

Feedback on the

## Draft Territory Coordinator Bill 2024

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**Submitted by:**

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**Submitted to:**

Department of the Chief Minister and Cabinet

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## Key Summary Points

1. The Territory Coordinator Bill 2024 (the Bill) undermines existing environmental protections. This will create significant uncertainty in the approval processes. Claiming to streamline the decision-making process for developments in the NT, instead it will contribute to poor environmental and social outcomes and cloud the overall approval process it aims to simplify.

Of particular concern with this Bill are;

- Increase risks associated with unforeseen consequences due to allowing one person with little oversight making overriding laws without the appropriate consultation procedures;
- Reduces scope for community input in decision making by deteriorating rights for review of decisions.
- Represents an overreach of power and potential conflict of interest, vesting significant decision-making power in an unelected bureaucrat and a single minister, which currently is the Chief Minister;
- Could put at risk things that Territorians value, like our environment, lifestyle, and health, by weakening legislative protections that are designed to safeguard these things;
- Contains an ill-defined 'primary principle' that does not adequately reflect the genuine interests of Territorians;
- Undermines existing regulatory processes that are already under-resourced;

## 2. I strongly recommend against the passing of the Bill.

3. In the event that the Government decides to proceed with the Bill, I suggest at minimum the following changes:

- Remove the powers to issue 'step in' and exemption notices: these powers create significant uncertainty and the possibility for complex, unintended legal interactions.
- Better access to information: Notices designating certain projects or development areas as 'significant' should be required to be published in an easily accessible online location, such as the Office of the Territory Coordinator's website.
- Better recognition of interests outside industry: The definition of "interested party" should include a category for a person or organisation whose functions, interests or activities may be affected by actions in the area.
- Amend cl 14 to include the Minister: the limitation on power in cl 14 is designed to reduce interference with agreements with the Commonwealth, and with certain laws. To be effective, it should include decisions by the Minister as well as the Territory Coordinator.
- Better review rights: merits review is fast and affordable. Using this Bill as a backdoorway to remove the merits review rights that exist under numerous other laws.

It is of great concern to the residents of the Northern Territory that large scale developments which impact our environmental, social and economic interests could be handed over to a singular approval pathway. There are indications that both the Chief Minister and the potential Territory Coordinator could have conflict of interest in their connections to the very industries they will be

approving. This Bill would see an exclusion of oversight and public input and in our current democratic process that is simply unacceptable.

It is with great emphasis I plead the committee to reject this Bill, or at the very least include some safeguards for public review and scientific advisory.

Regards,

Colton Perna