



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

Associated Minutes of Proceedings

Inquiry into the Burial and Cremation Bill 2019

October 2019



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 54

12.00 pm, Thursday, 15 August 2019
Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Apologies: Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen

Secretariat: Julia Knight, Committee Secretary
Russel Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Finocchiaro moved and Mrs Worden seconded that:

The Minutes of Meeting No. 53 of 8 August 2019 be confirmed.

Question put and passed.

2. NEW BILL REFERRALS

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Committee call for submissions to its inquiries into Bills referred in the August sittings to be received by Wednesday 4 September 2019.

Question put and passed.

Mr Paech moved and Mrs Finocchiaro seconded that:

The Committee write to responsible Ministers requesting a contact officer in relation to the Bills and inviting departmental representatives to appear before the Committee at a public briefing on Wednesday, 21 August 2019.

Questions put and passed.

3. PETITION REFERRALS

Mr Paech moved and Mrs Finocchiaro seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition No. 38.

Questions put and passed.

4. NEXT MEETING

Public Briefing – New Bill Referrals: 2.00 pm to 3.30 pm, Wednesday, 21 August 2019.

Meeting closed at 12.20 pm.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 55

2.00 pm, Wednesday, 21 August 2019

Litchfield Room

Present:	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Mrs Lia Finocchiaro MLA, Member for Spillet Mrs Kate Worden MLA, Member for Sanderson
Participating Member:	Mr Yingiya Mark Guyula MLA, Member for Nhulunbuy
Apologies:	Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen Mr Chansey Paech MLA, Member for Namatjira
Secretariat:	Julia Knight, Committee Secretary Kim Cowcher, Administration Assistant

1. PUBLIC BRIEFINGS

Burial and Cremation Bill 2019

The Committee heard from the following witnesses:

Department of Local Government, Housing and Community Development

- Maree De Lacey: Executive Director Local Government and Community Development
- Lee Williams: Senior Director Legislation and Policy
- Ethan Redshaw: Legislation and Policy Officer

Statute Law Revision and Repeals Bill 2019

The Committee heard from the following witnesses:

Department of the Attorney-General and Justice

- Robert Bradshaw: Director Policy Coordination

Territory Parks and Wildlife Conservation Amendment Bill 2019

The Committee heard from the following witnesses:

Department of Tourism, Sport and Culture

- Sarah Kerin: Acting Executive Director Parks, Wildlife and Heritage
- Jonathan Vea: Acting Senior Director Park Development and Strategic Projects
- Claire Morante: Senior Projects Officer

2. NEXT MEETING

Deliberative – 10.00 am to 11.00 am, Monday 2 September 2019.

Meeting closed at 3.10 pm.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 56

10.00 am, Monday, 2 September 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Secretariat: Julia Knight, Committee Secretary
Russel Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Finocchiaro moved and Mrs Worden seconded that:

The Minutes of Meeting No. 54 of 15 August 2019 be confirmed

Question put and passed.

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 55 of 21 August 2019 be confirmed

Question put and passed.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

The Committee noted the response from Mr Michael Holmes (Director Lands Planning, Department of Infrastructure, Planning and Logistics) regarding zoning of Cemeteries. The Committee requested that the Committee Secretary obtain further advice regarding:

- The rationale for not permitting cemeteries in urban residential zones (Zones SD, MS, MR and HR) where undefined uses are prohibited; and
- Whether the zoning requirements for cemeteries has been, or is intended to be, reviewed in light of the proposed legislation.

3. CORRESPONDENCE

The Committee noted the letter from the Clerk regarding the drafting of scrutiny committee recommendation and agreed that the Chair should respond noting that:

- The Committee acknowledges the preference for recommendations to be drafted in the narrative where practicable;
- In accordance with its Terms of Reference, the Committee will continue to make well considered recommendations; and
- Suggest that the Office of the Parliamentary Counsel may wish to consult with other jurisdictions that have a similar Bill scrutiny process such as Queensland regarding the implementation of Committee recommendations.

