



14 June 2019

Ms Julia Knight, Secretary
Social Policy Scrutiny Committee
Legislative Assembly of the Northern Territory
By email: SPSC@nt.gov.au

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Dear Ms Knight,

RE: Submission on the Northern Territory's Environment Protection Bill 2019

Thank you for the opportunity to provide comment on the Northern Territory Government's *Environment Protection Bill 2019 (Bill)*.

GEMCO has a long history on Groote Eylandt, with mining starting on the island more than half a century ago. GEMCO's existing operations engage a total workforce of around 1500 people, and our mine plays a significant role in the economic development of Groote Eylandt and the broader Northern Territory. Royalties and other related payments benefit the Traditional Owners of Groote Eylandt.

GEMCO welcomes the enhancement in environmental rigor applied to the review and assessment of projects in the Northern Territory. It is in the best interests of all stakeholders, and particularly industry, that community members and other key stakeholders can have a high degree of confidence that the expectations, and performance of operators across the Territory meet appropriate standards.

GEMCO's Prior Submission

We previously made a submission to the Department of Environment and Natural Resources (**DENR**) on 8 December 2018 on the consultation draft of the environment protection legislation released in October 2018. In that submission, we made several comments on the consultation draft. The consultation draft did not contain any substantive transitional provisions and one of our key comments was that there needs to be clarity in relation to the operation of the transitional arrangements to existing operations.

Northern Territory response to prior submissions

In addition to our submission, we understand a number of other submissions raised concerns with the lack of detailed transitional provisions in the consultation draft. In response, the Northern Territory Government indicated in February 2019 that transitional provisions will be included in the draft legislation. The Northern Territory Government also indicated that there is no intention to require projects that have completed an assessment process to seek an environmental approval.

Transitional Provisions

Part 14 of the Bill contains the transitional provisions. The explanatory memorandum indicates that this part provides for a number of transitional matters that are required as a consequence of the repeal the *Environmental Assessment Act 1982 (EA Act)* on commencement of the new Act.

The transitional provisions provide a mechanism for managing projects at various stages of the assessment process under the EA Act. However, we are concerned that the transitional provisions as currently drafted do not operate as intended with respect to existing operations that have completed assessment processes in the past and, in particular, to existing operations that commenced prior to the introduction of the EA Act.

We would welcome the opportunity to engage with the EPA on our concerns regarding the transitional provisions contained in Part 14 of the Bill.

Should you require further information or clarification, please do not hesitate to contact me directly on jo-anne.scarini@south32.net or 0459 877 401.

Yours sincerely,

A handwritten signature in black ink that reads "Jo-Anne Scarini". The signature is written in a cursive, flowing style.

Jo-Anne Scarini
Vice President Operations, GEMCO