

LANDS AND PLANNING LEGISLATION AMENDMENT (RED TAPE REDUCTION) BILL
Serial 77

Mr BURGOYNE (Lands, Planning and Environment)(in reply): Madam Speaker, I thank all members who contributed to the debate, the Legislative Scrutiny Committee for its consideration of the Bill and those who made submissions. I also thank the Member for Arafura for taking the opportunity to receive a briefing on the Bill, unlike the Member for Nightcliff who perhaps needs to do his homework. I also acknowledge the Legislative Scrutiny Committee for its consideration of the Bill and thank the stakeholders who engaged with the committee process and provided submissions.

Upon its introduction the Bill was referred to the Legislative Security Committee. On 7 October 2026 the committee published its report, Inquiry into the Lands and Planning Legislation Amendment (Red Tape Reduction) Bill 2026.

The report made 11 recommendations. The first recommendation was that the Legislative Assembly pass the Bill with the proposed amendments set out in the other five recommendations. This recommendation was noted. I have accepted three recommendations. An Assembly amendment schedule has been prepared that addresses these recommendations.

Specifically, recommendation 2 was raised as a concern in a number of submissions to the committee. In clarification of the protections against self-incrimination, the committee recommended the insertion of the word 'civil or' before 'criminal' in proposed sections 25H(4), 33(4) and 34E(4) of the *Building Act*.

This recommendation was not considered to sufficiently extend protections in line with the policy intent. The Assembly amendment drafted clarifies that immunity applies to any proceedings except for a proceeding against the person for professional misconduct under the Act or a proceeding for an offence against the Act.

Recommendation 7 addresses a typographical error that was not identified during drafting of the Bill. I appreciate the work done to ensure that this is all rectified during this process.

Recommendation 9 addresses the necessary consequential amendments missed during drafting. If this Assembly amendment is not made, the changes made through the Bill will enable the minister to consider whether an exceptional development permit is not so significant as to require public exhibition cannot be enacted.

The scrutiny committee made a number of other recommendations, specifically 3, 4, 5 and 6, which relate to minor improvements to the Building Regulations. Assembly amendments are not proposed for these recommendations. The committee's recommendations will be considered as part of the implementation prior to changes commencing through new regulations.

Recommendations 8, 10 and 11 relate to changes to the Northern Territory Planning Commission and Development Consent Authority meeting and hearing processes and response timeframes for enforcement notices. The committee recommended that the Bill be amended to retain the existing mandate to invite local government councils to meetings and hearings if they make a submission and for a longer timeframe to be provided for responses to enforcement notices. As these recommendations are inconsistent with the intent of the Bill, they have not been accepted.

This Bill amends the lands, planning and building legislation to deliver on the government's commitments under the Rebuilding the Economy strategy to reduce red tape by applying a risk-based regulatory approach, improve certainty in decision-making and reduce approval timeframes.

The Bill responds to recommendations from the Ombudsman NT investigation report, 'Can we fix it? Building certification in the NT'. The Bill also responds directly to feedback from industry stakeholders to increase efficiency and effectiveness in regulatory processes by removing lengthy and outdated processes.

This Bill amends the *Building Act 1993*, the *Building Regulations 1993*, the *Place Names Act 1967*, the *Planning Act 1999* and the *Valuation of Land Act 1963*. It repeals the *Valuation of Land Regulations 1981*. I will talk to the separate legislation amendments, starting with the *Building Act*.

The *Building Act* and regulations provide for the establishment of technical standards for buildings; the registration of building practitioners; and the regulation of building matters to ensure that buildings are safe, structurally sound and suitable for use.

First and foremost, the Bill fixes a long-term issue with certain buildings being unable to obtain occupancy certification even if the building is safe to use.

The amendments in the Bill also allow building certifiers to request a report from the Northern Territory Fire and Rescue Service before occupational certification is granted. An issue raised in the Ombudsman's investigation was the reportedly high proportion of buildings requiring fire safety rectification work after they were occupied. The changes will allow for any fire safety issues to be identified and addressed before a building is occupied. This does not apply to all buildings, but it is especially important for high-risk buildings such as hospitals, aged-care facilities and high-rise apartments. The involvement of the Northern Territory Fire and Rescue Service early in the building process ensures that any fire safety issues found during construction can be more readily and cost-effectively resolved compared with rectification work after the building is occupied.

This Bill also introduces a requirement for prescribed inspection certificates to be issued by a building certifier within 14 days of an inspection completed for residential building work. Some industry stakeholders have raised concerns that this requirement will increase costs or slow building activity. The government does not share that view. This amendment is not about creating additional red tape. It will ensure people building a home are better protected and important regulatory documents are given within a reasonable time after an inspection is completed. A 14-day requirement establishes a clear and fair expectation while supporting confidence in the building approval process.

I will talk briefly about the proposed change for the Director of Building Control to initiate an investigation. This change modernises the legislation and supports proactive monitoring of building work. The current process is reactive and relies on formal complaints being submitted. This change will allow the director to establish the facts and address potential risks before they escalate.

Most builders, plumbers and other practitioners act professionally, take pride in their work and do the right thing by their clients. An investigation into their work does not mean they have done anything wrong. If no breach is identified, no further action is required. However, when serious breaches or deliberate noncompliance is identified, particularly when it may place homeowners or the community at risk, Territorians rightly expect the regulator to respond appropriately.

