

Scrutinising the Territory Coordinator Bill

By Grusha Leeman; February 19, 2025

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As a long term Territorian, I *thank-you* for taking my recommendations into consideration while thoroughly scrutinising the [Territory Coordinator Bill](#).

The Legislation Scrutiny Committee is to report to the Assembly on:

- a) whether the Assembly should pass the Bill
- b) whether the Assembly should amend the Bill
- c) whether the Bill has sufficient regard to the rights and liberties of individuals
- d) whether the Bill has sufficient regard to the institution of Parliament.

I am calling on the Legislation Scrutiny Committee to recommend this Territory Coordinator [Bill be rescinded](#), as it circumvents critical legislated processes and is not in the best interests of the Northern Territory:

A Bill for an Act to provide for the appointment of a Territory Coordinator, to facilitate the undertaking of significant projects and works, to provide for the designation of infrastructure coordination areas and Territory development areas, to expedite certain statutory processes and decisions and for related Purposes.

We already have many significant projects, and it is rare for any of our processes to limit their facilitation. The NT Government does not have the power to modify, exclude or override Commonwealth laws which might apply to projects, such as the Environment Protection and Biodiversity Conservation Act 1999 (Cth) or the Aboriginal Land Rights (Northern Territory) Act 1975 (Cth), and efforts to do so are likely to see major delays.

The Bill grants obscene levels of power to both the Territory Coordinator and the Chief Minister. The dumping of established procedures, democratic processes and laws is incompatible to good governance. We need separation of powers and accountability. Corruption is elevated when there is a focused centralisation of decision-making authority.

The 'primary principle' diminishes the ability of Territorians to improve our prosperity. We have long experienced the many social and environmental burdens of so-called economic focused development, and fast tracking them can only make things worse. By prioritising the aim of economic prosperity above all other considerations, poorer outcomes for people and the environment will occur. Already projects like fracking and big agribusiness actively diminish the quality of life and prosperity of Territorians, whilst doing little to bolster the government coffers.

As this Bill is clearly a direct attempt to override due deliberative process and concentrate power, there is **no point recommending it be amended**.

This Bill **is deficient in regard to the rights and liberties of individuals**. It entails powers that can diminish safeguards for our rights as Territorians, and for our precious environment. This legislation disregards the rights of not only the citizens of the NT (except the Territory Coordinator), but also those of the Cabinet, the members of Parliament (besides the Chief Minister), and the Public Service.

This legislation seeks to scrap the tiny existing oversight or scrutiny of projects, in some instances removing, in others, poisoning the right for public consultation or environmental and social assessment processes that often represent the only chance communities have to engage with these projects and their potential risks.

This Bill allows the Territory Coordinator to authorise people to enter private land, without a warrant or permission, to conduct any works they deem reasonably necessary to “develop a Territory Development Area plan”, including bringing vehicles, machinery onto that land and installing any equipment they deem necessary. This completely disregards the rights of landholders, who also have no right to challenge this authorisation, and if damage is done to their property, the Territory Coordinator decides how much compensation they are entitled to. These powers go against the interests of Territorians and 14 days written notice is not in any way acceptable. It is often a long way to go to get the post, and this limited effort shows complete lack of understanding of what it’s like for many Territorians.

Why does this Bill remove the welcome previous clause 14 limitation provision that prevented the Territory Coordinator from interfering with or modifying:

- the protection of sacred sites under the NT Aboriginal Sacred Sites Act 1989,
- the protection of heritage places or heritage objects under the Heritage Act 2011,
- the operation of the Aboriginal Land Act 1978,
- exercise by Aboriginal persons of rights under the Pastoral Land Act 1992 and
- the recognition and protection of native title rights and interests under a law of the Territory?

This Bill is **derelict in regard to the institution of Parliament**. Not only does the Bill obliterate many laws, it provides for the unqualified Territory Coordinator to make decisions which override government departments and Ministers. We may as well dismantle the Parliament and crown Lia as our dictator. No single person should be able to override decisions of public officials.

