

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mr Higgins to the Minister for Primary Industry and Resources:

Annual Report – Department of Primary Industry and Resources

1. Were the following “Strategy Documents” updated since the change of machinery of government: Corporate Plan 2013-2017, Industry Development Plan 2013-2017, Strategic Plan 2014-2017, and People Plan 2014-2017?
2. Why were there only 7 successful prosecutions from 5525 animal welfare complaints?
3. What will be included within the whole-of-government Energy Policy Discussion Paper? What is the timeline for the Energy Policy Discussion Paper? Will this be placed on the “Have your say” website? Would it be better for a jurisdiction to have an Energy Policy before it has a Renewable Energy Policy? Will the Energy Policy impact on the Renewables Roadmap, or will the Renewables Roadmap impact on the Energy Policy?
4. Could you please provide a further breakdown of the 49 energy title applications for suspension and extension/variations of permit work programs?
5. Would you please outline the consultation and communications plan for the decision to make security bonds public for the nine largest mines?
6. Is a 75% retention rate a good result?
7. What is the timeline for developing a Katherine agricultural precinct?
8. 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.

1. The department is currently in the process of developing a comprehensive five-year strategic plan. In addition to addressing key government functions and priorities for industry, it will also address corporate functions. In this context, it will replace in one document the former Strategic, Corporate, Industry and People Plans.
2. There is a typographical error in the annual report and an additional 5 has been recorded in the final report the actual number of complaints is 525. Animal Welfare Inspectors are responsible for administering, monitoring compliance with, and where necessary, enforcing the provisions of the *Animal Welfare Act* (the Act). The objectives of the Act is to ensure that animals are treated humanely, to prevent cruelty to animals and to promote community awareness about the welfare of animals.

To achieve these objectives Animal Welfare Inspectors (Inspectors) have a number of options available under the regulatory framework to secure compliance. These options provide Inspectors with tools which may be utilised with the Inspectors determining the most suitable course of action. Most of the options are at the discretion of the Inspector due to their ability to make a fair, equitable and reasonable decision given due consideration to legislation, the specific circumstance of the case and the Inspectors experience. All instances where an Inspector exercised discretion is documented. The alternatives to prosecution include the following:

- Education (information and advice)
- Orders to remedy a situation
- Warning letters,
- Cancellation of Licence (for entities that use premises for teaching and research involving animals)
- Court order for the Animal Welfare Authority to keep and or dispose of seized animals.

The Animal Welfare Regulations also allow for the issuing of Infringements for breaches against the *Animal Welfare Act* (the Act).

Further, Inspectors may encourage and assist compliance by information, education, guidance and advice rather than take enforcement action. In addition an Inspector may issue a lawful order for an animal owner to take appropriate action (i.e take the animal to a veterinarian for treatment). 22 of these notices were issued by Inspectors for the financial year.

A number of investigations are routine which does not fall within the definition of a serious breach and which can be adequately dealt with by an Inspector. In many cases no action is required due to the complaint being unfounded (a determination is made by Inspectors based on the available facts, that no breach of legislation has taken place) or unsubstantiated (that the determination as to whether or not there was a breach of legislation is unable to be made by Inspectors from the available facts). The decision to prosecute is reserved for the most serious offences and a trivial, minor or technical breach would not warrant matters put before the Courts.

Matters that have been put before the Courts have been in favour of the Animal Welfare Authority (the Authority) with penalties ranging from \$300 - \$4000 fines, custodial sentences including a three month suspended sentence upon the undertaking the defendant is of good behaviour for twelve months and a number of court orders ranging from the surrender of the animal to the Authority, to not being in charge of an animal for periods of up to and including 24 months. The charges included failing in your duty of care, cruelty and hinder an Inspector.

- 3(i) The Energy Policy Discussion Paper will set the scene around our existing energy framework and consider future energy opportunities and challenges holistically. At the strategic level, the discussion paper will consider oil and gas opportunities, downstream gas processing, low emissions fuels and gas storage, renewable energy and energy efficiency. It will also cover electricity generation, distribution and consumption, the energy market place and energy in the transport sector.
 - 3(ii) The discussion paper is under preparation. It is expected that consultation will occur in 2018.
 - 3(iii) The consultation will inform the development of the NT Energy Policy.
 - 3(iv)(v) The Energy Policy Discussion Paper will take into account government's election commitment to 50% renewable energy by 2030 and the government's response to the Roadmap to Renewables. Renewable Energy is just an element of the Energy Policy Paper.
4. A breakdown of the 49 energy title applications for suspension and extension/variations or permit work programs is as follows:

Petroleum Act s23

- 2 x Application for renewal of exploration permit

Petroleum Act s24A

- 9 x Application for Exemption from requirement to reduce permit area

Petroleum Act s28

Variation of condition of exploration permit

- 2 x Suspension
- 23 x Suspension and Extension
- 10 x Variations

Petroleum Act s73

- 3 x Application for Surrender (can be all or part of a permit area)

5. The Department of Primary Industry and Resources undertook a review of the long standing policy of non-disclosure of environmental security bonds held on mine sites. A mining industry forum to workshop this policy position was held in February 2017 with participants invited to make formal submissions for consideration in developing policy options. Other key stakeholders including Land Councils and environmental NGOs were also invited to make submissions through the consultation process.

Key industry bodies were subsequently notified of the decision to adopt of a policy of disclosure for mining securities for all mining titles, and details of the mine security bonds held for the nine operating Territory mines have been published on the Department's internet site.

6. The rate of 75% reported in the 2016/2017 DPIR Annual Report are based on retention rate of Full Time Equivalent as of 30 June 2017. The Actuals number of separation of 116 employees equates to 22% separation rate for DPIR, which is comparable to the NTPS separation rate of 21% (data from 2016/2017 State of the Service Report), noting the DPIR rate was affected by people separating from the Banana Freckle Emergency Response.
7. The Government has committed to the development of the Katherine Logistics and Agribusiness Hub to support the growth of the agricultural and resource sectors as well as the transport, tourism and defence sectors. The Department of Infrastructure, Planning and Logistics is leading the development of the Hub and I would refer Mr Gary Higgins MLA, Leader of the Opposition to the Honourable Nicole Manison to answer any specific questions on the Hub.

With regard to agriculture in the Katherine region, my Department has been working to identify the potential for agribusiness development for the broader Big Rivers Region. This is the region which has transport and other value chain linkages to Katherine. Agribusiness development could include improved productivity from well-established industries such as beef cattle, buffalo, mangoes and melons. It could also include a range of developing industries such as donkeys, aquaculture, broadacre and horticultural crops, and bush foods.

Outside of the Hub, development of agribusiness precincts may occur where there is benefit in farming systems to be co-located. The development of this type of agricultural precinct is a commercial decision for industry stakeholders. My department has a dedicated agribusiness investment facilitation team which continues work with investors and existing agribusinesses to assist both parties in realising potential precinct opportunities.

8. On 6 July 2016, the Petroleum (Environment) Regulations administered by the Department of Primary Industry and Resources commenced. These new regulations were in response to a number of recommendations made by Tina Hunter and Alan Hawke in the preceding years. The P(E)R reflect a modern, outcome focussed, approach to the environmental regulation of petroleum activities. The Final Report of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory is due to be delivered to Government in March 2018. Any amendments to the Petroleum (Environment) Regulations will be prepared in consideration of government's response to the recommendations contained in the Final Report.