

NORTHERN TERRITORY OF AUSTRALIA

PETROLEUM, PLANNING AND WATER LEGISLATION AMENDMENT ACT 2025

Act No. 7 of 2025

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 7 of 2025

An Act to amend the *Petroleum Act 1984*, the *Planning Act 1999*, the *Water Act 1992*, the *Petroleum (Environment) Regulations 2016* and the *Planning Regulations 2000*

[Assented to 7 April 2025]
[Introduced 12 February 2025]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Petroleum, Planning and Water Legislation Amendment Act 2025*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

Part 2 Amendment of petroleum legislation

Division 1 Petroleum Act 1984

3 Act amended

This Division amends the *Petroleum Act 1984*.

4 Section 16A replaced

Section 16A

repeal, insert

16A Determination of release of blocks

After the end of the application period specified in a notice given under section 16, the Minister must:

- (a) consider any applications and submissions received in relation to the notice; and
- (b) if an application has been received in relation to a block specified in the notice, determine:
 - (i) to release the block for exploration; or
 - (ii) not to release the block for exploration; and
- (c) release for exploration any blocks determined under paragraph (b)(i); and
- (d) publish on the Agency's website:
 - (i) notice of the determination under paragraph (b); and
 - (ii) for a block that is released for exploration – the reasons why the block is appropriate for exploration.

5 Section 57AB amended (Review by Tribunal)

Section 57AB(4)

omit

6 Part VII, Division 6 inserted

After section 137

insert

**Division 6 Petroleum, Planning and Water Legislation
Amendment Act 2025**

138 Decisions made before commencement

(1) This Act as in force immediately before the commencement continues to apply in relation to a decision or determination made under one of the following provisions before the commencement:

(a) section 16A or 20;

(b) regulation 11(2)(a) or (3)(a) or 17 of the *Petroleum (Environment) Regulations 2016*.

(2) In this section:

commencement means the commencement of Part 2 of the *Petroleum, Planning and Water Legislation Amendment Act 2025*.

**7 Schedule 1 amended (Decisions subject to principles of
ecologically sustainable development)**

Schedule 1, entry for section 16A

omit, insert

section 16A(b) A determination to release or not release a block
for exploration

**8 Schedule 2 amended (Judicial Review of decision or
determination)**

Schedule 2, entry for section 16A

omit, insert

section 16A(b) A determination to release or not release a block
for exploration

9 Schedule 3 amended (Reviewable decisions and interested persons)

Schedule 3

omit

A decision of the Minister to release specified blocks for exploration under section 16A(c)

A person directly affected by the decision

The Land Council for the area in relation to which the decision applies

A registered native title body corporate in relation to any part of the area to which the decision applies

Any registered native title claimant in relation to any part of the area to which the decision applies

A person who made a genuine and valid submission under section 16(2)(db) on the release of the blocks, other than an excluded third party submission

A decision of the Minister to grant an exploration permit under section 20

A person directly affected by the decision

The Land Council for the exploration permit area

A registered native title body corporate in relation to any part of the exploration permit area

Any registered native title claimant in relation to any part of the exploration permit area

A person who made a genuine and valid submission under section 19 on the application for the grant, other than an excluded third party submission

insert

A determination of the Minister not to release a block for exploration under section 16A(b)(ii)

An applicant for an exploration permit in respect of the block

Division 2 Petroleum (Environment) Regulations 2016

10 Regulations amended

This Division amends the *Petroleum (Environment) Regulations 2016*.

11 Regulation 29 amended (Review by Tribunal)

Regulation 29(4)

omit

12 Schedule 2 amended (Reviewable decisions and interested persons)

(1) Schedule 2

omit

A decision of the Minister to approve an environment management plan under regulation 11(2)(a) or (3)(a)

A person directly affected by the decision

The Land Council for the area in relation to which the plan applies

A registered native title body corporate in relation to any part of the area to which the plan applies

Any registered native title claimant in relation to any part of the area to which the plan applies

A person who made a genuine and valid submission under regulation 8B, other than an excluded third party submission

(2) Schedule 2

omit

A decision of the Minister to approve the revision of an environment management plan under regulation 17

A person directly affected by the decision

The Land Council for the area in relation to which the plan applies

A registered native title body corporate in relation to any part of the area to which the plan applies

Any registered native title claimant in relation to any part of the area to which the plan applies

A person who made a genuine and valid submission under regulation 8B, other than an excluded third party submission

Part 3 Amendment of planning legislation

Division 1 Planning Act 1999

13 Act amended

This Division amends the *Planning Act 1999*.

14 Section 2A amended (Purpose and objectives)

Section 2A(l)

omit

making and public access to processes for review of planning related decisions.

insert

making.

15 Section 30X repealed (Notice of determination to consent)

Section 30X

repeal

16 Section 30Y amended (Notice of consent)

(1) Section 30Y(1)

omit, insert

- (1) This section applies in relation to a concurrent application if the consent authority determines under section 30W(1)(a) or (b) to consent to the development proposal.

(2) Section 30Y(2)(b)

omit

submission.

insert

submission about the development proposal under section 30M.

(3) Section 30Y(3)(c)

omit, insert

- (c) details about the right of the applicant to apply for review of the determination of the development proposal under section 114.

