



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 290

WRITTEN QUESTION

J Davis to the Minister for Territory Coordinator, Hon Lia Finocchiaro MLA:

Territory Coordinator Act Designations and Notices

The Administrative Arrangements Order commenced 1 June 2026 allocates the Territory Coordinator Act 2025, and the function of facilitating projects of strategic and economic significance, to the Minister for Territory Coordinator.

1. Since the Territory Coordinator Act 2025 commenced, what Significant Projects, Programs of Works, Infrastructure Coordination Areas and Territory Development Areas have been designated or declared? Please list each with the date of the Ministerial Notice and the date of its publication.
 - a. If no designation or declaration has been made, please state so.
 - b. Section 88(1) of the Act requires the Territory Coordinator or Minister to publish a copy of a prioritisation request, progression-related request, decision request or step-in notice on the Territory Coordinator or Agency website within 5 business days after giving it. Has every request and notice given to date been published within 5 business days? If any was not, which, and what was the delay?
 - c. Where are the notices published, and is there a consolidated register?
2. The answer to Written Question No. 143 stated that the Office of the Territory Coordinator is “in regular discussions with relevant agencies and project proponents on potential Significant Projects, Programs of Work and Territory Development Areas”, but did not identify any of them. How many projects or areas are currently under investigation for designation?
 - a. For each, please provide the location, the proponent if any, and the date on which the investigation commenced.
 - b. If those projects and areas cannot be identified, in which record or system are they listed, and in what format?
3. Has any designation, declaration, Ministerial Notice or statement of reasons been made, signed or placed under consideration in relation to the Middle Arm Sustainable Development Precinct, East Arm, or the Weddell area?

- a. For each, on what date and under which provision of the Act?
 - b. For any matter under consideration, on what date did that consideration commence?
4. Part 7 Division 4 of the Act provides for exemption notices. Under section 77(1)(b), an exemption notice states that “the application of the relevant law, or a provision of the relevant law, is modified or excluded in the manner specified in the notice”. The Schedule lists 32 Acts as Scheduled laws, including the Environment Protection Act 2019, the Water Act 1992, the Heritage Act 2011, the Weeds Management Act 2001, the Waste Management and Pollution Control Act 1998 and the Territory Parks and Wildlife Conservation Act 1976.
 - a. How many exemption notices have been given under section 77 or section 80 since the Act commenced? For each, which Act and which provision was modified or excluded, for which project, and on what date?
 - b. Section 77(2) provides that an exemption notice cannot be given in relation to a statutory decision or process that involves “a matter prescribed by regulation”. Have any such matters been prescribed; if so, by which regulation, and if not, why not?
 - c. Section 82(1) requires the Minister to table a copy of an exemption notice in the Legislative Assembly on the next sitting day after it is made. Has every exemption notice given to date been tabled on the next sitting day?
 - d. How many condition variation notices have been given under section 84 or section 87, and for each, which approval was varied, under which paragraph of section 85, and on what date?
 - e. How many step-in notices have been given under section 68 or section 69, and for each, which statutory decision was made by the Territory Coordinator in place of the original entity?
 - f. Where a consultation requirement in a Scheduled law is modified or excluded by an exemption notice, what consultation occurs in its place?
5. Section 95(1) of the Act provides that “A person is not entitled to apply for a review of, or appeal against, any decision under this Act or any other law of the Territory that is authorised or required by or under this Act, despite anything to the contrary in a law of the Territory”.
 - a. Which rights of review or appeal that would otherwise be available under the 32 Scheduled laws are removed by section 95(1) in relation to a designated project?
 - b. Was any assessment made, before the Act was introduced, of the number of review and appeal rights section 95 would displace; if so, in which document is it recorded?

- c. Section 96 requires the Territory Coordinator to keep a register. Is that register published, and at what address?
6. The answer to Written Question No. 143 records that “The Territory Coordinator Act 2025 does not set benchmarks” and that economic significance “will be determined on a case-by-case basis having regard to section 4”.
 - a. On a case-by-case basis, what criteria are applied in determining whether a project is of economic significance, and are they recorded in any guideline, policy or procedure?
 - b. If no such document exists, how is consistency between determinations maintained?
 - c. How many projects have been assessed for economic significance since the Act commenced, and how many were determined to be economically significant?
 - d. Section 4 provides that a project is of economic significance if it facilitates private sector investment, job creation, population growth, or development or advancement of an industry. Is there any project of a scale attracting the Act’s designation provisions that would not satisfy at least one of those four limbs?

ANSWERS:

1. You can find information, including the statement of reasons, about all designations on the following website: <https://territorycoordinator.nt.gov.au/publications>

Two designations have been made as follows:

- a. Territory Development Area – Northern Marine Complex. The designation was made on 2 February 2026 and published on the same day, with the decision made on 31 January 2026.
 - b. Significant Project – Nolans Rare Earths. The designation was made on 1 June 2026 and published on the same day, with the decision made on 29 May 2026.
2. The Territory Coordinator plays a central role in facilitating and accelerating the delivery of transformative developments and significant projects that drive economic growth, create jobs, attract private investment and grow the Northern Territory’s population, focused on our core economic strengths in mining, energy, agriculture, tourism and defence.

The Office of the Territory Coordinator publishes all relevant information on the website in compliance with the *Territory Coordinator Act*.

3. Refer to the answer provided in Question 1.
4. No exemptions have been given.
5. There have been no requests for review or appeal against decisions.

Section 95(2) states that, “Subsection (1) does not affect a person’s right to seek judicial review of a decision”.

6. Refer to Question 1 for the existing two designations made and the website for the reasons for designation.

Decisions are made on a case-by-case basis in accordance with the Act. The reasoning will be different depending on what part of the Act is used.