This Bill places explosives in the foundations of our civilisation. The separation of powers is fundamental to a democracy. The doctrine of the separation of powers affords freedom from tyranny of absolute power in government. The separation of powers is vital in protecting citizens from the abuse of government power. This is partly achieved by the rule of law, a separate and independent judiciary, judicial review, and legislative or constitutional protection of civil rights. The ‘rule of law’ is supported by a proper separation of state power, which in turn is maintained to ensure the protection of liberty, of individuals’ freedom.

Circumventing statutory requirements from the list of 32 Acts is abuse of the doctrine of the separation of powers, as is removing the right to appeal. If these laws are inadequate, they should be listed for revision, not simply able to be overlooked. These laws have been carefully produced over decades in an effort to protect the Northern Territory and considering them to be obstructionary to progress highlights a major failure of self government.

- 1 Building Act 1993
- 2 Control of Roads Act 1953
- 3 Crown Lands Act 1992
- 4 Darwin Waterfront Corporation Act 2006
- 5 Electricity Reform Act 2000
- 6 Energy Pipelines Act 1981
- 7 Environment Protection Act 2019
- 8 Fisheries Act 1988
- 9 Geothermal Energy Act 2009
- 10 Heritage Act 2011
- 11 Land Development Corporation Act 2003
- 12 Land Title Act 2000
- 13 Lands Acquisition Act 1978
- 14 Local Government Act 2019
- 15 Mineral Titles Act 2010
- 16 National Gas (Northern Territory) Act 2008
- 17 Pastoral Land Act 1992
- 18 Petroleum Act 1984
- 19 Petroleum (Submerged Lands) Act 1981
- 20 Planning Act 1999
- 21 Port of Darwin Act 2015
- 22 Ports Management Act 2015
- 23 Radiation Protection Act 2004
- 24 Radioactive Ores and Concentrates (Packaging and Transport) Act 1980
- 25 Special Purposes Leases Act 1953
- 26 Territory Parks and Wildlife Conservation Act 1976
- 27 Traffic Act 1987
- 28 Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010
- 29 Waste Management and Pollution Control Act 1998
- 30 Water Act 1992
- 31 Water Supply and Sewerage Services Act 2000
- 32 Weeds Management Act 2001

There has been and can be no rational explanation for scheduling any of these Acts in this Bill. For example the Weeds Management Act is an Act to protect the Territory's economy, community, industry and environment from the adverse impact of weeds. Already it is too weak and frequently ignored, that's why we see gamba and buffel grass still spreading everywhere. The costs of not combating weeds is known to be millions more than the costs

of containing them, so this is not good economic sense to waive this law. It goes against rational environmental action as well.

The Fisheries Act is an Act to provide for the regulation, conservation and management of fisheries and fishery resources so as to maintain their sustainable utilisation, to regulate the sale and processing of fish and aquatic life, and for related purpose. Allowing this law to be overlooked opens the door to all manner of future misuses. If we are not aiming to protect fishing in the NT we are governing badly.

Responding to the Territory Coordinator Draft Bill January 17 2025

Thank-you for taking my considered recommendations into the Action Plans of the Office of the Territory Coordinator.

It is about time we got some real action happening to ensure our beloved Territory is a safe and lovely place to live with our free and varied lifestyles and the capability to make it pleasant and enjoyable.

We urgently need a swift project manager to eliminate unnecessary burdens on our highly stressed climate. They must end gas extraction activities, curtail land clearing, burning and agricultural practices to ensure we reach negative emissions in the near to medium term. Net zero by 2050 is not good enough. The Northern Territory needs fast rail and rail services across the length and breadth so that transport emissions are greatly reduced. We need to ensure all homes have capacity for comfortably living in our inexcusably warming climate.

The Northern Territory is simultaneously in need of improving the social inequalities it now suffers. All Territorians should feel welcome and that they belong. We should be celebrating the ancient culture of the First Nations peoples and eliminating racism. Building many more appropriate houses, closing the gap and avoiding the high incarceration rates would go a long way to reducing the divides.

Good economics means there aren't hungry days. Economics should be measured on how the bottom 30% are doing in the grocery shops and not the top 1% in the stock market. Jobs and training for Territorians need to be easier to access and better supported.

