



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

**Legislation Scrutiny Committee**

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**Associated Minutes of Proceedings**  
**Inquiry into the Ports Legislation**  
**Amendment Bill 2019**

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**March 2020**



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
13<sup>th</sup> Assembly

**LEGISLATION SCRUTINY COMMITTEE**  
**MINUTES OF PROCEEDINGS**

**Meeting No. 1**

12.00 pm, Thursday 28 November 2019  
Litchfield Room

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

**Secretariat:** Russell Keith, First Clerk Assistant  
Julia Knight, Committee Secretary  
Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Officer

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**1. ELECTION OF CHAIR**

The Secretary called for nominations for Chair.

Mr Sievers nominated Ms Ah Kit to be Chair of the Committee. Mrs Finocchiaro seconded the nomination.

As there were no other nominations, the Secretary declared Ms Ah Kit to be the elected Chair of the Committee.

**2. ELECTION OF DEPUTY CHAIR**

The Chair called for nominations for Deputy Chair.

Mrs Finocchiaro nominated Ms Nelson to be the Deputy Chair of the Committee. Mr Sievers seconded the nomination.

As there were no other nominations, the Chair declared Ms Nelson to be the elected Deputy Chair of the Committee.

**3. COMMITTEE'S TERMS OF REFERENCE**

Noted

**4. PROCEDURAL RESOLUTIONS**

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. That pursuant to Standing Order 194(1), the Committee authorises the publication of final public hearing transcripts after witnesses have had 3 business days to make any corrections.
2. That pursuant to Standing Order 194(4), the Committee authorises the Chair of the Committee to issue media releases and give briefings on matters relating to its inquiry.
3. That pursuant to Standing Order 194(1), unless the Department requests confidentiality, the Committee authorises publication of departmental responses to the Committee's written questions on Bills following receipt

Question put and passed.

## **5. STANDARD PROCEDURES FOR BILL INQUIRIES**

Ms Nelson moved and Mrs Finocchiaro seconded that:

1. The Committee will call for submissions on the Bill to be due by the Wednesday in the second week before the next sittings of the Assembly;
2. Following the end of a sittings period, the Chair of the Committee will issue a notice listing the Bills on which the Committee is calling for Submissions and the date by which submissions are due;
3. Notices calling for submissions will be distributed on the Assembly's website, by email to subscribers of the committee email alert service, by Facebook and Twitter posts and by email or letter to persons and organisations determined by the Chair following consultation by email with Committee members.
4. The Chair will write to the Minister who introduced the Bill to request a contact officer for the Bill and a briefing on the Bill from the responsible Department for Committee members;
5. After the due date for submissions, the Committee will determine whether and when to hold public hearings and who shall be invited to appear at the hearings;
6. If any Member wishes to amend this standard procedure for a particular Bill, they shall advise the Chair who will then convene a meeting to consider that Bill's inquiry process at the earliest convenient opportunity.

Question put and passed.

## **6. STATUS OF BILL INQUIRIES**

Noted

## **7. PROPOSED BILL INQUIRY PLAN**

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. That the Committee call for submissions to its inquiries into Bills referred in the November sittings to be received by Wednesday 29 January 2020.
2. That the Committee write to the responsible Ministers requesting a contact officer in relation to Bills referred in the November sittings and inviting departmental representatives to appear before the Committee at a public briefing on Monday 9 December 2019

Question put and passed.

## **8. COURTS LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Courts Legislation Amendment Bill 2019* to be sent to the Speaker on Monday 2 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

## **9. CRIMINAL PROPERTY FORFEITURE AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Criminal Property Forfeiture Amendment Bill 2019* to be sent to the Speaker on Monday 2 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

## **10. RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Mrs Finocchiaro seconded that:

1. That the Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Thursday 5 December 2019.

2. That the Committee invite representatives from the departments of the Attorney-General and Justice and Local Government, Housing and Community Development, the Northern Territory Civil and Administrative Tribunal, the Darwin Community Legal Service and the Real Estate Institute of the Northern Territory to appear before the Committee at its public hearing on Monday 9 December.

Question put and passed.

