

Building Confidence through Better Planning for the Northern Territory

Review, Reframe, Renew.



Stage 1: Review

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The NT Government wants to refresh the Territory's vision for the future and restore community confidence in the planning system. Alongside Building Confidence through Better Planning in the Northern Territory, the Government is also seeking your feedback on 'Planning for a vibrant future'.

Planning for a vibrant future aims to harmonise land use planning and development across the Territory. The vision focuses on key growth areas, connectivity, and retaining the Territory's lifestyle and unique character. Prioritising urban redevelopment opportunities and identifying future cities, the vision will support economic and population growth by ensuring sufficient land is made available and supported by infrastructure investment at the right time. To view and comment on this discussion paper please visit haveyoursay.nt.gov.au

1. Introduction

Government has heard concerns from the community that planning laws are not delivering the best-possible developments.

The community wants a planning and development system that is open, transparent and accountable; that listens to Territorians and gives confidence that the right planning decisions are being made.

In response to this feedback, the Department of Infrastructure, Planning and Logistics will consult with the community to review, reframe and renew our current NT planning system.

This initiative will ultimately deliver reforms that are underpinned by six key principles to ensure planning:

- provides certainty
- balances competing interests
- ensures transparency
- reduces complexity
- incorporates meaningful community participation and consultation
- expands opportunities for decisions to be reviewed.

It is important that laws are regularly reviewed to make sure that they are delivering the outcomes that the community expects and wants to see.

The release of this consultation paper is the first step toward gathering ideas towards the types of improvements that Territorians want to see delivered. This document provides an overview of the current planning and development system and identifies some ideas that might improve our system.

We all have a role to play. Planning and development decisions impact the whole community so it is important that the planning system works for all of us and provides us with confidence and certainty.

Our goal is to provide the best planning system for the Territory. Planning done well is our legacy for the future and the Department wants to hear your views and ideas on how we can improve planning for all Territorians.

2. *Why planning matters*

Good planning for our urban, rural and remote communities is critical to ensuring that the Northern Territory provides existing and future Territorians with built and natural environments that support great lifestyles and strong communities. Good planning is about making sure that infrastructure and investment decisions in the Territory are made in ways that deliver for the community both now and in the future.

Planning establishes how land can be used and sets the direction for sustainable and orderly development to support the Northern Territory's continual growth. Land-use planning is done at the regional, sub-regional and district levels and is an essential part of the process of cost-effective infrastructure provision. Planning allows us to identify what infrastructure will be needed and where, before it can be designed and constructed. Planning is essential to guiding how and where the Territory will grow and it is essential that it is done well.

Why are we doing this?

It is important that laws are regularly reviewed to make sure that they are delivering the outcomes that the community expects and wants to see. In recent times we have heard concerns from the community that planning laws are not necessarily delivering high quality on the ground developments. The community is entitled to have confidence in the way decisions are being made and that these are the right decisions. It is important that the community is satisfied that the planning system is delivering for the Territory community.

Why should people get involved?

The Territory community includes a diverse range of people with a broad range of interests and views on what 'good planning' means. The views of each individual in the community is shaped and influenced by their past experiences as well as their aspirations and values. It is only by hearing from as many people as possible that we will be able to shape a planning system that really responds to and supports Territorians.

This is your chance to have your say and have confidence that your views will help to shape a better planning system for the Northern Territory.

3. About Review, Reframe, Renew

Review, Reframe and Renew is a three-stage initiative that will deliver a better planning system that is transparent, effective and meets the needs of the Territory community.

What will the consultation cover?

The initiative will be undertaken in three stages and consultation is a key part of the process. Having meaningful conversations with all sectors of the community about what it expects from its planning system and what outcomes the system should deliver will ensure that changes are sensible and support the needs of existing and future Territorians.

What are the first steps?

Stage 1
NOW

Information gathering and analysis, including community engagement.

Stage 2
Late 2017

Preparation of options for draft reforms informed by initial community feedback and other information obtained during Stage 1.

Stage 3
2018

Report to Government on outcomes of the consultation process and recommendations.

4. The NT planning system: 1993 to 2017

To understand and inform this important work it is helpful to understand where our planning system has come from.