Other minor amendments introduce a more flexible and risk-based approach to occupancy certification for buildings, temporary structures and places used for public assembly. This will make compliance easier and more practical for industry, while ensuring public safety remains paramount. These changes will give building practitioners options for compliance and Territorians assurance that the building they occupy meets national structural and fire safety requirements.

The current Act provides a single assessment pathway for all place-naming submissions regardless of their complexity or level of community interest. This means that straightforward submissions are subject to the same assessment processes as submissions with significant cultural or community importance. The amendments apply a risk-based approach that is proportionate to the level of risk and complexity of the submissions to be considered.

Most submissions relate to new roads, neighbourhood parks and new subdivisions. These are generally straightforward in nature and do not affect any existing residence. Applying a streamlined assessment process will reduce unnecessary administration and support more timely decision-making.

More significant submissions, such as requests relating to naming locality, suburbs, geographical features, public infrastructure and places of public or historic interest, will continue to be considered by the Place Names Committee. The committee's role is not being removed. These reforms allow the committee to focus its expertise on matters that require greater consideration and community engagement.

Importantly, the Bill does not change existing consultation requirements for Aboriginal placenames or names on Aboriginal land. Consultation with traditional owners and relevant language groups will continue in accordance with established policy and practice.

Commemorative naming is naming a place after someone who has passed away. This will always require the views of the family. All the descendants of the person to be commemorated are sought. This applies to both low-risk and complex submissions.

These amendments streamline decision-making for straightforward matters while ensuring places of cultural, historical and community significance continue to receive appropriate oversight and consultation.

The *Planning Act* establishes the legal framework to facilitate planning for the orderly use and development of land across the Territory. It governs the functions and powers of two independent statutory bodies, being the Development Consent Authority and the Northern Territory Planning Commission, and establishes compliance and enforcement powers and pathways, the conventions of the Act.

The amendments propose new statutory delegation powers for the Planning Commission to enable its powers and functions to be delegated to the chairperson or other members. The role of the commission is not altered through these changes; rather, they provide more flexibility in how it decides to carry out its work. This is a significant process enhancement for the commission and will improve efficiency in its roles under the Act.

The amendments in the Bill make changes to public hearing and meeting processes of the Development Consent Authority and Planning Commission, providing greater alignment in processes so that the community and industry know what to expect. The changes also provide more flexibility so that meetings and public hearings can be held only when they meaningfully contribute to the process.

Other amendments extend the standard terms of appointment for Planning Commission and Development Consent Authority members from two years to four years. This reduces the administrative burden of frequent appointments, ensures continuity in leadership and better aligns the appointment period with longer-term projects that the Planning Commission leads.

Other amendments target improved efficiency and remove unnecessary red tape whilst ensuring adequate limits are maintained. These include changes to the exceptional development permit process, which include providing greater flexibility for decision-makers to determine when an application warrants public exhibition in a consistent way that other similar decisions are already made under the Act. At the same time, clarifying what an exceptional development permit application may be used for further strengthens the Act's operation.

In addition, ministerial decision timeframes for Planning Scheme amendments will be reduced from 90 days to a more contemporary 30-day period. This will streamline the Planning Scheme amendment process in particular without changing how notification about these applications is provided to the community or how submissions are received and considered.

The *Valuation of Land Act* sets out the rules for how land in the Northern Territory is officially valued. The values are mainly used by local councils to work out council rates under the Act. Landowners and councils receive information about the unimproved capital value of their land. This is the value of the land without any buildings or improvements. Landowners receive this advice every three years with their notice of valuation.

The Bill makes some minor amendments to this Act to modernise the legislation and improve administrative efficiency. A key change to the Act is to clarify requirements for the service of notices to allow for notices to be sent by email. The amendments also clarify provisions relating to the service of notices to ensure legislative timeframes are applied consistently and with greater certainty.

The Bill also amends the Act to specify a fee for obtaining certified copies of entries in the valuation roll and states this fee as revenue units rather than a dollar value, consistent with other legislation. The fee is currently specified in the regulations. By including it in the Act, the regulations can be repealed.

Together, these are practical and sensible changes that modernise the Act, reduce unnecessary administrative burden and support more efficient service delivery while maintaining existing valuation processes and protections for landowners.

This Bill supports the government's commitment to rebuilding the economy through practical regulatory reform that improves certainty, reduces unnecessary red tape and supports housing and development across the Territory. It addresses longstanding issues with building certification that have been left for too long. It aligns with the government's broader priorities under the Rebuilding the Economy strategy and the Restoring the Territory Lifestyle strategy.

The amendments I have outlined are targeted practical reforms that modernise legislation, streamline administrative processes and improve the efficiency of regulatory decision-making. Together, these changes will support more timely service delivery; reduce costs for the community, industry and government; and ensure our regulatory frameworks remain fit for purpose.

I again acknowledge the contributions of everyone who spoke in this debate; the members of the Legislative Scrutiny Committee; the stakeholders who contributed to the scrutiny process; the staff in the Office of the Parliamentary Counsel who, as always, have done an exceptional job in preparing the Bill and Assembly amendment schedule; and last, but not least, the officers from the Department of Lands, Planning and Environment who contributed to the development of the Bill.

I commend the Bill to the Assembly.

Motion agreed to; Bill read a second time.