The Chair requested that Members advise the Committee Secretary, Julia Knight, of any additional witnesses they wish to hear from by 12 noon on Monday 2 December 2019.

#### **11. PETITION REFERRALS**

Mrs Finocchiaro moved and Mrs Lambley seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition Nos. 43 and 44.

Question put and passed.

#### **12. NEXT MEETING**

Monday 9 December: 10.00 am to 4.00 pm - Public Briefings on Bills referred in November sittings and Public Hearing on the Residential Tenancies Legislation Amendment Bill.

Meeting closed at 12.40 pm.



**Ms Ngaree Ah Kit, MLA**  
**Chair**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

## LEGISLATION SCRUTINY COMMITTEE

### MINUTES OF PROCEEDINGS

#### Meeting No. 2

10.00 am, Monday 9 December 2019

Litchfield Room

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

**Secretariat:** Julia Knight, Committee Secretary  
Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Officer  
Melissa Campaniello, Administration/Research Officer  
Kim Cowcher, Administration Assistant

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#### 1. PUBLIC BRIEFINGS: NEW BILL REFERRALS

The Committee heard from the following witnesses:

***Justice Legislation Amendment (Domestic and Family Violence) Bill 2019***

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

Penny Drysdale: Senior Policy Officer and Lawyer, Policy Coordination/Legal Policy, Department of the Attorney-General and Justice

***Licensing (Director-General) Repeal Bill 2019***

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

Hannah Clee: Senior Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice

***Sexual Offences (Evidence and Procedure) Amendment Bill 2019***

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

Leonique Swart: Principal Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice

***Ports Legislation Amendment Bill 2019***

Nick Papandonakis: Executive Director Strategy Policy and Legislation, Department of Infrastructure, Planning and Logistics

Guy Riley: Senior Legal Policy Officer, Department of Infrastructure, Planning and Logistics

James Mathews: Senior Policy Officer, Department of Infrastructure, Planning and Logistics

***Petroleum Legislation Miscellaneous Amendments Bill 2019***

Rod Applegate: Deputy Chief Executive Officer

James Pratt: Executive Director, Onshore Gas Development

Emma Jane Farnell: Director, Onshore Gas Development

The Committee adjourned at 12.00 pm until 12.45 pm

#### 2. PUBLIC HEARING: RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2019

The Committee heard from the following witnesses:

***Darwin Community Legal Service***

Linda Weatherhead: Executive Director

Tamara Spence: Managing Solicitor Tenancy Advice Service and Specialist Services

Caroline Deane: Tenancy Advice Service Solicitor

**Tabled Paper:** *Minimum notice periods for evictions without grounds.*

**Real Estate Institute of the Northern Territory**

Quentin Kilan: Chief Executive Officer

Diane Davis: President

Allison O'Neil: Director

**Department of the Attorney-General and Justice**

Doug Burns: Senior Policy Lawyer, Legal Policy

Hannah Clee: Senior Policy Lawyer, Legal Policy

**Department of Local Government, Housing and Community Development**

Christine Fitzgerald: Executive Director, Strategy, Policy and Performance

Tanya Hancock: Director Policy, Strategy, Policy and Performance

The Committee adjourned at 2.30 pm.

**DELIBERATIVE MEETING**

**3. MINUTES OF PREVIOUS MEETING**

Mr Sievers moved and Ms Nelson seconded that:

The Minutes of Meeting no. 1 of 28 November 2019 be confirmed.

Question put and passed.

**4. CORRESPONDENCE**

Noted

Mr Sievers moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submission received from the North Australian Aboriginal Justice Agency regarding the Residential Tenancies Legislation Amendment Bill 2019.

Question put and passed.

**5. MARINE POLLUTION LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Marine Pollution Legislation Amendment Bill 2019*, to be sent to the Speaker on Tuesday 10 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

**6. NEXT MEETING**

Deliberative: 1.00 pm – 2.00 pm, Monday 16 December (Consideration of evidence/Chair's draft report on Residential Tenancies Legislation Amendment Bill 2019).

Meeting closed at 2.45 pm.



