

**INQUIRY INTO NEW SOUTH WALES PLANNING
FRAMEWORK**

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Mr Simon Johnston
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Dear Mr *Simon* Johnston

I am pleased to provide you with information for the inquiry into the New South Wales planning framework.

Consistent with the Development Assessment Forum's Leading Practice Model, in 2007 the Northern Territory Government introduced a consolidated planning scheme, the NT Planning Scheme. The scheme uses a track-based assessment model that streams applications into a process that corresponds with the level of assessment required.

The scheme replaced some 21 town plans, 370 land use objectives, 82 control plans over Aboriginal Community Living Areas and a host of other documentation. In developing the scheme, each control was reviewed in detail and assessed on the basis of its relevance and public benefit. The scheme is written in plain English; is consistent, concise and easily navigated; and the range of development issues is well covered.

The scheme includes Territory wide and regional principles relating to Government's expectations for the use and development of land. It includes a common suite of zones, land use definitions, control provisions and guidelines based on existing controls. Work is underway to review central Darwin building heights and car parking which should result in amendments to the scheme.

Once the Council of Australian Governments (COAG) endorses the National Principles for Water Efficiency, the Northern Territory Government will initiate an amendment to the scheme to include those principles.

The Department of Planning and Infrastructure (DPI) has engaged consultant services to benchmark and evaluate the scheme against a selection of planning schemes in other jurisdictions. That work is expected to identify opportunities for enhancement including, for example, matters relating to sustainability in the built environment.

The new scheme includes provisions that would allow for the extension of planning control into remote indigenous communities that is consistent with the National Emergency Response and Closing the Gap initiatives.

In relation to housing affordability, DPI is working with Territory Housing to implement further planning controls that may be necessary to improve affordable housing options. The scheme identifies housing choice as a Northern Territory Planning Principle. A significant new residential subdivision planned for Darwin will include up to 15 percent of new housing to be provided as social or affordable housing for first home buyers.

DPI currently has contractors engaged to develop and implement some key elements of electronic Development Application (eDA) and Building Approval processing through its current modernisation program for the Integrated Land Information System (ILIS). Enhancements to the Planning and Building ILIS applications include over-the-counter lodgement of applications, imaging of plans, storage of all documents electronically in ILIS and integration of this ILIS information with office systems and work flows. These initiatives are consistent with COAGs Development Assessment Reform agenda.

With regard to the Commonwealth *Environment Protection and Biodiversity Conservation Act* (EPBC Act) and the Northern Territory *Environmental Assessment Act*, the Northern Territory Government has a Bilateral Agreement with the Commonwealth that accredits our environmental assessment process for the purposes of the EPBC Act. In most cases, the Commonwealth and the Northern Territory Government have agreed on an assessment process that did not duplicate actions by either jurisdiction.

The Northern Territory Government uses the NT Environmental Impact Assessment Guide: Greenhouse Gas Emissions and Climate Change for assessment of developments under the *Environmental Assessment Act*. It includes requirements regarding the detailing and minimising of greenhouse gas emissions from development. The Guide requires proponents to explain how projected climate change has been taken into account in planning the development, how climate change is expected to affect the development over its stated lifetime and how climate change-related risks (for example, risk of failure of project infrastructure during potential extreme weather events) will be managed.

The Guide is available at
<http://www.nt.gov.au/nreta/environment/greenhouse/publications.html>

In the Northern Territory, local government has no deliberative role in the consideration of development applications. The Development Consent Authority, a panel consisting of a Chairman and four members considers applications within their division area. Currently there are seven division areas, generally associated with the larger population centres, Alice Springs, Batchelor, Darwin, Katherine, Litchfield, Palmerston and Tennant Creek. Outside these areas the consent authority is the Minister.

Because local government has not had a direct role in planning or building regulation, there has not been an issue of local government using its powers to place additional requirements on building works. I am aware that in other jurisdictions there is the potential for Councils to adopt additional building requirements that can undermine the intent of a national building code.

I am interested to hear of the outcome of the New South Wales inquiry.

Yours sincerely



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