



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

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## **Associated Minutes of Proceedings**

# **Inquiry into the Northern Territory Environment Protection Authority Amendment Bill 2018**

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October 2018



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

SOCIAL POLICY SCRUTINY COMMITTEE  
MINUTES OF PROCEEDINGS

Meeting No. 23

1.00 pm, Thursday, 23 August 2018  
Ormiston Room

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

**Secretariat:** Julia Knight, Committee Secretary  
Russell Keith, First Clerk Assistant  
Annie McCall, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 22 of 21 June 2018 be confirmed.

Question put and passed.

**2. BILL REFERRALS**

Mr Paech moved and Mrs Lambley seconded that:

The Committee:

- a) call for submissions to its inquiries into Bills referred during the August sittings to be received by Wednesday, 19 September 2018
- b) write to the responsible Ministers requesting a contact officer in relation to Bills referred and inviting representatives from the Department to appear before the Committee at a public briefing on Monday, 10 September 2018.

Question put and passed.

**3. NEXT MEETING**

Public Briefing: 10.00 am to 12.00 pm on Monday, 10 September 2018

Meeting closed at 1.20 pm

**Ms Ngaree Ah Kit, MLA**  
Chair



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

SOCIAL POLICY SCRUTINY COMMITTEE  
MINUTES OF PROCEEDINGS

Meeting No. 24

10.00 am, Monday, 10 September 2018  
Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama  
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen  
Ms Sandra Nelson MLA, Member for Katherine
- Apologies:** Mr Chansey Paech MLA, Member for Namatjira  
Mrs Lia Finocchiaro MLA, Member for Spillett
- Secretariat:** Julia Knight, Committee Secretary  
Elise Dyer, Senior Research Officer  
Russell Keith, First Clerk Assistant

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1. PUBLIC BRIEFINGS

The following witnesses appeared before the Committee:

***Interpretation Legislation Amendment Bill 2018***

- Caroline Heske: Senior Policy Lawyer, Department of the Attorney-General and Justice

**Tabled Paper:** 58-2018 – TP1-1 – Department of Attorney-General and Justice - Briefing for Scrutiny Committee – 10 September 2018

***Electoral Legislation Amendment Bill 2018***

- Maria Mohr: Chief Executive Officer, Department of the Chief Minister
- Jean Doherty: Executive Director, Federal Policy and Strategic Coordination, Department of the Chief Minister
- Genevieve Mogridge: Director, Federal Policy and Strategic Coordination, Department of the Chief Minister
- Catherine Pledge: Principal Policy Officer, Department of the Chief Minister
- Tom McCrie: Principal Legal Officer, Federal Policy and Strategic Coordination, Department of the Chief Minister

***Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018***

- Joanne Townsend: Chief Executive Officer, Department of Environment and Natural Resources
- Kathleen Davis: Director Environment, Department of Environment and Natural Resources
- Michael Tennant: Chief Executive Officer, Department of Trade, Business and Innovation
- Nicky D'Antoine: Director, Project Facilitation, Strategic Infrastructure and Projects, Department of Trade, Business and Innovation
- Joseph Kuhn: Director, Strategic Policy and Research, Department of Trade, Business and Innovation
- Bradley Feldtman: Manager, Radiation Protection, Department of Health

**Tabled Paper:** 62-2018 – TP1-1 – Department of Trade, Business and Innovation – Questions and Answers, 10 September 2018

***Northern Territory Environment Protection Authority Amendment Bill 2018***

- Joanne Townsend: Chief Executive Officer, Department of Environment and Natural Resources
- Karen Avery: Executive Director Environment Policy and Support, Department of Environment and Natural Resources
- Kathleen Davis: Director Environment, Department of Environment and Natural Resources

**Question Taken on Notice:** From Member for Katherine: Does the legislation give the Minister any authority to intervene or override a decision made by the Northern Territory Environment Protection Authority?

