

## **Submission on the Territory Coordinator Bill 2025**

I live and work in Darwin and I appreciate the opportunity to provide feedback on the proposed Territory Coordinator Bill 2025, a bill that is manifestly inappropriate, does not acknowledge the rights of average Territorians, and rides roughshod over the parliament. I love the Territory and I am committed to it thriving. I work in governance and am engaged in the community and public affairs. I value good governance and know what it looks like.

### **Recommendation 1: Do not pass the Territory Coordinator Bill.**

**Recommendation 2:** At the absolute minimum, the bill should be amended to:

- Remove the exemption notices power.
- Remove the primary principle.
- Remove the powers to access land.
- Remove the following from the Scheduled Acts:
  - Radiation Protection Act 2004
  - Radioactive Ores and Concentrates (Packaging and Transport) Act 1980
  - Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010
  - Environment Protection Act 2019
  - Water Act 1992
  - Water Supply and Sewerage Services Act 2000

The proposal is out of step with other jurisdictions, disregards the importance of the environment, climate, tourism, and culture, and seeks to embed extreme powers in an unelected appointee and the office of a single minister, undermining crucial tenets of our democracy. The Legislative Assembly should reject this legislation.

The Queensland Coordinator-General (QCG) has powers similar to the proposed Territory Coordinator (TC)'s Prioritisation, Progression, and Decision powers. The QCG can also step in and become a decision maker in place of a public servant or agency decision maker. The Northern Territory Government (NTG)'s proposal goes much further, allowing the TC to override a ministerial decision maker and allowing the Chief Minister to override entire pieces of legislation.

The parliament is the legitimate source of law in Westminster democracy. **The bill encroaches on the purview of the Legislative Assembly** by allowing the Chief Minister and TC to override, modify, or ignore key laws. It is illegitimate and antithetical to good governance and to democracy. Part 7, Division 4 Exemption notices should be removed from the bill entirely, if the bill is not scrapped.

The tabling of exemption notices in the Legislative Assembly for possible disallowance is insufficient. The usual gap between sitting weeks is two to three months. It would be highly problematic were an exemption notice to be issued in November, with works progressing for three months before the Legislative Assembly could consider disallowing the notice. **The bill has insufficient regard to the institution of parliament.**

The primary principle elevates the economy above all other considerations. This is detrimental as it disregards the importance of the environment and tourism on the Territory's economy.

Currell et al<sup>1</sup> found that “current groundwater regulations in the NT... are poorly suited to protect ecological, Indigenous socio-cultural and other water use values.” Proper consideration and custodianship of the Territory’s environment is **already lacking** in development processes. Ignoring considerations other than the economy poses significant risks to the Territory.

The Territory Coordinator would mean ordinary people lose out to big business. This bill treats individual rights and liberties as non-existent. Allowing authorisation for government and business agents **to enter private land**, without a warrant or permission, **to conduct any works they deem reasonably necessary** gives no regard to rights or liberties of landowners. Landholders’ inability to challenge this authorisation is disgusting and breathtaking, as is the Territory Coordinator itself deciding on compensation (if any).

Nuclear industries and radioactive materials are highly risky. It would be extremely dangerous to loosen the implementation of the *Radiation Protection Act 2004*, *Radioactive Ores and Concentrates (Packaging and Transport) Act 1980*, and *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010*.

The inclusion of National Uniform Legislation is inappropriate. The public information about the TC bill referred often to it not applying to Commonwealth legislation. Including National Uniform Legislation in the Scheduled Acts is antithetical to the declared intention and disingenuous.

The Territory’s economy and tourist attractions rely on a healthy environment. Our environment is fragile, and ignoring the *Environment Protection Act 2019*, *Water Act 1992*, and *Water Supply and Sewerage Services Act 2000* will make things worse. Currell et al found that current Territory groundwater regulations are poor, and Lamontagne et al<sup>2</sup> found that groundwater sources of the Roper River and Mataranka Springs are insufficiently understood to predict extraction and contamination. In this context, existing environmental regulations should not be overridden. This is not a theoretical problem: **in January, news emerged of contaminated Beetaloo Basin water affecting vegetation.**<sup>3</sup> The listed laws should be removed from the Scheduled Acts.

Ministerial responsibility is at the bedrock of Westminster-style government. The proposed TC undermines this by centralising decision-making power with the Chief Minister and the TC, allowing them to act as any minister in a portfolio with responsibility for a Scheduled Act. Step-in notices should be removed from the bill to remedy this problem.

The scope of the Territory Coordinator far exceeds anything mentioned in recent election campaigns. The public could not expect such sweeping powers. The NTG should not go ahead with legislating the Territory Coordinator. This proposal is poorly considered. It poses risks to our environment, tourism, and economy, threatens Aboriginal cultural sites, practices, and safety, and is anti-democratic and will erode good governance.

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<sup>1</sup> Currell, M., Jackson, S., & Ndehedehe, C. (2024). Risks in the current groundwater regulation approach in the Beetaloo region, Northern Territory, Australia. *Australasian Journal of Water Resources*, 28(1), 47–63. <https://doi.org/10.1080/13241583.2023.2297949>

<sup>2</sup> Lamontagne, S., Suckow, A., Gerber, C., Deslandes, A., Wilske, C., & Tickell, S. (2021). Groundwater sources for the Mataranka Springs (Northern Territory, Australia). *Nature*, 11:24288. <https://doi.org/10.1038/s41598-021-03701-1>

<sup>3</sup> <https://www.abc.net.au/news/2025-01-15/nt-beetaloo-basin-incident-experts-concerned/104816526>