



Legislative Scrutiny Committee
GPO Box 3721, DARWIN NT 0801
Via email: LA.Committees@nt.gov.au.
19 February 2025

Submission to the Northern Territory Government on the Territory Coordinator Bill

Introduction

Keep Top End Coasts Healthy (KTECH) is an alliance committed to safeguarding the health of Northern Territory coasts, supporting sustainable economic growth, and ensuring a strong future for our communities, culture, and fishing lifestyle. We work alongside Traditional Owners, recreational fishers, tourism operators, and local communities to promote policies that protect one of the Territory's greatest natural assets: - our Top End coasts and rivers.

Top End Coasts are at the heart of our Top End lifestyle. They are critical to our collective opportunity and prosperity, contributing \$2billion to the Territory economy each year and supporting more than 6,000 jobs¹. Our Top End coasts underpin one of the most important economic and cultural pursuits – the Top End shing experience. We must protect the unique Territory brand which makes our tourism economy and industries like aquaculture, pearling and fishing, so successful. **This is what is at risk if we fail to protect the health of our Top End coasts.**

Our previous submission on the Exposure Draft is available [here](#). The key concerns and issues we identified in that submission have not been addressed, and in some instances, have been exacerbated by further changes to the Bill. Therefore, we reiterate the contents of this submission. It is included at Appendix A.

We are deeply concerned about the Territory Coordinator Bill and the unprecedented powers it grants to the Chief Minister and an unelected bureaucrat. This Bill threatens democratic oversight, environmental protections, and the integrity of our natural resources—critical foundations of our Territory's economy, tourism, and lifestyle.

Key Concerns

1. Overreach of Power and Loss of Accountability

¹ Neville D. Crossman, Natalie Stoeckl, Kamaljit K. Sangha and Robert Costanza. 2018. Economic Values of the Northern Territory Marine and Coastal Environments. Available at www.topendcoasts.org.au/timely_new_report

The Bill centralises power in the hands of the Chief Minister and the Territory Coordinator, enabling them to override existing environmental protections and regulatory processes. Independent bodies like the NT Environment Protection Authority exist to scrutinise and regulate development proposals, ensuring balanced outcomes for the community. Bypassing these institutions undermines democratic principles and puts our lands, waters, and communities at risk.

2. Threats to Our Coastal Economy and Jobs

The Territory's marine and coastal environment contributes **\$2 billion annually** to the economy, supporting over **6,000 jobs** across tourism, fishing, and regional industries. Coastal tourism alone generates **\$691 million per year** and employs **5,500 Territorians**. Healthy coasts and rivers are the backbone of these industries. Fast-tracking industrial projects without appropriate environmental scrutiny threatens these key economic drivers and the long-term sustainability of regional employment.

3. Risks to Water Security and Environmental Protections

The Bill allows exemptions from **32 key environmental and land management laws**, including the *Environment Protection Act 2019* and the *Water Act 1992*. This could accelerate projects that involve large-scale land clearing, fracking, and industrial water extraction, with minimal safeguards. The NT already faces increasing environmental pressures, from declining fish stocks to climate change impacts on mangroves and coastal ecosystems. Weakening protections will only worsen these challenges.

4. Impact on Traditional Owners and Regional Communities

More than **85% of the NT coastline** is owned and managed by Traditional Owners, whose cultural and economic lives are intrinsically linked to the health of Sea Country. The Bill removes key public consultation requirements, diminishing the ability of Traditional Owners and regional communities to have a say in developments affecting their lands and waters. Sustainable tourism, Indigenous ranger programs, and Sea Country management initiatives offer viable, long-term economic opportunities—these must be strengthened, not undermined.

5. Lack of Checks and Balances

There are **very few restrictions** on the powers of the Territory Coordinator. Alarming, the revised Bill has *removed* previous safeguards that protected Aboriginal Land Rights and sacred sites. Additionally, the Bill:

- Grants the Territory Coordinator the power to exempt projects from environmental and planning laws without requiring public justification.
- Expands land access powers, allowing entry onto private and Aboriginal lands for industrial development.
- Introduces Infrastructure Coordination Areas (ICAs) that further diminish regulatory oversight.