It's time to reduce inequality and racism

The interim Territory Coordinator repeatedly applauded a graph suggesting we have way too much public expenditure and insufficient private investment. Yet it is likely that all we got from the recent bump in public spending was the most costly project in NT history - a

horrid superjail: the Sentinel consortium will ultimately receive \$1.8 billion¹ for the construction and operation of the Holtze prison. Lots of money, but we must question if it achieves any reduction in crime. And not a cent for the promised bus which has never run and the visitation rates are much lower than at the more approachable old Berrimah jail.

Shamefully, the NT is amongst the most jailed regions on the planet, as over 1% of the Territory's population is incarcerated.² First Nations people make up 88% of adults in jail, and 98% of youth, yet the NT government seems keen to increase this.

Although an appalling -one in twenty- people from Wadeye are locked up,³ crime continues. Locking them up won't fix the issues that come with making seven different tribal groups with four different languages, laws and beliefs live harmoniously on one tribe's land. Often cheap and nasty fixes with zero consultation create problems that are very hard to resolve.

The mass incarceration of Aboriginal people is the direct result of government policies and continued discrimination in the legal system. Recidivism rates in the NT are the highest in the nation: a whopping three quarters of prisoners have been there before, making it clear, the threat of imprisonment *does not* reduce the likelihood of people committing crime. The "tough on crime" response only makes matters worse, further cementing our divided society. With no remand centres, appalling conditions and scarce rehabilitation, jailing is making crime worse.

There have long been widespread calls for well-funded programs to tackle the underlying causes of crime over prison sentences, to reduce youth and adult offending and recidivism, and actually make our communities safer.

Unfortunately, I see no indication the Territory Coordinator will do anything but exacerbate the cruel incarceration issues we have. We cannot have a lovely safe NT without addressing the many racist and cruel systems we currently rely on. Appallingly the Territory Coordinator Bill looks to exacerbate these cruel practices.

Climate is ignored at our own peril

By mid-century under a high emissions scenario (as we are having with Inpex, Beetaloo and Barossa plans), the CSIRO⁴ advises: "*Darwin is projected to be more like the current climate of Jabiru.*" Have you been to Kakadu lately? The BoM⁵ reports that in 2024, Jabiru experienced 17 noxious days over 40 degrees, which sadly is close to their new mean: it used to be much fewer and rarer, even though the data only goes back to 1971. Meanwhile, Darwin's hottest temp ever was "only" 38.9. So far.

¹ [New Holtze prison costing Territorians more than a million dollars a week | NT News](#)

² <https://www.theguardian.com/australia-news/2025/jan/09/northern-territory-prison-population-watch-houses>

³ https://www.facebook.com/story.php?story_fbid=995166362654547&id=100064835766845&_rdr

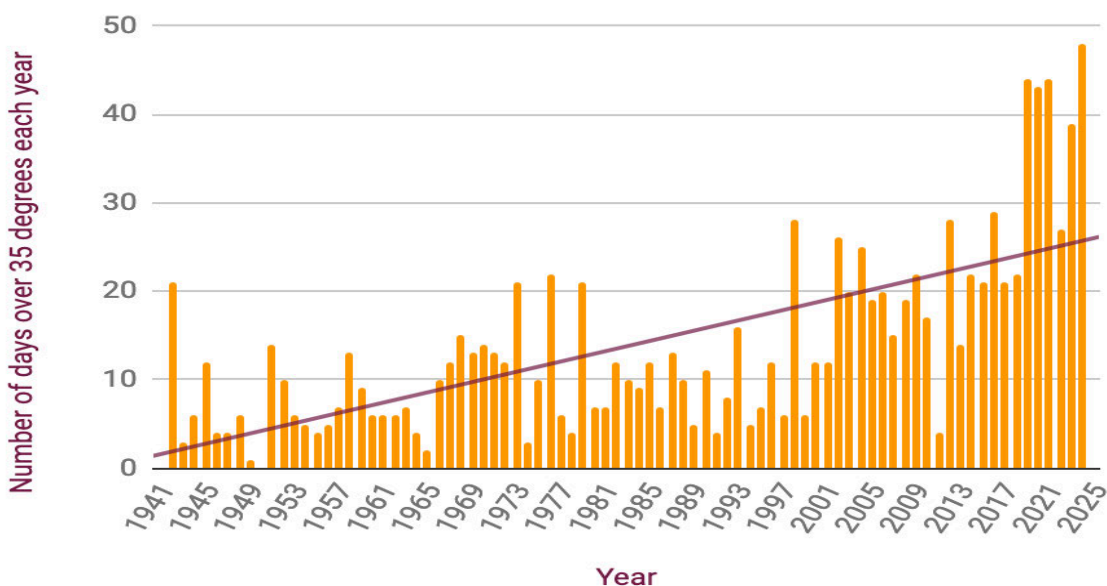
⁴ [Northern Territory - Changing Climate](#)