The current planning laws in the NT commenced in 1993. Since then, some parts of the laws have been amended to modernise their function and to deliver improvements to the planning system. Some of the major amendments have included the introduction of:

- the NT Planning Commission to better engage with the community and deliver strategic planning proposals for the Minister to consider for inclusion in the NT Planning Scheme
- third-party appeal rights for some applications in, and adjoining, urban residential zones
- concurrent applications that allow a rezoning and a development proposal to be considered through a single application process
- online lodgement and processing of development applications.

In addition to the changes that have occurred to the laws, there was also a significant change to the NT Planning Scheme in 2007 to consolidate more than 40 separate planning documents into a single publication that covers all zoned land in the NT (except Jabiru). The Planning Scheme has also undergone more than 470 amendments in the past 10 years which includes changes to:

- planning policies, eg regional land-use plans and area plans
- zoning maps and tables
- development assessment requirements, eg changes to setback and car parking requirements.

Other administrative changes have improved access to planning information, including:

- the opportunity for the public to view applications online and make online submissions
- the distribution of reports for some application types to applicants prior to meetings
- allowing public viewing of reports and recommendations.

While the planning system and framework in the NT have seen continual changes, further improvements can always be made. It is important future changes are undertaken holistically to deliver a planning system that is responsive, transparent, effectively balances competing needs and meets the expectations of the community.

It is inevitable that not all people will like or support every planning decision. However, we have an opportunity to ensure the system is robust and able to deliver planning outcomes that support the needs of Territorians both now and into the future.



Do you have confidence in the planning system to deliver balanced development for the NT? If not, what changes could the Government make that could improve public trust in the planning system?



Do you think the planning system adequately balances competing interests such as social, environmental and economic requirements? If you don't think that it does, how can the planning system be improved to provide certainty to the various sectors of the community and balance these interests?

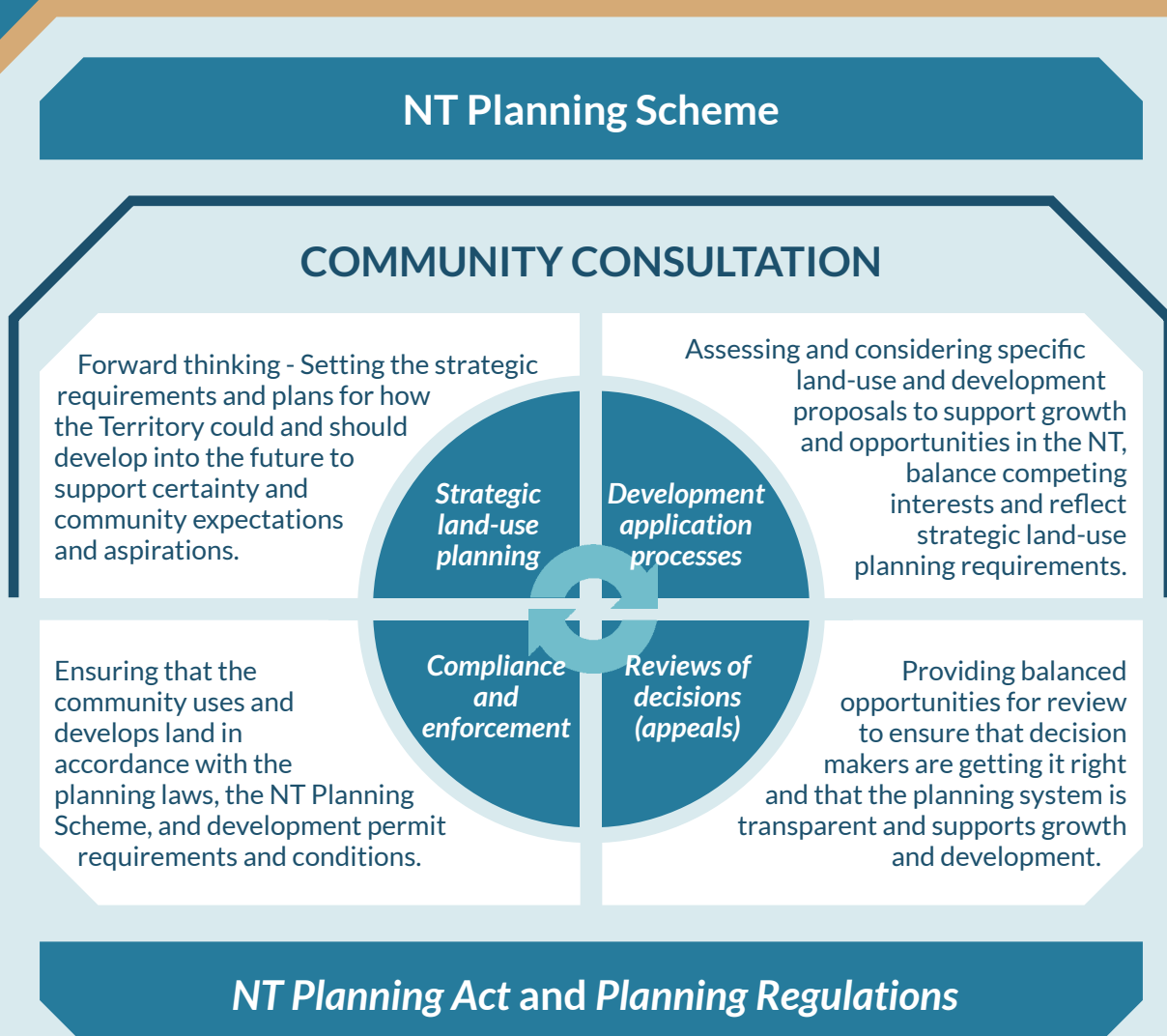
5. How planning works in the Northern Territory

