



NORTHERN TERRITORY
***of* AUSTRALIA**

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Member for Fong Lim

HANSARD EXTRACT

TERRITORY COORDINATOR

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This extract is taken from the Official Hansard of the Legislative Assembly of the Northern Territory

13 local sporting clubs, two other local stakeholders and more than 100 community members as part of the consultation.

Later this month I expect to receive the first draft of the master plan which will be released publicly for a second round of consultation, enabling further review and refinement. The final master plan will be launched later this year.

The involvement of sports organisations, local clubs and community members will ensure that all voices are heard, including those of smaller and emerging sports. I encourage the community to provide feedback to this master plan which we believe will establish a long-term vision for the Marrara sports precinct that fosters community engagement, promotes a healthy lifestyle and strengthens the economic viability of the Northern Territory.

I know the Member for Fannie Bay is passionate about sports, and I am sure that over the next few weeks we can announce more exciting things happening in sports.

Mr EDGINGTON (Leader of Government Business): Madam Speaker, I ask that further questions be placed on the Written Question Paper.

ANSWER TO QUESTION Crime Statistics

Ms BOOTHBY (Attorney-General): Madam Speaker, I clarify for the record an answer to a question asked by the Member for Arafura. The crime statistics have always been three months in arrears, including under Labor. That has not changed under the CLP government. On 21 March, which is this week, the January figures will be updated on the website. On 18 April the February figures will be updated on the website.

TERRITORY COORDINATOR BILL Serial 17

Continued from earlier this day.

Dr RAHMAN (Fong Lim): Madam Speaker, since being elected to government I have taken every opportunity to address all matters economic in this House repeatedly, noting that they have long been neglected by this parliament.

I have spoken at length in support of the model for the Territory Coordinator, notably on 27 November. To reiterate in summary, major projects have been in a state of limbo for a long time. Regulatory inefficiency has undoubtedly played a part in that process. The intention of this Bill is to address these deficiencies in process and to improve our economic and industrial competitiveness, which I support in principle.

Earlier my learned colleague the Treasurer referenced the Territory Economic Reconstruction Commission and the report written by that entity. This was the last comprehensive blueprint for economic development in the Northern Territory. It is an interesting document to reflect on when we are talking about a new way forward because large parts of that blueprint are testament to why we have a problem.

There were five sections to that report. The first was about winning investment and requiring a strong strategic approach. That area was well fleshed out.

The second area focused on the sectors that would drive growth. It talked about energy transition; decarbonisation and sustainable industry; manufacturing; resources; agribusiness; tourism; security and Defence; and the maritime, digital and space industries. These are things that we are all looking to systematically progress.

The third area was about growth occurring in the regions in partnership with Aboriginal people, Aboriginal economic leadership and regional prioritisation.

The fourth area of the report was about actioning the enablers to support investment—infrastructure systems; access to land, water, power and digital connections; logistics and supply chains; and regulation.

The last section was about industry growth needing a skilled population.

The problem with that blueprint was that sections 1, 2 and 4 were reasonably well thought out and well fleshed out, but sections 3 and 5 were basically threadbare, empty and only a couple of pages long, and testament to the fact there was not much of a strategy for how to provide a coordinated plan on major projects growth in the Northern Territory.

The document also laid out a blueprint for a commission structure to try to expedite some of these processes, fast-track approvals and create regulatory efficiency. What was initially meant to be a single point of coordination with one commissioner ended up being three commissioners. We ended up going from a single source to coordinate and fast-track projects to having a tsar on major projects, a tsar on investment and a tsar on infrastructure.

I raise these points because I know firsthand that the coordination between the objectives of the Territory Economic Reconstruction Commission report and the commissioners was, to put it mildly and politely, poor. I am intimately familiar with the Territory Economic Reconstruction Commission report and the commission's structure as the precursor to the Territory Coordinator model. I know that because I returned to the Northern Territory 18 months ago to be the fourth commissioner. I returned here to try to create coordination and efficiency within that system because we do not have a single point of contact to coordinate workforce, skills, population, migration, talent acquisition and higher education. We lacked someone to look at the labour component.

I would not ordinarily draw attention to this, but I do so today to establish my bona fides in this debate. That is to say, and hear me clearly, that I contend the status quo on project management is not working. That is my starting proposition, and that is why I offered my qualified support for the Territory Coordinator proposal from the outset, before the release of the Bill in its current form, back in November in relation to environmental protections. I believe we need to do things differently if we are to create a better regulatory environment for investment. At the moment we clearly have shortcomings in that area. That is the first substantive point I make.

The second substantive point is important for everyone in this House to be mindful of. It is a more pointed point; it is a legal point. It is the prerogative of this parliament and the legislature to make law for the good governance of the Northern Territory, under the auspices of the Commonwealth *Northern Territory (Self-Government) Act 1978*. Section 6 of the Act stipulates the legislative power of this body:

Subject to this Act, the Legislative Assembly has power, with the assent of the Administrator or the Governor-General, as provided by this Act, to make laws for the peace, order and good government of the Territory.