⁵ http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=122&p_display_type=dailyDataFile&p_startYear=2024&p_c=-40310103&p_stn_num=014198

Last year in Jabiru, there were a whopping 184 hot days over 35 degrees. In comparison in 2024 Darwin sweltered with “only” 48 such hot days, where it used to be an average of only a week. Our economy won’t thrive when Darwin has 184 super hot days a year.

Number of days each year over 35 degrees at Darwin Airport 1941 to 2024

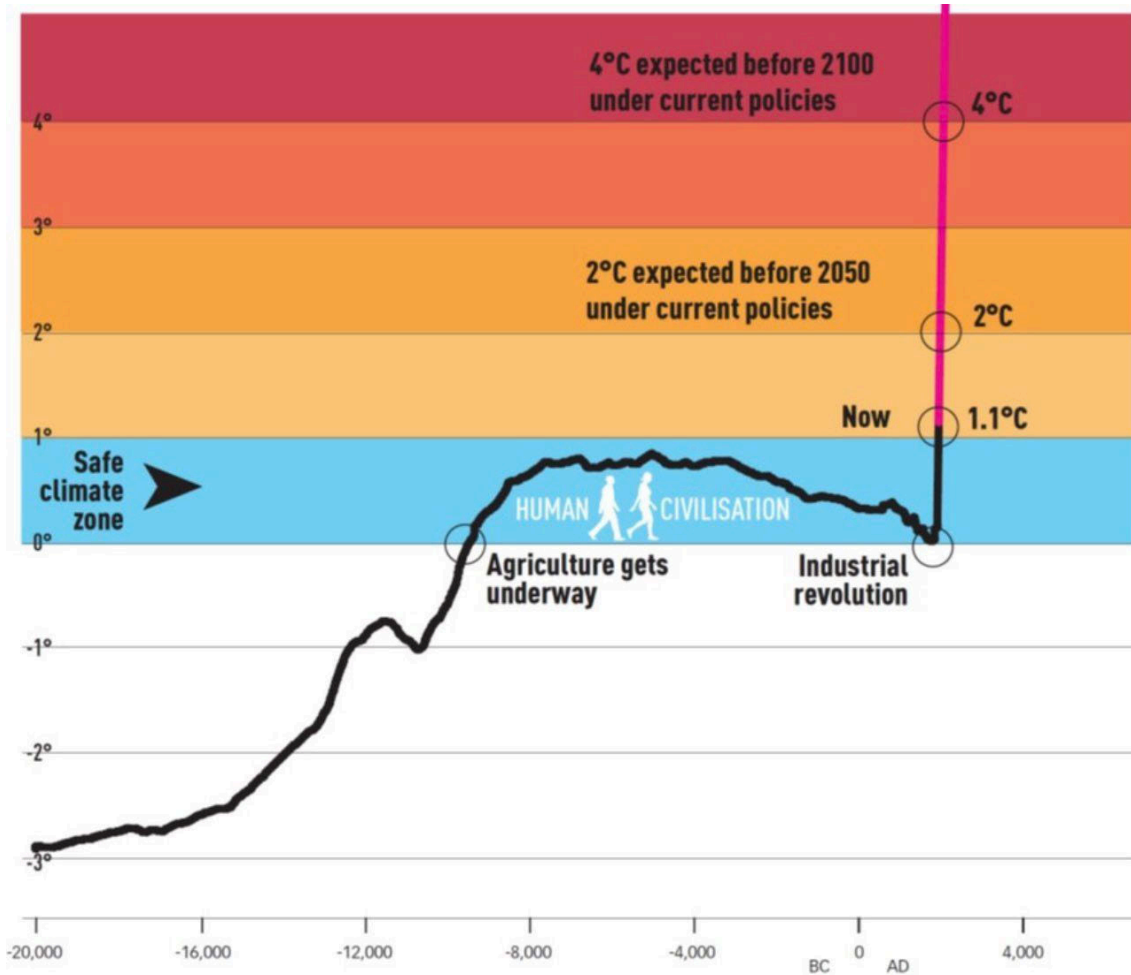
There is a clear warming trend



This warming trend sees CSIRO predicting over 35 degree days as the norm for Darwin by the end of the century. There will be no Dry season. This would mean all those who work outside or cannot afford good aircon do not do well. Outback NT will be a dangerous place to live. Agriculture and fisheries will be decimated. Tourism will be gutted. This will mean mass exodus and economic calamity.

Already our youth are experiencing climate insecurity. Most leave the NT for university and travel and few return: there’s a community level youth exodus as is only sensible as it is clear we are departing the -climate safe zone-.

We need a Territory Coordinator who can ensure all efforts are made to bring us to negative zero as soon as possible. It is simply not possible to release the ancient gas from the Beetaloo and Barossa, or process them at Middle Arm, and have a healthy economy.



We can't live here if we can't afford insurance

Worsening extreme weather and natural disasters are largely to blame for higher insurance premiums⁶. The Australian Treasury examined rising insurance costs in northern Australia and found that *reducing the risk of damage* is the only way to reduce insurance costs.⁷ That means reducing the pollution of the climate already.

The Insurance Council also recommends industry and governments need to continue to tackle the underlying driver of worsening extreme weather, climate change, by maintaining a focus on achieving net zero emissions by 2050.⁸