The Committee adjourned at 11.40 am



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



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

**SOCIAL POLICY SCRUTINY COMMITTEE**

**MINUTES OF PROCEEDINGS**

**Meeting No. 25**

10.00 am, Monday, 1 October 2018  
Litchfield Room

**Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama  
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen until 10.45 am  
Ms Sandra Nelson MLA, Member for Katherine  
Mrs Lia Finocchiaro MLA, Member for Spillett

**Apologies:** Mr Chansey Paech MLA, Member for Namatjira

**Secretariat:** Julia Knight, Committee Secretary  
Russell Keith, First Clerk Assistant

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**1. MINUTES OF PREVIOUS MEETINGS**

Mrs Finocchiaro moved and Mrs Lambley seconded that:

The Minutes of Meetings No. 23 of 23 August 2018 be confirmed.

Question put and passed.

Mrs Lambley moved and Ms Nelson seconded that:

The Minutes of Meetings Meeting No. 24 (Public Briefing) of 10 September 2018 be confirmed.

Question put and passed

**2. TABLED PAPERS**

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the papers tabled by the Department of the Attorney-General and Justice and the Department of Trade, Business and Innovation at the public briefing on 10 September 2018.

Question put and passed.

**3. CORRESPONDENCE**

Noted

Ms Nelson moved and Mrs Lambley seconded that:

The Committee authorise publication of the Answer to the Question Taken on Notice from the Department of Environment and Natural Resources regarding the Environment Protection Authority.

Question put and passed.

**4. INTERPRETATION LEGISLATION AMENDMENT BILL**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Chair's draft report outline the issue raised and recommend that the definition of 'business day' be amended to clarify its operation in instances where public holidays do not occur on the same day across the Northern Territory.

Question put and passed.

#### **5. ELECTORAL AMENDMENT BILL 2018**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the submission received.

Question put and passed.

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee invite the Northern Territory Electoral Commissioner and representatives from the Department of the Chief Minister to appear before the Committee at its public hearing on Monday, 15 October 2018.

Question put and passed.

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee forward the proposed questions of the Department to the Chief Minister for consideration ahead of the public hearing, requesting a response in writing by 15 October 2018 and advice as to any objections regarding publication of the Department's response on the Committee's website.

Question put and passed.

#### **6. NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL (PROHIBITION) AMENDMENT BILL 2018**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of submissions received with the exception of submission 9 which the author has requested be kept confidential.

Question put and passed.

Ms Nelson moved and Mrs Finocchiaro seconded that:

For inquiries where multiple copies of proforma submissions are received, the Committee adopt the practice of only publishing one example of each type of proforma submission with the number of submissions received noted in brackets.

Question put and passed.

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Chair's draft report address the issues raised in submissions received and incorporate the proposed recommendation as agreed to by the Committee.

Question put and passed.

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the Department's response to the Committee's queries on the Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018.

Question put and passed.

The Committee also agreed to write to the Minister for Environment and Natural Resources and invite representatives from the Department of Environment and Natural Resources to appear before the Committee at a further public briefing on 15 October 2018. Committee members agreed to forward written questions of the Department regarding clarification of the Bill to the Committee Secretary by close of business Thursday 4 October 2018. It is noted that Member for Araluen left the meeting at 10.45 am and was not party to the decisions on the Nuclear Waste Transport,

Storage and Disposal (Prohibition) Amendment Bill or the Northern Territory Environment Protection Authority Amendment Bill.

**7. NORTHERN TERRITORY ENVIRONMENT PROTECTION AUTHORITY AMENDMENT BILL 2018**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Chair's draft report address the issues raised in the submissions received and incorporate the proposed recommendation as agreed to by the Committee.

Question put and passed.