NT Planning system and structure

Planning systems differ across the world and across different Australian jurisdictions, however these differences are generally related to the detail rather than the overarching system. Planning systems are established through laws which set out how and by whom decisions are made, what can and can't be developed and where particular types of developments can occur. Most planning laws provide opportunities for community notification and engagement and describe how decisions can be reviewed (appealed). Planning laws also give powers to require compliance and enforce penalties where breaches occur.

It is useful to consider the overall structure of the current NT planning system to assist in a better understanding of its elements and identifying areas for possible future change.

A diagrammatic representation of the NT Planning system is provided below.





The NT planning system

I. The planning framework

The planning framework for the Northern Territory is set out in the planning laws which include the *Planning Act* and Planning Regulations. The laws provide for appropriate and orderly planning and control of the use and development of land by establishing:

- the structure and content of the NT Planning Scheme
- who is responsible for making decision on different types of planning applications
- who must be consulted and how they are to be consulted for different types of applications
- what must be considered when making particular decisions
- how planning decisions should be advised to applicants and submitters
- how planning decisions can be reviewed or appealed
- and how planning decisions can be enforced and by whom.

II. Roles and responsibilities

The NT planning system involves decisions by the Minister, Development Consent Authority, and the NT Civil and Administrative Tribunal and relies on input from other stakeholders including the community. A summary of decision-maker responsibilities and others involved in the system is below.

Minister for Infrastructure, Planning and Logistics

The planning laws are the responsibility of the Minister. The Minister appoints the members of the Development Consent Authority including the chairman (with two of the five members in each division nominated by the local council). The Minister also appoints the majority of the members of the NT Planning Commission, including the chairman. The Minister, along with the Development Consent Authority, are the two main decision makers in the NT planning system and each is responsible for different types of applications that can be made under the planning laws (as outlined in the table on page 8). The Minister makes all decisions in relation to proposals to amend the Planning Scheme, including the introduction of strategic land-use plans, planning policy and changes to zones or development assessment rules and applications for Exceptional Development Permits.

Development Consent Authority

The Development Consent Authority (DCA) considers applications for development that require approval. Two members nominated by the local council are appointed to each DCA division. The DCA can approve, defer or not approve an application. If approved, the DCA will issue a development permit. Decisions of the DCA are subject to appeal to the NT Civil and Administrative Tribunal (refer NTCAT below). There are seven divisions of the DCA, including Alice Springs, Batchelor, Darwin, Katherine, Litchfield, Palmerston and Tennant Creek. The Minister is the consent authority for applications outside of these areas.