These provisions go beyond what is proposed in other Australian jurisdictions and represent an unacceptable overreach.

Recommendations

1. Repeal or significantly amend the Bill to remove exemption powers and restore independent regulatory oversight for environmental approvals.
2. Strengthen transparency and accountability mechanisms, ensuring all major project decisions are subject to public consultation and independent review.
3. Uphold protections for coastal environments, including maintaining safeguards under the *Environment Protection Act 2019* and *Water Act 1992*.
4. Prioritise sustainable economic development, including investment in marine tourism, Indigenous ranger programs, and science-based fisheries management.
5. Guarantee that Traditional Owners and regional communities have a genuine say in projects affecting their lands and waters.

Conclusion

The Northern Territory's coasts and natural environment are fundamental to our economy, lifestyle, and identity. The Territory Coordinator Bill represents a reckless and undemocratic shift in policy that threatens our coastal tourism, fishing, and natural heritage.

We urge the NT Government to abandon this Bill in its current form and commit to a framework that balances economic development with environmental and community protections.



Adele Pedder

Manager

Keep Top End Coasts Healthy



W: topendcoasts.org.au/

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Appendix A. Submission on the Proposed Territory Coordinator Bill 2024. 13 January 2025.



Submission on the Proposed Territory Coordinator Bill 2024

To: The Department of the Chief Minister and Cabinet

Via email: otc.consultation@nt.gov.au

Date: 13 January 2025

Introduction

Keep Top End Coasts Healthy (KTECH) is an alliance of community organisations committed to protecting the Northern Territory's unique rivers and coasts and our Top End lifestyle, fishing and local tourism economies that depend on these healthy rivers and coasts. With a strong community base of 8,000 Territory supporters, and the same number following our dedicated efforts on social media, we take pride in our decade-long history of advocating for the health of our treasured Top End way of life.

Top End Coasts are at the heart of our Top End lifestyle. They are critical to our collective opportunity and prosperity, contributing \$2billion to the Territory economy each year and supporting more than 6,000 jobs². Our Top End coasts underpin one of the most important economic and cultural pursuits – the Top End fishing experience. We must protect the unique Territory brand which makes our tourism economy and industries like aquaculture, pearling and fishing, so successful.

This is what is at risk if we fail to protect the health of our Top End coasts. Right now, our rivers and coasts are under more pressure than ever before. Many Territorians have observed that things on the water are not as good as they used to be. Fishing in places like Darwin Harbour has declined. Pollution, climate change, and unsustainable commercial fishing practices threaten our Top End way of life.

Concerns with the proposed Territory Coordinator Bill 2024

The proposed Territory Coordinator Bill 2024 raises significant concerns for the NT's environment, communities, and governance. By centralising decision-making power, reducing public participation, and prioritising economic considerations over environmental and social protections, the Bill risks the future of the Northern Territory's coasts, rivers, and way of life. This submission outlines KTECH's concerns with the Bill and provides detailed recommendations for safeguarding the NT's future.

We also refer you to the [November 2024 open letter to all Territory MLAs](#) outlining our early concerns about the Territory Coordinator proposal. It is included at Appendix A.

² Neville D. Crossman, Natalie Stoeckl, Kamaljit K. Sangha and Robert Costanza. 2018. Economic Values of the Northern Territory Marine and Coastal Environments. Available at www.topendcoasts.org.au/timely_new_report

Key Concerns:

1. Centralisation of Power

The Bill grants the Territory Coordinator (TC) and the Chief Minister sweeping powers to override statutory decision-making processes under 32 Scheduled Acts, including the **Environment Protection Act 2019**, **Water Act 1992**, and **Planning Act 1999**.