17 Section 53A repealed (Notice of determination to consent)

Section 53A

repeal

18 Section 53B amended (Notice of consent)

(1) Section 53B(1)

omit, insert

- (1) This section applies in relation to a development application determined by the consent authority in accordance with section 53(a) or (b).

(2) Section 53B(3)(c)

omit

Part 9 and, if applicable, the reasons why there is no right of review under section 117.

insert

Part 9.

19 Section 111 amended (Review of decisions of consent authority)

(1) Section 111(1)(h)

omit

section 77C;

insert

section 77C.

(2) Section 111(1)(i)

omit

(3) Section 111(2)(b)

omit

subsection (1)(g) and (h);

insert

subsection (1)(g) and (h).

(4) Section 111(2)(c)

omit

20 Section 117 repealed (Applications by third parties for review in respect of concurrent applications and development applications)

Section 117

repeal

21 Part 12, Division 9 inserted

After section 217

insert

**Division 9 Petroleum, Planning and Water Legislation
Amendment Act 2025**

218 Decisions made before commencement

(1) This Act as in force immediately before the commencement continues to apply in relation to a decision or determination made under section 30W(1)(a) or (b), 53(a) or (b) or 79A(1)(a) before the commencement.

(2) In this section:

commencement means the commencement of Part 3 of the *Petroleum, Planning and Water Legislation Amendment Act 2025*.

22 Act further amended

The Schedule has effect.

Division 2 Planning Regulations 2000

23 Regulations amended

This Division amends the *Planning Regulations 2000*.

24 Regulation 2A amended (Interpretation)

Regulation 2A(1), definition **residential zone**

omit, insert

residential zone means each zone specified in regulation 3C as a residential zone.

25 Regulation 3C inserted

After regulation 3B, in Part 2

insert

3C Residential zones

- (1) A zone in land to which the NT Planning Scheme applies is a residential zone if it is specified in the planning scheme, or in a map to which the planning scheme refers, as one of the following:
 - (a) LR – Low Density Residential;
 - (b) LMR – Low Medium Density Residential;
 - (c) MR – Medium Density Residential;
 - (d) HR – High Density Residential;
 - (e) CV – Caravan Parks;
 - (f) CL – Community Living;
 - (g) RL – Rural Living;
 - (h) RR – Rural Residential.
- (2) Each of the following specific use zones in the NT Planning Scheme is a residential zone:
 - (a) SA2;
 - (b) SD1, SD8, SD10, SD11, SD12, SD13, SD17, SD19, SD20 and SD21;
 - (c) SK1 and SK3;
 - (d) SP2, SP3 and SP4.
- (3) A zone in land to which the Jabiru Town Plan applies is a residential zone if it is specified in the planning scheme, or in a map to which the planning scheme refers, as a Residential Zone.

Note for subregulation (3)

Under section 184 of the Act, the Jabiru Town Plan is taken to be a specific planning scheme.

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- (4) A zone specified as a specific use zone in a planning scheme, or in a map to which the planning scheme refers, is a residential zone if:
- (a) the zone is established (including by changing an existing zone) by an amendment of the planning scheme that takes effect on or after 1 February 2007; and
 - (b) a provision of the planning scheme requires the land in the zone to be developed and used predominantly for dwellings not exceeding 2 storeys above ground level.

26 Part 4 repealed

Part 4

repeal

Part 4 Amendment of Water Act 1992**27 Act amended**

This Part amends the *Water Act 1992*.

28 Section 105D amended (Review by NTCAT)

- (1) Section 105D(1)

omit

Schedule 2, clause 2.

insert

Schedule 2.

- (2) Section 105D(2)

omit

Schedule 2, clause 2

insert

Schedule 2

29 Part 21 inserted

After section 132

insert

Part 21 Transitional matters for Petroleum, Planning and Water Legislation Amendment Act 2025**133 Decisions made before commencement**

- (1) Schedule 2 as in force immediately before the commencement continues to apply in relation to a decision or determination made under section 36(1), 41(1), 45(1), 57(1), 60(1), 63(1), 67(1), 71G(1) or 74(1) before the commencement.

- (2) In this section:

commencement means the commencement of Part 4 of the *Petroleum, Planning and Water Legislation Amendment Act 2025*.

30 Schedule 1 amended

Schedule 1, heading, after "1"

insert

Repealed Acts**31 Schedule 2 amended (Reviewable decisions)**

- (1) Schedule 2, clause 1

omit

- (2) Schedule 2, clause 2, heading

omit

- (3) Schedule 2, items 2, 4, 6, 10, 12, 15, 18, 21 and 26

omit

Part 5 Repeal**32 Repeal of Act**

This Act is repealed on the day after it commences.

Schedule Planning Act 1999 further amended

section 22

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 54(2)	whole subsection	
section 57B	53A(3),	
section 85(3)	53A,	
section 112(1)	30X,	
section 112(2)(b)	53A,	
section 114(2)	30X, 30Y, 53A or 53B	30Y or 53B
section 118A(c)	made;	made.
section 118A(d)	whole paragraph	
section 130(4)(b)	or 117 only – revoking the determination set out in the notice served under section 30X, 30Y, 53A or 53B,	only – revoking the determination set out in the notice served under section 30Y or 53B,
