

SUBMISSION TO LEGISLATIVE SCRUTINY COMMITTEE INQUIRY INTO TERRITORY COORDINATOR BILL 2025

Thank you for the opportunity to provide input to this important Inquiry into the *Territory Coordinator Bill 2025* – a Bill which, should it be passed, would have profound implications on how NT Government policy and project decisions are made into the future.

I note that the Committee is to inquire into and report on:

- (i) whether the Assembly should pass the Bill;
- (ii) whether the Assembly should amend the Bill;
- (iii) whether the Bill has sufficient regard to the rights and liberties of individuals; and
- (iv) whether the Bill has sufficient regard to the institution of Parliament.

I shall focus on questions (i) and (iv) of the above terms of reference. My concerns, including those that relate to (iv), means that my answer to (i) is a clear NO.

Firstly, a bit of background. I moved to the Northern Territory in 1990 after working with the Commonwealth in Canberra for some five years. In the NT I worked for both the NT and the Commonwealth Governments in various areas including health policy and program development and management, public transport, disability, Indigenous program implementation and compliance.

I have been involved in very successful government programs and have seen where even with the best intentions policy and programs have failed.

My experience and observations confirmed that governance structures and assessment and decision-making processes are critical to how an organisation (whether private or public) works and how successful it might be.

Key predictors of success/failure include:

- the nature and quality of advice available to decision-makers,
- decision-makers receptiveness to diverse views,
- opportunities to adjust policies and programs as circumstances change,
- clarity of roles and the relationship between those making decisions and those implementing those decisions.

Risks of having bad outcomes increase due to poor decision-making as a result of overly rushed, inadequate or biased information; poor allocation or misdirection of resources; inappropriate program and project design; inability to steer a new course in changing political, economic, social or natural environments; delays in program delivery; and poor implementation.

This Coordinator / Chief Minister proposal would diminishes the status, stability and certainty provided to the community and investors by the NT's legislative framework and would effectively undermine the role/purpose and authority of the NT Parliament, its Ministers and Departments.

It begs the question – if the Chief Minister is able to arbitrarily direct agencies to not comply with currently legislated policy and project assessment and development processes, what becomes the role of Ministers?

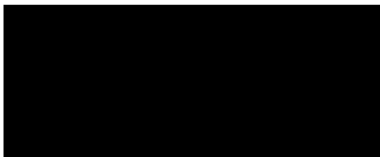
Then, having short-circuited planning approvals processes (increasing risk) there would be less opportunity for challenge or review – further locking in potentially bad decisions.

The proposal would provide a short-cut process for industry proponents of select mining (oil/gas and other extractive industries), agribusiness, defence etc projects often from multinationals that may not deliver short, medium or long-term benefits to the Territory, may be costly and may even leave additional impossible-to-remedy legacy problems for Territorians. In summary, significantly increase risks – reputational, financial, social and environmental and may jeopardise projects which have real potential to benefit the NT.

The focus of the proposal is on increasing the speed of project assessment and approval – not as it should be on ensuring appropriately comprehensive and timely assessment of proposals and approval of only those that will demonstrably improve the NT economy, strengthen community, and are sustainable in the full meaning of that term (which includes protecting or enhancing the natural environment).

While there is scope for improving the existing legislated requirements and how well and quickly NT Ministers and departmental agencies perform their roles, the current arrangements do allow for appropriate consideration of (sometimes complex or competing) information, making sensible informed decisions, tailoring and reviewing projects, all of which increase the likelihood of successful outcomes.

Creating a flawed and inadequate structure, sidelining those with expertise, and pushing through bad ideas will deliver problems in spades.



Andris Bergs



19 February 2025

.....
Note:

I am pleased that the Legislative Scrutiny Committee is considering whether, and if so how, to establish a Territory Coordinator because the consultation process to date has only sought the views of various vested business interests, let the community know it's happening, and then allowed limited input to fine-tune functions and powers. Consultation to date has been more of a marketing exercise, treating the proposal as a 'done deal'.

The Consultation report stated that there were 559 written submissions – 270 of which were campaign e-mails, 204 were individual submissions, 43 from community groups or government, and 42 from businesses or peak bodies.

*The nature and level of analysis of submissions as provided in the Consultation Report was woefully inadequate and emphasised those submissions that supported the proposal. This Committee has the opportunity to further drill down into the views of **all** those who made earlier submissions – those who supported **and** those against this proposal.*