**8. NEXT MEETING**

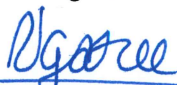
9.00 am to 12.00 pm on Monday, 15 October 2018 as follows:

***Additional Public Briefing*** – Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill: 9.00 am to 9.30 am

***Public Hearing*** – Electoral Amendment Bill: 9.30 am to 10.30 am

***Deliberative Meeting***: 10.30 am – 11.30 am.

Meeting closed at 11.08 am



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



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

**SOCIAL POLICY SCRUTINY COMMITTEE**  
**MINUTES OF PROCEEDINGS**

**Meeting No. 26**

9.00 am, Monday, 15 October 2018

Litchfield Room

<b>Present:</b>	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Ms Sandra Nelson MLA, Member for Katherine Mr Chansey Paech MLA, Member for Namatjira Mrs Lia Finocchiaro MLA, Member for Spillett
<b>Apologies</b>	Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
<b>Secretariat:</b>	Julia Knight, Committee Secretary Sasha Lynch, Acting Administration/Research Officer

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**1. PUBLIC BRIEFING**

***Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018***

The following witnesses appeared before the Committee:

- Joanne Townsend: Chief Executive Officer, Department of Environment and Natural Resources
- Karen Avery: Executive Director Environment Policy and Support, Department of Environment and Natural Resources
- Kathleen Davis: Director Environment Policy, Department of Environment and Natural Resources
- Michael Tennant: Chief Executive Officer, Department of Trade, Business and Innovation
- Nicky D'Antoine: Director, Project Facilitation, Strategic Infrastructure and Projects, Department of Trade, Business and Innovation
- Bradley Feldtman: Manager, Radiation Protection, Department of Health

Committee adjourned at 9.30 am.

**2. PUBLIC HEARING**

***Electoral Legislation Amendment Bill 2018***

The following witnesses appeared before the Committee:

- Iain Loganathan: Electoral Commissioner
- Maria Mohr: Acting Chief Executive Officer, Department of the Chief Minister
- Jean Doherty: Executive Director, Federal Policy and Strategic Coordination, Department of the Chief Minister
- Catherine Pledge: Principal Policy Officer, Department of the Chief Minister

The Committee adjourned at 10.15 am.

**DELIBERATIVE MEETING**

**3. MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 25 of 1 October 2018 be confirmed.

Question put and passed.

**4. CORRESPONDENCE**

Noted

**5. INTERPRETATION LEGISLATION AMENDMENT BILL 2018**

Mr Paech move and Mrs Finocchiaro seconded that:

The Committee adopt the Chair's draft report *Inquiry into the Interpretation Legislation Amendment Bill 2018* for tabling in the Assembly on Tuesday, 23 October 2018.

Question put and passed.

**6. NORTHERN TERRITORY ENVIRONMENT PROTECTION AUTHORITY AMENDMENT BILL 2018**

Mrs Finocchiaro moved and Mr Paech seconded that:

The Committee adopt the Chair's draft report *Inquiry into the Northern Territory Environment Protection Authority Amendment Bill 2018* subject to any amendments being received by the Committee Secretary by 10 am Wednesday 17 October, for tabling in the Assembly on Tuesday, 23 October 2018.

Question put and passed.

**7. NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL (PROHIBITION) AMENDMENT BILL 2018**

Mrs Finocchiaro moved and Mr Paech seconded that:

- 1) The Committee adopt the Chair's draft report *Inquiry into the Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018* subject to any amendments being received by the Committee Secretary by 10 am Wednesday 17 October, for tabling in the Assembly on Tuesday, 23 October 2018.
- 2) Following tabling, the Committee forward a copy of its report to the Secretary of the Public Accounts Committee as background information when considering the Nuclear Waste Transport, Storage and Disposal (Prohibition) Regulations.

Question put and passed.

**8. ELECTORAL AMENDMENT BILL**

Mrs Finocchiaro moved and Mr Paech seconded that:

1. The Committee authorise publication of the Department of the Chief Minister's responses to written questions.
2. The Chair's draft report outline the issues raised by the Electoral Commissioner and the advice provided by the Department of the Chief Minister, for consideration at the Committee's deliberative meeting scheduled for 1 November 2018.

Question put and passed.

**9. NEXT MEETING**

Deliberative Meeting: 12 noon, Thursday 1 November 2018

Meeting closed at 10.40 am

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