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To: [LA Committees](#)
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I have practised as a lawyer and later served as a Federal Circuit Court judge in the NT for a combined total of 38 years. I am a former chair of the Pastoral Land Board.

The proposed legislation will lead to poor decisions and is unnecessary.

The proposed legislation is said to be justified by the need to expedite development proposals and thus encourage economic growth. There is no evidence of which I am aware that the present regulatory regime in the NT has stymied economic growth. On the contrary the purpose of much of the regulatory regime of which I have experience is to encourage development and at the same time to ensure proper consideration of development proposals, particularly from a social and environmental standpoint.

The asserted need to expedite or streamline decision-making and centralise it in the hands of the Coordinator or responsible Minister is certain, and is intended, to privilege the interests of proponents over the public interest in proper decision-making, by which I mean decision-making that balances all public interests, not simply economic development but social and environmental factors too.

Decision-making that privileges economic growth over all other factors necessarily increases the risk of bad decisions and encourages decisions that involve unacceptable risk of harm to the public interest. The proposed legislation is a guarantee of private profit and public loss with which we are so familiar in the Territory, particularly in regard to mining and the environment.

However, the real vice of the proposed legislation is contained in Divisions 3 and 4 of Part 7 dealing with step-in and exemption notices. While the Coordinator ostensibly has some power, it is unrealistic to expect that the step-in power will be exercised free of the Minister's influence and the Minister also has power to provide exemptions from regulatory requirements. This centralised and, in significant ways, unaccountable decision-making power is certain to be abused at the behest of proponents who are able to influence the Minister by, for example, crony connection or financial donations to the Minister's party. In other words, the bill is a recipe for public corruption.

This is bad legislation. It is unnecessary and will lead to bad decisions. It is a recipe for subversion of the public interest.

Tony Young