4. ENVIRONMENT PROTECTION BILL 2019

Mr Paech moved and Mrs Worden seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Environment Protection Bill 2019* as amended to be tabled in the Assembly on Tuesday 17 September 2019.

The Committee further agreed that dissenting reports are to be provided to the Committee Secretary by Friday 13 September.

Question put and passed.

5. NEXT MEETING

Deliberative: 1.00 pm, Monday 16 September 2019 (Consideration of submissions received on Bills referred in August sittings).

Meeting closed at 10.50 am.



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 57

1.00 pm, Monday, 16 September 2019

Ormiston Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson
- Secretariat:** Julia Knight, Committee Secretary
Russel Keith, First Clerk Assistant
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1. MINUTES OF PREVIOUS MEETINGS

Mrs Worden moved and Mr Paech seconded that:

The Minutes of Meeting No. 56 of 2 September 2019 be confirmed

Question put and passed.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

The Committee noted the response from Mr Michael Holmes (Director Lands Planning, Department of Infrastructure, Planning and Logistics) regarding zoning of Cemeteries.

3. CORRESPONDENCE

Noted

4. BURIAL AND CREMATION BILL 2019

Mr Paech moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

Mrs Worden moved and Mrs Finocchiaro seconded that:

1. The Committee forward the questions of the Department to the Minister for Local Government, Housing and Community Development requesting a written response by Friday 20 September 2019.
2. The Committee invite representatives from Litchfield Council, City of Palmerston, the Northern Land Council, the Central Land Council and the Department of Local Government, Housing and Community Development to appear before the Committee at its public hearing on Monday 23 September 2019.

Questions put and passed.

5. STATUTE LAW REVISION AND REPEALS BILL 2019

Mr Paech moved and Mrs Worden seconded that:

The Committee authorise publication of the submission received.

Question put and passed.

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Committee forward the questions of the Department to the Attorney-General and Minister for Justice requesting a written response by Friday 20 September 2019.

Question put and passed.

6. TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 2019

Mr Paech moved and Mrs Finocchiaro seconded that:

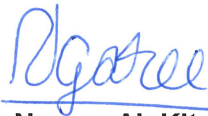
The Committee adopt the Chair's 'No Issues Report', *Inquiry into the Territory Parks and Wildlife Conservation Amendment Bill 2019* for tabling in the Assembly on Tuesday 17 September 2019.

Question put and passed.

7. NEXT MEETING

Deliberative: 12.00 pm, Thursday 19 September 2019 (Consideration of Bills referred in September sittings).

Meeting closed at 1.18 pm.



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 60

9.30 am, Monday, 30 September 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Apologies: Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen

Secretariat: Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETINGS

Mrs Worden moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 58 of 19 September 2019, and
The Minutes of Meeting No. 59 of 23 September 2019 be confirmed.

Question put and passed

2. BUSINESS ARISING FROM MINUTES

Noted.

3. BURIAL AND CREMATION BILL 2019

Following consideration of the evidence received, the Committee decided to seek further clarification from the Department on offence provisions relating to burials outside of cemeteries without approval, and provisions relating to the declaration of independent cemeteries.

4. STATUTE LAW REVISION AND REPEALS BILL 2019

Mrs Worden moved and Ms Ah Kit seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Statute Law Revision and Repeals Bill 2019*, as amended to be presented to the Speaker on Tuesday 1 October 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 15 October 2019

Question put and passed.

5. PETITION REFERRAL

Mrs Finocchiaro moved and Mrs Worden seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition No. 41.

Question put and passed.

6. NEXT MEETING

Deliberative Meeting: 10.00 am, Monday 7 October (Consider/adopt Chair's draft report on Burial and Cremation Bill 2019).

Meeting closed at 10.45 am.

Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 59

8.30 am, Monday, 23 September 2019

Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson
- Apologies:** Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
- Secretariat:** Julia Knight, Committee Secretary
Elise Dyer, Senior Research Officer
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1. PUBLIC HEARING – BURIAL AND CREMATION BILL 2019

The Committee heard from the following witnesses:

City of Palmerston

Luccio Cercarelli: Chief Executive Officer
Shane Nankivell: Executive Manager Finance

Member for Nhulunbuy

Yingiya Mark Guyula MLA

Northern Land Council

Robert Gosford: Manager Policy and Communication
Diane Brodie: Research and Policy Officer
Tom Weston: Paralegal

Central Land Council

Josie Douglas: Policy Manager
Dean Murphy: Lawyer

Department of Local Government, Housing and Community Development

Maree De Lacey: Executive Director Local Government and Community Development
Lee Williams: Senior Director Legislation and Policy
Ethan Redshaw: Senior Legislation and Policy Officer

Question Taken on Notice: Can you please clarify for the Committee, what face-to-face consultation was undertaken on the Bill with key stakeholders, in particular residents in remote communities, in the lead up to and following publication of the exposure draft of the Bill?

2. PUBLIC BRIEFING – LOCAL GOVERNMENT BILL 2019

The Committee heard from the following witnesses:

Department of Local Government, Housing and Community Development

Maree De Lacey: Executive Director Local Government and Community Development
Lee Williams: Senior Director Legislation and Policy
Hugh King: Manager, Legislation and Policy

3. PUBLIC BRIEFING – MENTAL HEALTH AND RELATED SERVICES AMENDMENT BILL 2019

The Committee heard from the following witnesses:

Department of the Attorney-General and Justice

Jenni Daniel-Yee: Director, Legal Policy

Josine Wynberg: Principal Policy Lawyer

4. PUBLIC BRIEFING – EVIDENCE AND OTHER LEGISLATION AMENDMENT BILL 2019

The Committee heard from the following witnesses:

Department of the Attorney-General and Justice

Jenni Daniel-Yee: Director Legal Policy

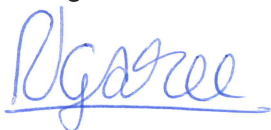
Leonique Swart: Principal Policy Lawyer

Question Taken on Notice: The Bill provides for a recorded statement of a complainant to be adduced as evidence-in-chief in a proceeding for a domestic violence order. In the absence of any specific provisions, can you clarify whether the complainant can elect to give evidence in person in court instead of, or in addition to, reliance on the recorded statement?

5. NEXT MEETING

Deliberative Meeting: 9.30 am, Monday 30 September 2019 (Consideration of Evidence – Burial and Cremation Bill 2019 and Statute Law Revision and Repeals Bill 2019)

Meeting closed at 11.58 am



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 61

10.00 am, Monday, 7 October 2019

Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mr Chansey Paech MLA, Member for Namatjira
Mrs Kate Worden MLA, Member for Sanderson

Apologies: Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen

Secretariat: Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETINGS

Mrs Worden moved and Mr Paech seconded that:

The Minutes of Meeting No. 60 of 30 September 2019 be confirmed.

Question put and passed.

2. BUSINESS ARISING FROM MINUTES

Mrs Finocchiaro moved and Mrs Worden seconded that:

The Committee authorise publication of the additional information provided by the Department of Local Government, Housing and Community Development in relation to the Burial and Cremation Bill 2019.

Question put and passed.

3. BURIAL AND CREMATION BILL 2019

Mr Paech moved and Mrs Finocchiaro seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Burial and Cremation Bill 2019* to be presented to the Speaker on Tuesday 8 October 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 15 October 2019

Question put and passed.

4. NEXT MEETING

Deliberative Meeting: 12.00 pm, Thursday 17 October (Consider of submissions on Bills referred in September sittings and any new Bill referrals from the October sittings.

Meeting closed at 10.06 am.

Ms Ngaree Ah Kit, MLA
Chair