

PLANNING REFORM

DELIVERING A BETTER PLANNING SYSTEM

Online engagement with stakeholders and the community on the draft Northern Territory Planning Scheme 2020 and draft Planning Amendment Regulations 2020 has been occurring over the past few weeks. The most common questions and discussion points arising have been summarised below. Please contact the project team with any additional questions or points of clarification.

Draft Northern Territory Planning Scheme 2020

Where do I find information on Overlays?

Overlay maps will be added as new layers to online mapping (NTAtlas / ILIS Maps).

Overlay requirements will be found in Part 3 of the NT Planning Scheme 2020.

How will I know an Overlay applies to my land?

New layers will be added to online mapping (NTAtlas/ILIS Maps) to show the areas where Overlays apply.

The Administrative Interests of a parcel will also list which Overlays apply to the parcel (if any).

Why aren't you adding Overlays that respond to seasonal waterlogging, bushfires and heritage?

The current proposal is to translate existing requirements into the new planning scheme. After the new scheme is established, other Overlays may be added in the future.

Existing mapping layers that provide information (but which are not Overlays) will remain available in NTAtlas and ILIS Maps as normal.

How will new Overlays be introduced?

Introducing a new Overlay would require a planning scheme amendment.

The amendment would include:

- Mapping based on accurate information or scientific data. For example, the Land Subject to Flooding Overlay reflects flood modelling from the Department of Environment and Natural Resources.

AND

- A set of requirements that are appropriate to be administered under the Planning Act.

Does the Land Subject to Flooding (LSF) Overlay include seasonal waterlogging in the Litchfield rural area?

No, The LSF Overlay only includes areas where 1%AEP (1 in 100 year) risk of riverine flooding has been established.

How will land use plans and area plans influence infrastructure contribution plans?

Area plans and land use plans anticipate land use changes, including the likely infrastructure needed to support population growth. This assists developers and infrastructure providers in more detailed infrastructure planning, estimated costs of construction and the formation of contributions plans.

How does the Designing Better project relate to the new scheme?

Designing Better is a separate project being undertaken by the NT Planning Commission that is reviewing requirements for apartment and mixed use developments. Any recommendations will require an amendment to the new scheme.

How do I know when I need to respond to the zone purpose and outcomes?

If you are lodging a development application, you only need to respond to the zone purpose and outcomes if you are:

1. varying a development requirement of a **permitted** or **merit assessable** use or
2. if the development is **impact assessable**.

When do I need to respond to an area plan?

If you are lodging a development application and there is an area plan that includes your lot, you need to respond to the area plan if you are:

1. varying a development requirement of a **permitted** or **merit assessable** use or
2. if the development is **impact assessable**.

When do I need to respond to a strategic land use plan (other than an area plan)?

If you are lodging a development application, you only need to consider a strategic land use plan if your development is **impact assessable**.

How will I be able to access the new scheme?

The new scheme will be available online. Ongoing work in the background will make it easier to find on the nt.gov.au website. Links to referenced policies and guidelines will be included to make them easier to access.

Where are the definitions?

Definitions have been moved to Schedule 2 at the end of the new scheme. They have been split into land use terms and general terms, so that these are easier to find.

Why have zones SD and MD been renamed to LR (Low Density Residential) and LMR (Low-Medium Density Residential)?

This change acknowledges the distinction between a zone intended to accommodate separate houses on individual lots, and a zone intended to accommodate a range of housing types.

How does the new scheme acknowledge the role and function of different zones?

The zone purpose statements have been expanded, and each zone now has a number of outcomes that provide a framework for the level and type of development anticipated.

What has happened to “special circumstances”?

Special circumstances is a subjective and difficult test to prove. A clear basis for decisions is now established through the integration of the strategic framework and the addition of zone purposes and outcomes and administration clauses in each development requirement.

What has happened to “discretionary” uses?

Discretionary uses are proposed to be replaced with Merit and Impact Assessable development. Consent is still required, and these new assessment categories differentiate between development that is expected in a zone and has a low risk of impacts, and those developments that may or may not be acceptable with impacts depending on the nature and location of the proposed development.

Who considers merit and impact assessable development?

The relevant consent authority (usually the Development Consent Authority) will continue to assess development applications.

Is there a ‘test period’ for the new scheme?

Since the draft NTPS 2020 commenced statutory exhibition on 6 March 2020, and up until it comes into force, all development applications are being assessed against both the existing scheme and the draft NTPS 2020.

Draft Planning Amendment Regulations 2020

Are there third party rights of review for applications that are advertised through local notification?

Only so far as they currently exist.

How will I know an application is being advertised through local notification?

All applications will still be available on the Planning Notices Online website, for anyone to view and comment on. Local notification will require a sign on the front boundary, and adjoining owners will also receive a letter.

Can I get electronic notifications for proposed developments near me?

The Department is investigating the opportunity for people to subscribe to a notification service, allowing interested members of the public to be notified of all applications within an area/s of their choice.

How will local notification work in areas where there is no streetside postal delivery?

This is the subject of ongoing investigation by the Department of Infrastructure, Planning and Logistics.

How is creating a longer exhibition period reducing red tape?

The types of development proposed for a longer exhibition period are generally those that are more complex and take longer for the community, service agencies and the local authority to review. It will allow for a more robust assessment upfront and reduce the likelihood of the application being deferred.

Are the notification requirements based on the assessment category?

No. Notification requirements are set through the Planning Act and the associated Regulations. Assessment categories are set through the planning scheme.

Do the new qualification and skill requirements apply to Council-nominated members of the DCA?

No. It is up to each Council to decide the relevant attributes for its nominated community members.

Who can Council nominate to the DCA?

Council will act on behalf of the community to nominate appropriate people to the DCA. This could be its elected members (ie aldermen or councillors), or any other suitable person from the community, except an employee of the Council.

Will other professions be considered as specialist members of the DCA?

Appointment as a specialist member will depend on the Minister being satisfied that a person has skills, qualifications or experience in one or more of the prescribed categories.

Will all the infrastructure listed be subject to a contributions plan?

Not necessarily. A contribution plan can be developed for any or all of the categories identified in the regulations.

HOW TO BE INVOLVED

Submissions close Friday 24 April 2020



www.haveyoursay.nt.gov.au/planningreform

Phone:
8999 8963

Access all documents
Complete a Survey
Write a Submission

Email:
planning.ntg@nt.gov.au