- **Lack of Accountability:** The TC's decisions are not subject to parliamentary oversight or independent review. Reports are provided only to the Chief Minister, consolidating power in a single office.
- **Removal of Independent Oversight:** Agencies like the **Environment Protection Authority (EPA)**, designed to provide checks and balances, would be sidelined in favour of expedited decision-making prioritising economic objectives.
- **Broad and Vague Criteria:** Terms such as "economic significance" and "primary principle" lack rigorous definition, enabling subjective and potentially biased interpretations.

This concentration of power sets a dangerous precedent, undermining democratic processes and the integrity of governance in the NT. We are concerned that it could result in compromising the natural and cultural heritage that defines our region.

2. Environmental Risk

The Territory Coordinator's powers would allow for the prioritisation and exemption of projects that could result in severe environmental degradation, including:

- **Water Over-extraction:** Projects such as large-scale agriculture and fracking operations in the Beetaloo Basin could deplete water tables, threatening ecosystems and communities reliant on groundwater.
- **Habitat Destruction:** Land clearing and infrastructure developments in areas like the Daly and Roper River regions risk the destruction of critical habitats for endangered species such as the Gouldian Finch and Northern Quoll.
- **Climate Impacts:** Accelerated fossil fuel developments, including gas extraction projects, would contribute significantly to greenhouse gas emissions, undermining Australia's climate commitments under the Paris Agreement.

3. Reduction in Public Engagement

The Bill removes public consultation and appeal rights for decisions under key Acts, including:

- **Water Act 1992:** Preventing community input on water extraction licences, often the only opportunity for public oversight.
- **Environment Protection Act 2019:** Bypassing environmental impact assessments and undermining transparency in decision-making.

Public participation is essential to fostering trust, ensuring equity, and upholding the rights of communities, particularly Traditional Owners.

4. Economic and Social Risks

While the Bill emphasises "economic prosperity", it risks exacerbating existing inequities:

- **Unequal Benefits:** Projects prioritised under the Bill, such as large-scale mining and fracking, often benefit multinational corporations while providing limited local employment or economic returns.
 - **FIFO (Fly-In-Fly-Out) Labour:** Many developments rely on FIFO workers, reducing local employment opportunities and leaving communities with the social and environmental costs of resource extraction.
 - **Cultural Heritage Impacts:** Accelerated development could erode cultural heritage sites and undermine Traditional Owners' connection to Country.
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Scientific and Policy Analysis

1. Environmental Science Perspective

Peer-reviewed research demonstrates that projects involving extensive land clearing, water extraction, and fossil fuel development can have irreversible impacts on biodiversity, water quality, and climate resilience. For instance, studies in the Beetaloo Basin have highlighted the fragility of aquifers in the region, which are highly susceptible to contamination from fracking chemicals.

2. Comparative Legal Analysis

Analysis by the Environment Defenders Office (EDO) reveals that the proposed Bill exceeds the powers granted to similar roles in other jurisdictions, such as the **State Coordinator** in South Australia and the **Coordinator-General** in Queensland. Unlike the TC, these roles are subject to stronger oversight mechanisms and public interest tests.

3. Risks of Unregulated Development

Unchecked development, facilitated by exemption powers in the Bill, could lead to:

- **Irreversible Loss of Biodiversity:** The NT's unique ecosystems, including mangroves, wetlands and seagrass meadows, play critical roles in carbon sequestration and habitat provision.
 - **Increased Vulnerability to Climate Change:** Large-scale developments often exacerbate climate risks, including extreme weather events and resource scarcity.
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Specific Recommendations

1. Amend or Withdraw the Bill

- Introduce clear public interest tests for all decisions.
- Restore public consultation and appeal rights under the Scheduled Acts.
- Limit the TC's powers to ensure decisions align with existing statutory protections.

2. Strengthen Oversight Mechanisms

- Require parliamentary oversight and independent review of all decisions made by the TC.
- Ensure that regulatory bodies such as the EPA retain their authority to scrutinise and regulate projects.

3. Adopt Sustainability Metrics

- Include criteria for balancing economic, social, and environmental outcomes, aligned with the UN's Sustainable Development Goals (SDGs).

