



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Legislation Scrutiny Committee

Associated Minutes of Proceedings

Inquiry into the Licensing (Director-General) Repeal Bill 2019

February 2020



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th 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

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

13th 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

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
13th 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 Spillett
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