Do you think planning decisions are made in a transparent way? If not, can you identify any ways we could make the decision making process more transparent?



Do you believe there is adequate meaningful consultation in the NT planning system? Can you suggest any changes you think could make it better or easier for the community to participate?

NT Planning Commission

The NT Planning Commission does not make decisions on any applications but is an advisory body to the Minister. The NT Planning Commission is responsible for:

- consulting on, and then preparing, integrated strategic land-use plans, guidelines and assessment, criteria for the Minister to consider for inclusion in the NT Planning Scheme
- conducting hearings on behalf of the Minister for applications for Exceptional Development Permits and to amend the planning scheme (eg rezonings and including area plans)
- giving the Minister significant development reports.

The responsibility for conducting hearings on behalf of the Minister resulted from an amendment to the *Planning Act* in 2016. The Commission was considered to be the appropriate body to report on planning scheme amendments in relation to strategic land-use plans prepared by it for the Minister's consideration and inclusion in the Northern Territory Planning Scheme.

The community

The community is a very important part of the NT planning system and the laws provide a range of opportunities for the community to influence and shape planning decisions. The community is provided with the opportunity to make submissions on planning proposals and these must be taken into account by the decision maker.

Local Councils and Referral Agencies

The laws require that the Minister appoint to each DCA division two members nominated by the local council. The local councils are provided with the opportunity to make a submission on planning proposals in their local government area. Local councils can also develop strategic land-use plans and planning policies for consideration by the Minister.

There is also a requirement for proposals to be circulated to utilities and government organisations with relevant expertise (referral agencies) for consideration and comment. The laws require the decision maker to take into account the views expressed by local councils and referral agencies when making planning decisions.

Department of Infrastructure, Planning and Logistics

The Department provides administrative and professional support and services to the Minister, the Planning Commission and the Development Consent Authority to assist them to carry out their functions under the planning laws.

NT Civil and Administrative Tribunal

The NT Civil and Administrative Tribunal (NTCAT) is identified in the planning laws to review planning decisions for some application types. NTCAT is established under the *NT Civil and Administrative Tribunal Act* and members of the tribunal are appointed by the Administrator for the Northern Territory.

Decisions of the Development Consent Authority (DCA) are always subject to an application for review by the applicant. Applicants can apply for a review of (appeal against) a decision to put certain conditions on a development permit or a decision to refuse their application.

The planning laws set out that a third party who made a submission during a public consultation period can make an application for a review of a DCA decision in some residential areas. Third-party reviews (appeals) are limited and can generally only be made in higher density residential areas for developments over two storeys or where a non-residential use in, or adjoining, a residential area is approved that doesn't comply with the development assessment rules.

Summary table of roles and responsibilities in the NT planning system

| | Who Initiates | Consultation | Decision Maker |
|---|---|---|---|
| Strategic land-use planning (regional, sub-regional plans, district area plans and planning principles) | NT Planning Commission (NTPC) | Community (28 days - usually preceded by multi-stage consultation) local councils, referral agencies and NTPC public hearing | Minister |
| | Councils, Community, Department or others | Community (28 days) local council, referral agencies and NTPC public hearing | Minister* *Note that the Minister can also initiate action on land-use plans. |
| Rezoning/Planning Scheme amendments/ Exceptional Development Permits | Proponent | Community (28 days) local council, referral agencies and NTPC public hearing | Minister |
| Development applications | Proponent | Community (14 days) local council, referral agencies and NTPC public hearing | Development Consent Authority (DCA) Minister if outside DCA areas and for some significant development proposals |
| Compliance and enforcement | Community | DCA undertakes action including investigations and consultation involving affected parties | Minister or DCA may initiate prosecution or issue a 'notice to cease' |
| Reviews of decisions (appeals) | Proponent or submitters to development applications | Review proceedings are set out by the NT Civil and Administrative Tribunal (NCTCAT). For more information see http://ntcat.nt.gov.au/ | NCTCAT |



Do you think the information about the planning system, including the NT Planning Scheme is clear and easy to understand? Can you identify any ways we could make the information better?



