

Comments on Environment Legislation Amendment (Safe Air) Bill 2026

by Grusha Leeman, Darwin

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Thank-you for taking the time to consider my comments. I am a long term Top End Territorian, with local education and interest in environmental management. I was not alone upon approving of the news that our NT government was planning to introduce a new air quality testing plan, including measuring carcinogenic emissions.¹ It is appalling that the Northern Territory government ignored serious health risks to the public from fossil gas processing plants for years. The details seem merely aspirational and much too vague to be anything more than lipstick on a pig.

I note that this Bill establishes a pathway for air monitoring through NT regulations. My understanding is Bills are the law and regulations can be altered in secret at the drop of a hat. I suggest that the main things we need are embedded in the law. The regulations are there just to keep things up to date, to improve upon the law, not be everything.

Air pollution is not a new unstudied field, we know what toxins might be expected to be out there. Yet there seems to be no prescription for what is to be monitored. When we are sick our doctors send us to the vampires to have our liquids tested for specific diseases or to measure known attributes. Having a law that does not define what might be tested means we cannot be sure the doctor isn't a quack, merely going through the motions. Any good law similarly prescribes what is to be monitored. This is unlikely to need to be changed. Even if we were to improve our environmental management so that we no longer suffer from excessively relentless bushfires, and we close the horrendously climate polluting fossil fuel factories, we should keep monitoring the air quality.

We should have mandatory explicit continuous monitoring relating to toxins such as (but not limited to):

- PM2.5 (fine particles <2.5µm)
- PM10 (coarse particles <10µm)
- carbon monoxide (CO)
- nitrogen dioxide (NO₂)
- ozone (O₃)
- sulphur dioxide (SO₂)
- prominent volatile organic compounds (VOCs), including benzene and toluene.

These should be compared to best standards available such as WHO annual air quality guidelines, so everyone can know how safe the air is.

The Queensland Government monitors benzene, toluene, xylene and formaldehyde levels in Gladstone, where industrial emissions are the major sources of pollutants. If we cannot dream up our own work, we can at least copy our neighbours.

¹ [NT government introduces new air quality testing plan, including measuring carcinogenic emissions - ABC News](#)

Standards should be the world's best practice, or at least explicitly linked to Australian best practices. It is unacceptable that Darwin accepts air quality levels that are much filthier than Texas.

Clearly as our understanding of the impacts of toxins improves, so should the limits they can be tolerated to be at be improvable. So the Bill should require the current best limits, and the regulations should state what the latest figures are.

For example, the 2021 WHO guidelines were improved from the 2005 guidelines:

- **PM2.5:** 5 $\mu\text{g}/\text{m}^3$ annual average, 15 $\mu\text{g}/\text{m}^3$ over 24 hours
- **PM10:** 15 $\mu\text{g}/\text{m}^3$ annual average, 45 $\mu\text{g}/\text{m}^3$ over 24 hours
- **Nitrogen dioxide (NO₂):** 10 $\mu\text{g}/\text{m}^3$ annual average, 25 $\mu\text{g}/\text{m}^3$ over 24 hours
- **Ozone (O₃):** 60 $\mu\text{g}/\text{m}^3$ peak season average, 100 $\mu\text{g}/\text{m}^3$ over 8 hours
- **Sulfur dioxide (SO₂):** 40 $\mu\text{g}/\text{m}^3$ over 24 hours
- **Carbon monoxide (CO):** 4 mg/m^3 over 24 hours

There was a 75% reduction in the NO₂ annual limit, from 40 to 10 $\mu\text{g}/\text{m}^3$, reflecting the growing evidence about its health effects. Nitrogen dioxide is produced primarily by burning fossil fuels, especially from vehicle engines and power generation. We hit around 15 $\mu\text{g}/\text{m}^3$ this morning in Winnellie, so this is definitely a toxin to be watched.

The World Health Organisation advises there is no safe level of benzene exposure that can be recommended for humans.² So besides making more efforts to avoid it, we would have very low limits.

When safe levels are exceeded, there should be penalties that remove the profits from the business. Paltry fines are mere running costs and not indicative of the impact on residents. Penalties that are profit level will be required to build the necessary hospital beds, pediatric cancer wards and extra palliative care centres. In addition, no further sales of product, indeed a total shut down should be mandated until the source of the leaks that caused the excess toxins to be released. Should they be from operational activities like flaring, then the operation will have to wait once the limit is approached.

Should they be from several sources, all efforts should be done to bring the toxins down. For example whilst there is excessive bushfire worsening air quality, the LNG industry should be required to slow down or halt activities. Clean air should not be an after-thought or an optional extra. It is recommended that a whole-of-Darwin airshed health risk assessment be carried out that looks at all major sources of air pollutants across facilities, not just one source at a time. This would allow the combined effect of all sources operating at the same time to be assessed.³

² [A MAJOR PUBLIC HEALTH CONCERN Sources of exposure to benzene](#)

³ https://ntepa.nt.gov.au/_data/assets/pdf_file/0009/1594944/nt-health-fs-hra-benzene-and-toluene-air-emissions.pdf

Improved geographical positioning of monitoring is necessary. There should also be a recognition that monitoring alone does not make clean air. So strong penalties aimed to prevent breaches, combined with stringent caps should be required.

An independent, permanent air monitoring program in greater Darwin, that is shared transparently in real time with the public, is required. The first step to protecting our air quality is to provide clear independent data on pollutant levels, now and into the future.

Also, there needs to be prompt start dates for measuring these toxins. No start date means it might be aspirational and not commence for many years.

We need all the details to be prescribed in the Bill. Updates can be in regulations, but the how, what, when, where and how much should be in the Bill.

Note, lastly I am concerned that section 5 states:

“This Act is repealed on the day after it commences.”

Surely this work is expected to continue until a review can reasonably be achieved, such as *“This legislation expires on 1 September 2029.”*⁴

⁴ [Environmental Protection \(Air\) Policy 2019 - Queensland Legislation](#)