The Senate Committee tasked with studying rapidly rising insurance costs placed a cause at the foot of the fossil fuels emissions by recommending:

⁶ <https://michaelwest.com.au/climate-risk-main-reason-premiums-are-rising-insurers/>

⁷ https://ehq-production-australia.s3.ap-southeast-2.amazonaws.com/fda529d1287ded49bedf70e75158bf16705d43a9/original/1606270541/Discussion_Paper_Climate_Emergency_Response.pdf

⁸ The Insurance Council's submission: [Submissions – Parliament of Australia](#)

“The Treasury develops options for a levy on coal and gas extraction companies, based on the annual energy content they have extracted, from which the funds raised would be invested in disaster mitigation and resilience measures, and the cost of rising insurance.”⁹

Already Territorians are finding insurance costs sky-rocketing due to the fires and floods down south. And the outlook is that insurance will keep rising. We simply must focus on ending our pollution of the climate.

Allowing a gas-happy Territory Coordinator to enhance the already staggering greenhouse gas emissions coming from the NT will be a disaster for the ability of Territorians to pay insurance premiums. Instead they should be tasked with ending climate chaos.

Stranded assets could result from having a myopic law

Climate policies and competitiveness are expected to cause global demand for fossil fuels to steeply decline. It is estimated that necessary action to reduce emissions could turn 50% of gas reserves into stranded assets for extractive companies.¹⁰ Application of the extraordinary Notices powers to prioritise fossil fuel exploitation over alternative economic activity distorts the economy and further exposes Territorians to that very real risk in the global economy.

In addition, climate change policy within the near term is not priced into current markets and the longer the delay, the more disorderly, disruptive and abrupt the transition will inevitably be.