Does the information provided to the community about planning decisions allow you to clearly understand each decision and why it was made?

III. The NT Planning Scheme and hierarchy

The NT Planning Scheme establishes how land can be used and developed in the Territory.

There is a hierarchy for different components of the Planning Scheme, but all must be considered by the Minister and/or the Development Consent Authority when making decisions about development applications.

A summary of the Northern Territory Planning Scheme hierarchy is provided below and includes examples.

Strategic land-use planning

Set out the high level future directions for land use and development in the Northern Territory



- NT and regional planning principles and land-use frameworks *eg NT and Alice Springs planning principles and land-use frameworks*
- Regional and sub-regional land-use plans *eg Darwin Regional Land-Use Plan 2015 and Litchfield Subregional Land-Use Plan 2016*
- Area plans and associated planning principles *eg Alice Springs Southern Area Plan and Todd Street Tourism Area Plan*

The DCA (and Minister) must ensure that decisions on applications have regard to the planning principles and framework drawings and ensure that land is used or developed in a way that is consistent with them.

Zoning and development assessment

Permit, prohibit or restrict types of development in set areas and impose minimum requirements and conditions



- Zoning tables *eg Table for Zone SD (Single Dwelling Residential) sets out which uses are permitted, prohibited and which require approval from the DCA*
- Zoning maps *eg maps that show which zone applies to a particular parcel of land and show the pattern of land use for different areas*
- Development Assessment requirements *eg minimum setbacks, on-site car parking requirements and height limitations*

The DCA (and Minister) consider applications for uses and developments that are set out in the relevant zoning table and must take into account the relevant development assessment rules. Some requirements can be varied if the decision maker believes there is merit in doing so while other rules must be complied with.



Referenced documents

Policies and guidelines that set expectations about good design and positive planning outcomes



- Referenced policy and planning concept documents *eg Northern Territory Compact Urban Growth Policy 2015*
- Referenced guidelines *eg Design Guidance for Development in Zone CB (Central Business) in Alice Springs*

The Minister or DCA decisions must have regard to, and be consistent with, these documents unless they conflict with other elements of the Planning Scheme that are higher in the hierarchy *eg strategic land-use frameworks, strategic planning principles, zoning tables or development assessment rules.*



Strategic land-use planning

Strategic land-use planning helps us to understand what will need to be developed to support population growth, changing technologies and future community needs. It is how we decide to accommodate growth and where and what infrastructure will be required eg roads, schools, hospitals, sewerage treatment plants, water capacity. Strategic planning establishes the framework for future growth via a hierarchy of plans including principles and land-use frameworks and Regional and Sub-Regional Land Use Plans and Area Plans. These strategic planning principles and land-use frameworks can be the basis for future changes to zoning when appropriate infrastructure and services have been put in place.

Significant studies in relation to land capability, social infrastructure, utility and transport requirements need to be done to assist in developing strategic land-use plans. The NT Planning Commission is established to undertake consultation on, and prepare, strategic land-use planning documents. The NT Planning Commission then provides these to the Minister who decides whether or not to include them in the NT Planning Scheme. If the Minister wishes to consider including them in the Planning Scheme then further public consultation is undertaken before a decision is made.

When these strategic plans are included in the NT Planning Scheme the Development Consent Authority has to consider them when making a decision on a development or subdivision application. The DCA cannot make a decision on an application that is contrary to a strategic planning provision unless the Minister agrees.



Zoning and development assessment

Zoning tables and maps

The NT Planning Scheme sets out a standard set of zones (and some specific use zones) that are applied to land across the Northern Territory. Each zone sets out what defined uses and developments can occur within it, and outlines what development assessment rules will apply to each. Each defined land use or development is described in a zone as being 'permitted', 'self-assessable', 'discretionary' or 'prohibited'. The zone that applies to a particular parcel of land is shown in the zoning maps.

A land owner does not need to make a development application to the Development Consent Authority for a use/development that is listed as being 'permitted' or 'self-assessable' as long as it meets all the development assessment rules listed in the zoning table as being relevant.