Conclusion

The Territory Coordinator Bill poses a grave threat to the NT's environment, democratic institutions, community well-being and our unique Top End lifestyle. By prioritising short-term economic gains over long-term sustainability, the Bill jeopardises the Territory's unique ecosystems and the rights of its people.

We urge the NT Government to amend or withdraw the Bill, ensuring that future development aligns with principles of sustainability, equity, and transparency.

Yours Sincerely,



Adele Pedder

Keep Top End Coasts Healthy





6 November 2024

Dear CLP Member of the Legislative Assembly,

Concerns Regarding the Proposed Powers of the Territory Coordinator

On behalf of Keep Top End Coasts Healthy (KTECH), I am writing to express significant concerns regarding the recent proposal to establish the role of Territory Coordinator, as outlined in the Territory Coordinator Consultation Paper.

The Top End has a unique coastal lifestyle worth protecting. The natural environment, its beauty and the bounty it provides are central to the Top End's way of life, to economic success and to our shared futures. Top End coasts contribute \$2billion to the economy each year, supporting 6,000 jobs¹. They are a tourism magnet – core to our economy, local livelihoods and culture. This is what is on the line should we fail to safeguard their health.

Marketed as a step to simplify economic processes, the Territory Coordinator initiative raises grave concerns about its potential to dismantle established environmental protections and regulations, bypass democratic accountability, and disregard the lawful rights of the public to participate in decisions that affect the Territory. This model goes beyond what is in place anywhere else in Australia.

The Territory Coordinator proposal includes provisions that grant extraordinary powers to a non-elected official and the Chief Minister, allowing them to "step in" as decision-makers on critical environmental approvals and even issue exemptions from existing environmental regulations. These powers are deeply concerning for a community that values its natural heritage and the integrity of established environmental protections. The proposal enables the Chief Minister to declare "Projects of Territory Significance" and "Territory Development Areas," creating pathways to expedite or sidestep environmental assessments altogether and determine that a certain approval, such as a water licence, was not required. Such measures could allow controversial projects and water extraction—such as onshore gas fracking in the Beetaloo Basin, large-scale cotton farming near sensitive rivers, and extensive industrial developments—to proceed without the scrutiny or accountability traditionally required.

We fear that these provisions threaten the Territory's unique environmental assets, which are central to our cultural identity and economic sustainability. The proposed new powers could undermine the protections that these communities rely on to safeguard their way of life.

¹ Crossman, N.D., Stoeckl, N., Sangha, K. and Costanza, R. (2018) Economic Values of the Northern Territory Marine and Coastal Environments. Australian Marine Conservation Society, Darwin, Australia. [Available online here.](#)

Furthermore, the introduction of a "primary principle" that prioritises economic objectives over environmental, cultural, and social considerations risks diminishing these values that Territorians hold dear and that we cite as the reasons for calling the NT home.

Additionally, the proposal does not provide adequate checks and balances. Decisions by the Territory Coordinator and Chief Minister would be exempt from the usual levels of public and legislative oversight, with limited recourse for community members or stakeholders to challenge or appeal these decisions. Without a second house in the NT Parliament to review these exemption notices, the public's voice risks being sidelined.

The Territory Coordinator could potentially exercise powers in relation to a wide range of projects, not just those with environmental implications. It is unclear as to the reach, intended or unintended, of this proposal.

KTECH urges the Government to withdraw the Territory Coordinator proposal in its current form. We call on you to revise this proposal to remove the undemocratic 'override' and 'step-in' powers, ensuring that the integrity of environmental protections is upheld for all Territorians. Decisions must not be limited to immediate economic considerations, but must value environmental, social and cultural priorities, with full consideration of the impacts on future generations.

It is essential that the government commit to transparent, accountable governance and protect the Northern Territory's natural assets that sustain our shared Top End lifestyle.

Thank you for your attention to this critical matter.

Yours Sincerely,



Adele Pedder
Keep Top End Coasts Healthy
Topendcoasts.org.au