Water is not inexhaustible

Climate change will have a significant impact on Darwin’s water supply. Darwin’s topography is ancient and flat, with broad shallow reservoirs, so the rising heat combined with rising evapotranspiration and evaporation rates will limit the yield. Models indicate a potential 13% reduction in yield from Darwin River Dam by 2030 and further reductions by 2070.¹¹

Water demand is also an issue in Darwin, as households consume almost triple the national average. Further, increased variability in rainfall patterns could see dire issues if there were successive dry Wet seasons. There is significantly increased water demand during extended

⁹ [Report – Parliament of Australia](#)

¹⁰ https://ehq-production-australia.s3.ap-southeast-2.amazonaws.com/fda529d1287ded49bedf70e75158bf16705d43a9/original/1606270541/Discussion_Paper_Climate_Emergency_Response.pdf

¹¹ https://ehq-production-australia.s3.ap-southeast-2.amazonaws.com/fda529d1287ded49bedf70e75158bf16705d43a9/original/1606270541/Discussion_Paper_Climate_Emergency_Response.pdf

Dry seasons. Darwin's heightened water demand, which has grown annually by over 2% since 1980, will continue growing if we keep amping up population and industry growth.

Alternative sources of water are not conducive to excellence in managing our biodiversity. Our flat topography and very high evaporation rates makes water conservation the first effort to be made, not flooding vast tracts of forest.

Water supply and quality is also an urgent issue across the NT. Water quality in NT communities too often fails to meet national health guidelines.¹² Poor access to safe water exacerbates already poor health outcomes in our First Nations peoples. We cannot have a lovely prosperous lifestyle with inadequate water. We cannot allocate the water without considering its sustainability if we are to manage the NT well.

Biodiversity loss can be avoided

We Territorians have already witnessed an abrupt drop in small mammal abundance, and eight out of the 20 mammals most likely to go extinct within the next 20 years live in the NT's savannas. Even the most well-managed conservation reserves are seeing a decline in native animal abundance. Fragmentation, landclearing, excessive fires, weeds, feral animals and climate change are all contributing.

It is still not too late to ensure large-scale, long-term ecological, cultural and evolutionary processes can be maintained to ensure healthy ecosystem function and biodiversity. We must avoid the legacy of destroyed ecosystems seen elsewhere. I am not alone to be deeply concerned by the rate of increase in land clearing, driven by a strong push for industrial and agricultural expansion. We do not need a Territory Coordinator to make this happen, it's already happening: there is no green or red tape.

Unsustainable, inappropriate development delivers only environmental degradation. Land clearing is both the leading driver of biodiversity loss, and a considerable source of greenhouse gas emissions. The Northern Territory is completely unprepared to respond to the environmental threats posed by the proposed large-scale agricultural development in a wider context of ecological and climate collapse.

Concerningly, the interim Territory Coordinator seems determined to streamline regulation, when it's still deficient in protections, as explained in the [Environment Centre's Nature Laws Paper](#)¹³.

¹² [Annual Drinking Water Quality Report 2023](#)

¹³ Page 18

Conclusion: Sack the Interim Territory Coordinator and scrap the Bill

What we need is vision. Do we want a cooked NT, with many of the First Nations people either destitute or serially incarcerated, even more FIFO southerners, doing time in the Territory only when paid well, and the environment suffering from an even greater level of incineration, diminishment and extinction than we have now?

Or can we cherish our best assets, the ancient cultures, our unique and beautiful environment. Can we have more generational Territorians: those whose offspring stay and thrive? Can we ensure public funding is spent where they are best and independently recommended to, so that all Territorians benefit? Can we have a safe lifestyle?

The unique biodiversity of the Northern Territory, combined with First Nations justice issues and the rate of biodiversity decline in the Territory, necessitates the development of bespoke, best-practice law and policy that promotes First Nations justice and is designed to genuinely protect and restore the Territory's ecosystems. And bring us sustainable prosperity.

Responsible economic development requires having many checks and balances in place by independent bodies. This Bill places too much power with the Territory Coordinator resulting in a lack of well researched and independent oversight. There needs to be a greater separation of powers.

A clearly pro filthy fossil fuel, anti-clean environment, rip and ship business man is not a suitable person to fix the NT economy. Indeed no one person would be.

We have a democratic system with MPs and Ministers and departments and laws to ensure everything is done to the best of our abilities. We simply cannot sweep the laws aside. If there is a problem with an Act, the Act should be amended not ignored. If we lose our democracy we lose our ability to have a just, safe and prosperous Northern Territory.