The DCA (or the Minister where there is no local DCA) assesses applications from land owners and makes decisions about whether or not to allow the use/development of land where a defined use is listed as being 'discretionary'.

The DCA can also consider applications for uses that are described as 'permitted' or 'self-assessable' if the use/development does not comply with the relevant development assessment rules e.g. reduced setbacks, exceeds height limitations etc.

The DCA cannot consider an application for a use/development that is described in the zoning table as prohibited. If a land owner wants to develop the land for a use/development that is prohibited under the current zoning then they must make an application to the Minister for a concurrent proposal (one involving both amendment and development components), an amendment to the Planning Scheme to change the zoning (rezoning application) or for an Exceptional Development Permit (EDP).

Development assessment rules

Development assessment rules (sometimes called performance criteria or development provisions) are outlined in the NT Planning Scheme and provide instructions, guidelines or assessment criteria to assist the consent authority to assess an application to use/develop or subdivide land. Examples of these are minimum setback requirements, on site car parking provisions and height limitations. Development assessment rules apply to most defined uses that are specified as being 'permitted', 'self-assessable' and 'discretionary'.

The DCA must take into account if an application is consistent with the development assessment rules when considering whether or not to issue a development permit for 'discretionary' uses. The DCA can allow variations to the requirements of some development assessment rules while others must be complied with in full.

A defined use that is specified in the zoning table as being 'permitted' or 'self-assessable' that does not meet all the development assessment rules becomes 'discretionary' and an application for a development permit must be made to the DCA.



Referenced documents

The NT Planning Scheme identifies referenced documents that must be taken into account by the DCA when they are making decisions on certain applications for the use and development of land. Referenced documents are either categorised as policies or guidelines.

Whether referenced policy or guideline documents apply to a particular application is dependent on the type of use or development and where it is to be located.

Referenced policies

The DCA must interpret the Planning Scheme and make decisions on applications that have regard to the policies and planning concepts contained in Referenced Policy documents. Uses and developments must be consistent with them, except where there is an inconsistency with other parts of the NT Planning Scheme.

Referenced guidelines

Applications submitted to the DCA must show that they have considered and had regard to referenced guideline documents. Uses and developments must be consistent with them, except where there is an inconsistency with other parts of the NT Planning Scheme.



Do you believe that strategic land-use planning has a strong enough influence on decisions about whether or not to approve or refuse development applications?



Do you think development applications are decided in a timely manner? Do you have any comments in relation to timing of the development application process?



6. Proposed principles for planning reform

Six key principles

Our planning system must be adaptable to future change and be responsive to community expectations and needs. Government wishes to focus the Review, Reframe, Renew initiative to ensure it delivers on six key principles. These six principles have been adopted from the 2012 NSW ICAC Report *Anti-corruption Safeguards and the NSW Planning System*. Your feedback is sought particularly on ways that you think the current system could be changed to reflect these principles:

| | |
|--|--|
| Providing certainty | Provide a strong planning framework to guide the community and decision makers with an emphasis on robust strategic land-use planning and clear development assessment rules. |
| Balancing competing interests | Create a planning system that recognises and balances the wide spectrum of competing interests including social, environmental and economic requirements and outcomes. |
| Ensuring transparency | Enhance access to relevant and useful information for the community and applicants to ensure transparency about planning decision making processes and the basis for decisions. Engendering trust in the planning system. |
| Reducing complexity | Create a planning system that is easy for the community to understand, access and participate in, to reduce misunderstandings about requirements and outcomes. |
| Incorporating meaningful community participation and consultation | Ensure that the planning laws provide for meaningful community participation and consultation and ensure appropriate weighting is given to submissions. |
| Expanding opportunities for decisions to be reviewed | Ensure that opportunities for third party appeals / reviews of planning decisions reflect best practice and that the availability of review opportunities fosters confidence that the right decisions are being consistently made. |

Following the consultation period for the stage 1 'Review' component of this initiative it is expected that Government will be able to commence consultations on a suite of changes to 'Reframe' the current planning system. Potential changes are expected to fall across all four categories of activity under the planning system:

- strategic land-use planning and the NT Planning Scheme
- development assessment and application processes
- reviews of decisions
- compliance and enforcement.