I recognise the many concerns raised by members of the community and interested stakeholders in response to this Bill. As the Chair of the scrutiny committee reported this morning, the vast majority of submissions indicated concerns about the Bill. I can say, hand on heart, that I have read all the submissions to the scrutiny committee that are publicly available, and I read the subsequent majority report and the dissenting reports written by the member of the Labor Party and the crossbench member. Some of the concerns raised are alarmist and display a limited understanding of the legislation; however, equally, many valid concerns are raised as well throughout the course of the legislation.

I am grateful that the government, the opposition and the crossbenchers have all provided suggested amendments to this Bill. The process we are meant to follow is to consider all those amendments with sincerity and at face value. I encourage the Assembly to take its responsibility seriously in this regard, noting that the government has a mandate to implement a law which has been widely forecast for a number of years, but about which there are a number of legitimate concerns. It is incumbent on all of us to take on board those concerns, consider all the amendments systematically and ensure that the law we put in place has the best possible chance of delivering on its intended outcome.

With respect to what I said earlier in relation to the Self-Government Act, let me be clear that I am not a jurist and I am not a legal scholar; therefore, I defer to a higher authority in confirming my rationale for supporting this Bill.

In submission 443 to the Standing Committee on Legal and Constitutional Affairs on the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 the President of the NT Law Reform Committee, Hon Austin Asche, pointed out the following. In relation to the power of the Legislative Assembly to pass the *Rights of the Terminally Ill Act* and its challenge and being upheld in the courts, he argued that this was the appropriate way to challenge such laws. I quote from the committee *Hansard* from 14 April 2008, at page 64:

... the only proper way to attack the power of the Territory to pass that particular act was through the courts. That in fact was done by the application to the full court of the Supreme Court. That application was interrupted because the act was then repealed. But had it gone to the full length of an appeal to the High Court—although it may be temerarious to predict what the High Court will do—we feel that the High Court would probably have upheld the decision of the majority of the full court. The point we make is that that is the way to go. Either the Territory has the power, in which case it should be allowed to exercise it because it has been given self-government, or it does not have the power, in which case the court should so rule.

It is not for me to adjudge whether this law constitutes executive overreach or is ultra vires. Vis-a-vis non-exhaustively section 12, 'Powers, privileges and immunities of Legislative Assembly', and section 31, 'Extent of executive power', of the *Northern Territory (Self-Government) Act 1978* that is a matter only for the courts. I therefore confine my remarks only to the area of authority within my remit and provide my qualified support for the Bill as a member of the legislature and of the governing party whose prerogative it is to make laws for the peace, order and good government of the Territory.

Mr PATEL (Casuarina): Madam Speaker, the Northern Territory is full of opportunity—vast land, rich resources and hardworking people—but for too long we have been held back not by a lack of vision, but by slow approvals and excessive red tape. It is costing Territorians due to lots of bureaucratic delays. We have lost billions in investment because projects were stuck in government paperwork.

A \$1.5bn agribusiness project that could have created hundreds of jobs was lost due to years of delay. Investors walked away from a Darwin ecotourism expansion that waited three years for approval. A renewable energy project that could have put the NT on the map was held back until others overtook us. Each delay costs jobs, and each slow approval means another business walks away.

The Territory Coordinator Bill is our answer, as a Territory that says 'yes' to opportunity. It creates the Territory Coordinator, a single point of contact to fast-track approvals and remove unnecessary delays. We will cut red tape so that major projects do not get stuck for years, step in when government agencies are slowing things down and make sure businesses have the infrastructure they need on time without delay. From delays to delivery it will have a real impact for Territorians.

This Bill is about real people, jobs and growth. When a mining project in Tennant Creek is ready to create 500 jobs we will not let bureaucracy get in the way. When the solar energy company wants to invest in the Barkly we will give them certainty—and fast. When housing developments are needed in Palmerston we will not let approvals drag on for years while families wait. Government must move at the speed of business, not the other way around.

We will protect the environment and respect community voices, but we will remove unnecessary obstacles. Environmental and community protections will stay in place. Consultations will remain a priority, but we will not let bureaucracy stop good projects. This is not about cutting corners; this is about cutting red tape.

We need a bold, decisive step for Territorians. Today we have a choice: we can stay stuck watching investment slip away, jobs disappear and projects stall; or we can take action, saying yes to investment, jobs and growth. The time for action is now. Enough waiting, excuses and lost opportunities—let us pass this Bill and build a stronger, faster and more prosperous Northern Territory. Let us get it done.

Mr PAECH (Gwoja): Madam Speaker, today is a sad day for the Territory, for country and for the Territory's waterways. This legislation is fundamentally flawed. No amount of glitter and fanfare and no number of press releases can make this shine. This Bill is the turd of the Territory because it undermines important protections and regulation.

The Members for Fong Lim and Casuarina spoke about government bureaucracy not working and doing its job. I remind members opposite—newsflash—you are the government, and you have the ability to work within your departments and agencies to do the work to help change that. You still think you have to attack the government; you are the government. You do not need to be attacking government bureaucracy; you need to be working as a government and as a Cabinet to look at reforming and making things better to suit the needs of the Territory, the environment and the regulations that are needed to provide greater protection and certainty for business if that is what you are doing.

I stand firm with my community and voice my opposition to the Territory Coordinator Bill. This proposed Bill raises serious concerns about transparency, accountability and the potential erosion of community trust in decision-making.