for Sanderson
Apologies	Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Secretariat:	Julia Knight, Committee Secretary Russel Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Worden moved and Mr Paech seconded that:

The Minutes of Meeting No. 50 of 1 July 2019 be confirmed.

Question put and passed.

2. YOUTH JUSTICE AND RELATED LEGISLATION AMENDMENT BILL 2019

It was noted that the Member for Araluen and the Member for Spillett submitted dissenting reports for inclusion in the Chair's report of inquiry into this Bill.

Mrs Worden moved and Mr Paech seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Youth Justice and Related Legislation Amendment Bill 2019* to be presented to the Speaker on Tuesday 16 July 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 6 August 2019.

Question put and passed.

3. ENVIRONMENT PROTECTION BILL 2019

Mrs Finocchiaro moved and Mrs Worden seconded that:

The Committee forward the proposed questions of the Department to the Minister for Environment and Natural Resources requesting a written response by Wednesday 24 July 2019.

Question put and passed.

Mrs Finocchiaro moved and Mr Paech seconded that:

The Committee invite the Environmental Defenders Office NT, Indigenous Industry Carbon Network, Environment Centre NT, Ward Keller, Northern Territory Cattlemen's Association NT, Minerals Council of Australia NT Division, Association of Mining and Exploration Companies, Arid Lands Environment Centre, Northern and Central Land Councils, and representatives from the Department of Environment and Natural Resources to appear before the Committee at a public hearing on Monday 29 July 2019.

4. REVISED BILL INQUIRY PLAN

Noted.

5. NEXT MEETING

Public Hearing Environment Protection Bill 2019: 8.30 am – 5.00 pm, Monday 29 July 2019.

Meeting closed at 9.30 am.

A handwritten signature in blue ink, appearing to read 'Ngaree', with a horizontal line underneath.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 52

8.30 am, Monday, 29 July 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Participating Member: Mr Gerry Wood MLA, Member for Nelson

Secretariat: Julia Knight, Committee Secretary

1. PUBLIC HEARING

Environment Protection Bill 2019

The Committee heard from the following witnesses:

Environmental Defenders Office NT Inc.

Gillian Duggin: Principal Lawyer/Executive Officer

Indigenous Carbon Industry Network

Eric Lede: Acting Coordinator

Jennifer Ansell: Chief Executive Officer, Arnhem Land Fire Abatement (NT) Ltd.

Environment Centre NT

Shar Molloy: Director

Claire Boardman: Policy Officer

Association of Mining and Exploration Companies Inc.

Neil van Drunen: Manager South Australia; Northern Territory and Policy

Matt Briggs: Chief Executive Officer, Prodigy Gold

Question Taken on Notice: Impact of stop the clock mechanisms on decisions prior to the Minister's final decision to approve or refuse environmental approval.

NT Cattlemen's Association Inc.

Ashley Manicaros: Chief Executive Officer

Minerals Council of Australia NT Division

Dr Janice Warren: Manager Policy and Research

Brian Fowler: General Manager Northern Territory and Sustainability, Arafura Resources Ltd.

Nicole Conroy: Technical Director Environment and Team Leader Impact Assessment and Permitting, GHD

Ward Keller

Kevin Stephens: Partner

Bradly Torgan: Special Counsel

Arid Lands Environment Centre

Alex Read: Policy Officer

Northern and Central Land Councils

Greg McDonald: Manager Minerals and Energy

Diane Brodie: Research and Policy Officer

Question Taken on Notice: Incidences where prior, informed consent has been refused.

Department of Environment and Natural Resources

Joanne Townsend: Chief Executive Officer

Paul Purdon: Executive Director Environment Protection

Alaric Fisher: Executive Director Flora and Fauna

Karen Avery: Executive Director Environment Policy and Support

Kathleen Davis: Director Environment Policy

2. NEXT MEETING

Deliberative Meeting: 12.00 pm Thursday 8 August 2019.

Meeting closed at 5.20 pm.



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 53

12.00 pm, Thursday, 8 August 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Apologies: Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen

Secretariat: Julia Knight, Committee Secretary
Russel Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Finocchiaro moved and Mr Paech seconded that:

The Minutes of Meeting No. 51 of 15 July 2019 be confirmed.

Question put and passed.

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 52 of 29 July 2019 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. CONSIDERATION OF CHAIR'S DRAFT ANNUAL REPORT

Mr Paech moved and Mrs Finocchiaro seconded that:

The Committee adopt the Chair's draft *Annual Report 2018 -2019* for tabling in the Assembly on Tuesday 13 August 2019.

Question put and passed.

4. ENVIRONMENT PROTECTION BILL 2019

Consideration of evidence

5. BURIAL AND CREMATION BILL 2019

Committee Secretary to circulate list of key stakeholders for Member's consideration.

6. NEXT MEETING

Deliberative: 12.00 pm, Thursday 15 August 2019.

Meeting closed at 12.35 pm.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 56

10.00 am, Monday, 2 September 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Secretariat: Julia Knight, Committee Secretary
Russel Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Finocchiaro moved and Mrs Worden seconded that:

The Minutes of Meeting No. 54 of 15 August 2019 be confirmed

Question put and passed.

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 55 of 21 August 2019 be confirmed

Question put and passed.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

The Committee noted the response from Mr Michael Holmes (Director Lands Planning, Department of Infrastructure, Planning and Logistics) regarding zoning of Cemeteries. The Committee requested that the Committee Secretary obtain further advice regarding:

- The rationale for not permitting cemeteries in urban residential zones (Zones SD, MS, MR and HR) where undefined uses are prohibited; and
- Whether the zoning requirements for cemeteries has been, or is intended to be, reviewed in light of the proposed legislation.

3. CORRESPONDENCE

The Committee noted the letter from the Clerk regarding the drafting of scrutiny committee recommendation and agreed that the Chair should respond noting that:

- The Committee acknowledges the preference for recommendations to be drafted in the narrative where practicable;
- In accordance with its Terms of Reference, the Committee will continue to make well considered recommendations; and
- Suggest that the Office of the Parliamentary Counsel may wish to consult with other jurisdictions that have a similar Bill scrutiny process such as Queensland regarding the implementation of Committee recommendations.

4. ENVIRONMENT PROTECTION BILL 2019

Mr Paech moved and Mrs Worden seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Environment Protection Bill 2019* as amended to be tabled in the Assembly on Tuesday 17 September 2019.

The Committee further agreed that dissenting reports are to be provided to the Committee Secretary by Friday 13 September.

Question put and passed.

5. NEXT MEETING

Deliberative: 1.00 pm, Monday 16 September 2019 (Consideration of submissions received on Bills referred in August sittings).

Meeting closed at 10.50 am.



Ms Ngaree Ah Kit, MLA
Chair