Various changes will have different lead times for implementation for example, administrative changes are generally able to be progressed more quickly than changes to the NT Planning Scheme or the *Planning Act*.

How the key principles could be put into action

Examples of different types of changes that could be considered in relation to the six key principles are shown in the table below. This is by no means an exhaustive list and is provided only to give some insight into the types of changes that the initiative could lead to. Government is looking to hear your views on what changes should be made and needs your input to make sure that this initiative delivers the best planning system for the NT into the future.

| Key principles | Examples of how key principles could be put into action |
|---|---|
| <p>Providing certainty</p> | <p>Provide stronger strategic planning to establish a robust framework for better integrated transport, land-use and infrastructure planning. <i>eg Create land-use plans and infrastructure plans for Weddell and the Cox Peninsula to facilitate delivery of essential infrastructure to support growth.</i></p> <p>Consider changes to the way the planning system can accommodate non-compliant proposals without the need for Exceptional Development Permits (EDPs). <i>eg EDPs allow the Minister to approve a development even when it is prohibited, and reduce certainty for the community about what development can happen on land.</i></p> <p>Include timeframes for consideration of all types of planning applications. <i>eg The current laws do not set timeframes for the Minister to consider applications to rezone land. This does not give certainty to a developer or the community about when a decision will be made.</i></p> <p>Provide modern compliance provisions that allow for timely resolution of breaches by considering changes to penalties for breaches and include improved capacity to regulate historic non-conforming uses. <i>eg Introduction of infringement notices for some categories of breach to discourage non-compliance and prolonged breaches that impact the community.</i></p> <p>Enshrine the six key principles of planning to ensure integrity of future planning outcomes. <i>eg Amend the NT Planning Scheme to include the six key principles as guiding statements for the DCA (and Minister).</i></p> |
| <p>Balancing competing interests</p> | <p>Provide specific training to decision makers and Commission members about the planning system and their responsibilities, functions and powers. <i>eg Train members of the DCA about how to balance and weigh different information to ensure that decisions on planning applications are fair and equitable.</i></p> <p>Update the suite of zones in the NT Planning Scheme to ensure they support modern development and community needs. <i>eg Provide new zoning classification where necessary and rationalise existing zones where redundant. An example could be a local commercial zone that supports broad-scale shop-top housing, or a new rural light industrial zone that allows a mix of industrial and residential development.</i></p> |





| Key principles | Examples of how key principles could be put into action |
|--|---|
| Balancing competing interests (cont.) | <p>Ensure appropriate opportunities for local council input into the planning process. <i>eg Review the role of the DCA and the NT Planning Commission in the conduct of public hearings and preparation of reports to the Minister on Rezoning and Exceptional Development Permit applications.</i></p> <p>Utilise specialist development advisory panels, comprising professionals such as urban designers, architects and landscape specialists. <i>eg Provide opportunities for the DCA (and Minister) to seek specialist input and advice where they consider it is warranted to enable them to make better informed decisions.</i></p> |
| Ensuring transparency | <p>Provide clear criteria to inform consideration of proposals to amend the NT Planning Scheme. <i>eg There are currently no formal criteria that the Minister must consider when deciding whether or not to rezone a property. Note: Reports are provided to the Minister to inform decision making. Other types of planning applications have set requirements that ensure decisions are made in a transparent way that considers all relevant issues.</i></p> <p>Revise and enhance user guides and explanatory information. <i>eg Improve education and information resources including new resources in online formats such as watch-and-learn videos.</i></p> <p>Enhance online development assessment systems to make obtaining and submitting information easier. <i>eg Enhance the existing online portal to allow documents to be dragged and dropped for upload and download, improve online access and availability of development permits and notices of refusal, consent and determination.</i></p> |
| Reducing complexity | <p>Revise definitions of the different types of land uses and development to be meaningful to the community. <i>eg There are some definitions that are confusing for the public because they can be ambiguous or interpreted differently. An example of this is 'light industry' versus 'general industry'.</i></p> <p>Make the development assessment rules clearer and easy to interpret and apply. <i>eg Setback requirements that are set out in the Planning Scheme for verandahs can be considered quite technical and difficult to understand and apply.</i></p> <p>Establish streamlined assessment pathways that will better tailor assessment effort to match the scale, impact and risk of a proposed development. <i>eg Identify alternative notification and consultation processes for small scale developments with only local impacts, and provide simpler application and assessment processes for these uses/developments.</i></p> <p>Consider simplified zoning rules to achieve priority developments. <i>eg Simplify the ability to build housing in remote communities.</i></p> |