**Ms Ngaree Ah Kit, MLA  
Chair**



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
13<sup>th</sup> Assembly

**LEGISLATION SCRUTINY COMMITTEE**  
**MINUTES OF PROCEEDINGS**

**Meeting No. 4**

12.00 pm, Thursday 13 February 2020  
Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama  
Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine  
Mrs Lia Finocchiaro MLA, Member for Spillet  
Mrs Robyn Lambley MLA, Member for Araluen  
Mr Tony Sievers MLA, Member for Brennan
- Secretariat:** Russell Keith, First Clerk Assistant  
Julia Knight, Committee Secretary  
Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Officer  
Melissa Campaniello, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Mrs Finocchiaro moved and Mr Sievers seconded that:

The Minutes of Meeting No. 3 of 16 December 2019 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. PROPOSED BILL INQUIRY PLAN**

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee call for submissions to its inquiries into new Bill referrals, with the exception of the Liquor Amendment Bill 2020, to be received by Wednesday 11 March 2020.
2. The Committee call for submissions to its inquiry into the Liquor Amendment Bill, to be received by 2 March 2020.
3. The Committee write to the responsible Ministers requesting a contact officer in relation to the Bills.

Questions put and passed.

**4. JUSTICE LEGISLATION AMENDMENT (DOMESTIC AND FAMILY VIOLENCE) BILL 2019**

Mrs Finocchiaro moved and Mr Sievers seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Darwin Community Legal Service, the Northern Territory Women's Legal Service, the North Australian Aboriginal Family Legal

Service, and the Department of the Attorney-General and Justice, to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

**5. PORTS LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee forward the legal advice to the Minister for Infrastructure, Planning and Logistics requesting a written response to the issues raised by Professor Aughterson by Tuesday 25 February 2020.

Question put and passed.

**6. LICENSING (DIRECTOR-GENERAL) REPEAL BILL 2019**

Ms Nelson moved and Mr Sievers seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Licensing (Director-General) Repeal Bill 2019* to be sent to the Speaker on Friday 14 February 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 18 February 2020.

Question put and passed.

**7. PETROLEUM LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

The Committee also agreed to accept a late submission from the Northern Territory Cattlemen's Association to be received by Friday 14 February 2020.

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee forward the questions of the department to the Minister for Primary Industry and Resources requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Environmental Defenders Office, the Northern and Central Land Councils, the Australian Petroleum Production and Exploration Association, the Protect Country Alliance, the Northern Territory Cattlemen's Association and the Department of Primary Industry and Resources to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

**8. SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 2019**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Northern Territory Women's Legal Service, Knowmore Legal Service, the North Australian Aboriginal Family Legal Service, Australia's Right to Know, and the Department of the Attorney-General and Justice to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

**9. NEXT MEETING**

Deliberative: 12.00 pm, Thursday 20 February 2020 (consideration of new Bill referrals).

Meeting closed at 1.14 pm



**Ms Ngaree Ah Kit, MLA  
Chair**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

## LEGISLATION SCRUTINY COMMITTEE

### MINUTES OF PROCEEDINGS

#### Meeting No. 6

8.30 am, Monday 2 March 2020

Litchfield Room

<b>Present:</b>	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine Mrs Lia Finocchiaro MLA, Member for Spillett Mr Tony Sievers MLA, Member for Brennan
<b>Alternate Member:</b>	Mr Jeff Collins MLA, Member for Fong Lim in place of Mrs Robyn Lambley MLA, Member for Araluen
<b>Secretariat:</b>	Julia Knight, Committee Secretary Jennifer Buckley, Committee Secretary Elise Dyer, Senior Research Officer Melissa Campaniello, Administration/Research Officer Kim Cowcher: Administration Assistant

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#### 1. PUBLIC HEARING

##### ***Justice Legislation Amendment (Domestic and Family Violence) Bill 2019***

The Committee heard from the following witnesses:

##### ***Darwin Community Legal Service***

Linda Weatherhead: Executive Director

Tamara Spence: Managing Solicitor, Tenant's Advice Service

Caroline Deane: Solicitor, Tenant's Advice Service

##### ***Northern Territory Women's Legal Services***

Caitlin Weatherby-Fell: Senior Solicitor, Top End Women's Legal Service

##### ***North Australian Aboriginal Family Legal Service***

Melisa Coveney: Acting Principal Lawyer

Sophie Hantz: Solicitor

##### ***Department of the Attorney-General and Justice***

Robert Bradshaw: Director, Policy Coordination

Penny Drysdale: Senior Policy Officer and Lawyer

#### 2. PUBLIC HEARING

##### ***Petroleum Legislation Miscellaneous Amendments Bill 2019***

The Committee heard from the following witnesses:

##### ***Northern Territory Cattlemen's Association***

Ashley Manicaros: Chief Executive Officer

#### 3. PUBLIC HEARING

##### ***Sexual Offences (Evidence and Procedure) Amendment Bill 2019***

The Committee heard from the following witnesses:

##### ***Northern Territory Women's Legal Services***

Caitlin Weatherby-Fell: Senior Solicitor, Top End Women's Legal Service

**North Australian Aboriginal Family Legal Service**

Melisa Coveney: Acting Principal Lawyer

Sophie Hantz: Solicitor

**Knowmore Legal Service**

Warren Strange: Executive Officer

Lauren Hancock: Law Reform and Advocacy Officer

**Australia's Right to Know**

Georgia-Kate Schubert: Head of Policy and Government Affairs, News Corp Australia

Gina McWilliams: Legal Counsel, News Corp Australia

**Department of the Attorney-General and Justice**

Leonique Swart: Principal Policy Lawyer, Legal Policy

Jane Bochmann: Senior Policy Lawyer, Legal Policy

**4. PUBLIC HEARING**

***Petroleum Legislation Miscellaneous Amendments Bill 2019***

The Committee heard from the following witnesses:

***Environmental Defenders Office***

Gillian Duggin: Managing Lawyer

***Northern and Central Land Councils***

Greg McDonald: Manager, Mineral and Energy

Tom Weston: Lawyer

***Australian Petroleum Production and Exploration Association***

Keld Knudsen: Director, Northern Territory

Stephanie Stonier: Corporate Affairs Manager (Northern Australia) Origin Energy. Chair of APPEA NT onshore working group

***Protect Country Alliance***

Lauren Mellor: Spokesperson

Rod Dunbar: Lexcray and Nutwood Downs Cattle Station

***Department of Primary Industry and Resources***

Alister Trier: Chief Executive

James Pratt: Executive Director, Onshore Gas Development

Emma Farnell: Director, Onshore Gas Development

***Department of Environment and Natural Resources***

Paul Purdon: Executive Director, Environment Protection

**DELIBERATIVE MEETING**

**5. MINUTES OF PREVIOUS MEETING**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting No. 5 of 20 February 2020 be confirmed.

Question put and passed.

**6. CORRESPONDENCE**

Noted

**7. PORTS LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Ports Legislation Amendment Bill 2019* to be sent to the Speaker on Wednesday 4 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

**8. LIQUOR AMENDMENT BILL 2020**

*Submissions received:*

- (a) Submission 1: NTCOSS
- (b) Submission 2: Alcohol and Drug Foundation
- (c) Submission 3: People's Alcohol Action Coalition
- (d) Submission 4: Danila Dilba Health Service

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received on the Liquor Amendment Bill 2020.

Question put and passed.

The Committee also authorised publication of any additional submissions that may be received to this inquiry, other than those where submitters request confidentiality or the committee secretariat identifies material not suitable for publication.

**9. OTHER BUSINESS**

Ms Ah Kit advised that, pursuant to SO 181, she would be seeking to be discharged from the Committee as of Tuesday 10 March 2020.

Mrs Finocchiaro, and fellow Committee Members, thanked Ms Ah Kit for her excellent work in chairing the Committee and for ensuring a thorough and bipartisan approach to the legislation scrutiny process.

**10. NEXT MEETING**

Deliberative: 10.00 am, Monday 9 March 2020 (Consideration of evidence/draft reports on Bills referred in November sittings and consideration of submissions received on the Liquor Amendment Bill.

Meeting closed at 2.25 pm.

**Ms Ngaree Ah Kit, MLA**  
**Chair**