

To: [SPSC SPSC](#)
Subject: Submission to consultation on NT Environment Laws
Date:

Hi

Please find below my submission to the NT Social Policy Scrutiny Committee inquiry into the draft NT Environmental Protection Bill. The Territory needs effective environmental laws that protect healthy coasts, rivers, deserts, wetlands and natural landscapes that are central to our way of life, our culture and our livelihoods.

The Environment Protection Bill 2019 represents an important step forward for environmental protection in the Territory. Environmental assessment laws haven't changed in any significant way since they were introduced in the early 1980s – clearly our values, environmental issues and challenges have changed since then.

The draft law provides important new tools for regulators to hold operators such as mining companies accountable when they do the wrong thing in breaching their environmental commitments. It also represents a welcome commitment to increased community participation, independence, transparency and accountability in environmental decision-making. In particular, we support the following aspects of the proposed legislation:

- A new environmental approval granted by the Environment Minister, with an independent environmental assessment process by the Environment Protection Authority (EPA).
- Important guiding objects and principles, including a requirement to consider and apply the principles of ecologically sustainable development.
- Improved opportunities for public participation and access to information.
- Strong enforcement and compliance provisions, including civil remedies and increased powers for the EPA.
- Important tools to ensure industry are held financially accountable for their activities and any potential harm they cause. These include environment protection levies, bonds and environment protection funds.

We are concerned about industry efforts to prevent, delay or weaken the new legislation, and encourage the committee to ensure that the legislation passed by parliament reflects the NT Government's commitment to deliver a modern, fair and effective environmental protection framework. This means ensuring balanced representation of interests so that economic and business imperatives are not used as a justification to weaken best practice environmental assessment.

The Bill needs to be amended to incorporate all the relevant recommendations from the Final Report from the Fracking Inquiry so that they apply to all activities.

The Bill should be amended to ensure climate change is a mandatory factor for decision makers to consider when assessing proposals under the Act.

The Bill should be amended to provide for open standing for judicial review and include merits review rights.

The Bill should be amended to ensure that the Minister can only approve a project if there has been adequate engagement with impacted communities.

The Bill should ensure all projects are transitioned in a timely and consistent manner into the new framework.

There needs to be a commitment from government to properly fund monitoring, compliance and enforcement.