| Key principles | Examples of how key principles could be put into action |
|--|--|
| <p><i>Incorporating meaningful community participation and consultation</i></p> | <p>Include specific minimum requirements for consultation for strategic land-use planning components of the planning scheme that reflect best practice approaches. <i>eg the Planning Commission uses a wide range of consultation techniques for strategic land-use planning but these are not clearly outlined in the laws to make them compulsory.</i></p> <p>Consider allowing direct postal notifications to adjoining land owners for more types of small scale development proposals. <i>eg Target notification for a home business to those most likely impacted (directly adjacent and opposite properties). This could improve notification for neighbours to the rear of a property who would have a better chance of being aware of an application than if a sign is placed on the front fence (and notified in the newspaper).</i></p> <p>Review how consultation and notification is carried out for development applications to ensure the community has the best opportunity to participate and access information. <i>eg Consider whether land owners could register for email notifications for development applications within a prescribed distance of their property, or, where the development is of a particular type such as subdivision.</i></p> |
| <p><i>Expanding opportunities for decisions to be reviewed</i></p> | <p>Consider where expanded third-party review (appeal) rights might add value and a more balanced approach to positive planning outcomes. <i>eg Introduce third party appeal rights for more decisions in residential areas or introduce third party appeals for development in commercial areas.</i></p> <p>Provide a fast-tracked alternative advice and/or dispute resolution process. <i>eg Where a decision is likely to be contentious or result in an appeal, provide opportunity for the DCA (and Minister) to have the application peer reviewed or sent for independent professional assessment.</i></p> |

Q What opportunities for change do you see in the way the Planning Act, NT Planning Scheme and conditions of development permits are enforced and compliance is ensured?

Q Do you think that introducing increased rights for third-party appeals could lead to better planning decisions and outcomes?



7. Review, Reframe, Renew - stage 1 submission options

The Northern Territory Government wants to hear from as many Territorians as possible through a variety of forums. A number of tools have been set up to share information and gather feedback during the review stage of the initiative.

A range of questions has been developed to start the community's conversation about what changes could be made to the planning system in the NT. Other questions and topics are likely to arise during the consultation period. Your submission does not need to be restricted to these questions.



Consultation paper

This stage 1: Review consultation paper contains information about this initiative, about the current system and asks key questions about what you would want to see changed in the future.

Community engagement



The Department of Infrastructure, Planning and Logistics will be hosting pop-up consultation stalls in a variety of urban and rural locations across the Northern Territory.

Elton Consulting have been engaged as independent consultants to manage the Stage 1 Community consultation process and will be hosting pop-up stands in a variety of urban and rural locations across the Northern Territory.

To find out more about the locations and dates when you can come and talk to us about your ideas please visit <https://dipl.nt.gov.au/news/review-reframe-renew> or contact Elton at any time on 0437 181 932 for more information.

Privacy statement

Please state clearly in your written submission if you do not want your personal details shared. The Department of Infrastructure, Planning and Logistics will make every endeavour to maintain requests for confidentiality and privacy however you should be aware that even if you state that you do not want certain information to be shared, the Department may be required by law to release that information, for example, in accordance with the *Information Act* (NT).

Online survey

An online survey with key questions can be found at <https://haveyoursay.nt.gov.au>



Written submissions

By post to:
Review, Reframe, Renew
Lands and Planning
Department of Infrastructure,
Planning and Logistics
GPO Box 1680
DARWIN NT 0801



By email to:
planningreform@nt.gov.au



All written submissions received will be acknowledged if a postal or email address is provided. Acknowledgements will not be a response to specific issues raised. Your contact information will also be used to provide updates as the review progresses.

