**NORTHERN TERRITORY OF AUSTRALIA**

# LANDS AND PLANNING LEGISLATION AMENDMENT (RED TAPE REDUCTION) ACT 2026

**Act No. 28 of 2026**

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# NORTHERN TERRITORY OF AUSTRALIA

**Act No. 28 of 2026**

An Act to amend the *Building Act 1993*, the *Building Regulations 1993*, the *Place Names Act 1967*, the *Planning Act 1999* and the *Valuation of Land Act 1963* and to repeal the *Valuation of Land Regulations 1981* and for related purposes

[*Assented to 6 November 2026*]
[*Introduced 26 August 2026*]

**The Legislative Assembly of the Northern Territory enacts as follows:**

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026*.

### 2 Commencement

(1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.

(2) If a provision of this Act does not commence before 26 August 2028, it commences on that day.

## Part 2 Amendment of building legislation

## Division 1 Amendment of Building Act 1993

### 3 Act amended

This Division amends the *Building Act 1993*.

## 4 Section 4 amended (Definitions)

(1) Section 4

*insert*

***Northern Territory Fire and Rescue Service*** means the Northern Territory Fire and Rescue Service established by the *Fire and Emergency Act 1996.*

(2) Section 4, definition ***reporting authority***

*omit*

permit.

*insert*

permit or occupancy certification.

(3) Section 4, definition ***temporary structure***, paragraph (b)

*omit, insert*

(b) a mobile structure, other than a shipping container, demountable building or transportable building that is affixed to land or used for habitation.

## 5 Section 8 amended (Functions and powers of Director)

After section 8(1)(ac)

*insert*

(ad) generally, to investigate, monitor and enforce compliance with this Act and the Regulations in relation to the carrying out of building work; and

## 6 Section 11 amended (Functions and powers of Advisory Committee)

Section 11(1)(a), before 'to'

*insert*

at the request of the Minister,

## 7 Section 19 amended (Functions and powers of Appeals Board)

Section 19(1)(ab)

*omit, insert*

(ab) to determine appeals against decisions of the Director or building certifiers made under Part 6 or 8 for which a right of appeal is specified in Schedule 3 or 4; and

## 8 Part 3, Division 1A inserted

After section 25C

*insert*

## Division 1A General investigation powers of Director

### 25D General investigation powers

The Director, at any time the Director considers it appropriate to do so, may investigate any matter relating to the compliance with this Act and the Regulations in the carrying out of building work including the conduct of building practitioners.

### 25E Result of preliminary investigation

After a preliminary investigation of a matter under section 25D, the Director may decide:

(a) not to proceed with the investigation; or

(b) to proceed with the investigation.

### 25F Person subject to investigation to be informed

If the Director decides under section 25E to proceed with an investigation, the Director must, by notice in the approved form:

(a) inform the person who is the subject of the investigation of the investigation and the purpose of the investigation; and

(b) invite the person to respond to the Director about the matter within the specified time (which must be at least 5 working days after the notice is given).

### 25G Production and inspection of documents

(1) The Director may, by notice in the approved form, require a person who is the subject of an investigation to produce to the Director any documents related to the building or building work that may be relevant to the investigation.

(2) The Director may inspect, or take extracts from or copies of, any documents produced under subsection (1).

### 25H Building practitioners and others must cooperate during investigation

(1) The Director may refer the following matters to the Practitioners Board for inquiry:

(a) a building practitioner, during the course of an investigation under this Division, refuses or fails to comply with any reasonable request from the Director to answer a question, provide information or produce a document;

(b) a building practitioner, during the course of an investigation under this Division, in purported response to a request from the Director, gives an answer, provides information or produces a document that is false or misleading.

(2) A person must not:

(a) refuse or fail to comply with a requirement of the Director under section 25G(1); or

(b) obstruct or hinder the Director in the exercise of a power under section 25G.

Maximum penalty: 40 penalty units.

(3) A person is not excused from answering a question, providing information or producing any document, if required to do so by the Director under this Division, on the ground that the information or answer or document might tend to incriminate the person or make the person liable to a penalty.

(4) However, the information, answer or document is not admissible in evidence against the person in any proceeding other than:

(a) a proceeding against the person for professional misconduct under this Act; or

(b) a proceeding for an offence against this Act.

### 25J Action on completion of investigation

(1) On completion of an investigation (other than a preliminary investigation) under this Division, the Director must decide:

(a) whether or not there is evidence that a person who is the subject of the investigation has committed an offence against this Act or the Regulations and, if there is evidence, may decide to prosecute the person for the alleged offence; and

(b) whether or not there is evidence that a building practitioner who is the subject of the investigation is guilty of professional misconduct and, if there is evidence, must refer the matter to the Practitioners Board for inquiry.

(2) The Director must, as soon as practicable after making a decision under subsection (1), give the person to whom the decision applies written notice of the decision.

(3) The notice must set out the reasons for the decision.

## 9 Section 29 amended (Building practitioner to be informed)

(1) Section 29(a)

*omit, insert*

(a) inform the building practitioner of the nature of the complaint or the purpose of the investigation; and

(2) Section 29(b)

*omit*

complaint

*insert*

matter

## 10 Section 33 amended (Building practitioners and others must cooperate during investigation)

After section 33(2)

*insert*

(3) A person is not excused from answering a question, providing information or producing any document, if required to do so by the Director under this Division, on the ground that the information or answer or document might tend to incriminate the person or make

the person liable to a penalty.

(4) However, the information, answer or document is not admissible in evidence against the person in any proceeding other than:

(a) a proceeding against the person for professional misconduct under this Act; or

(b) a proceeding for an offence against this Act.

## 11 Section 34E amended (Building practitioners must cooperate with auditor)

After section 34E(2)

*insert*

(3) A person is not excused from answering a question, providing information or producing any document, if required to do so by an auditor under this Division, on the ground that the information or answer or document might tend to incriminate the person or make the person liable to a penalty.

(4) However, the information, answer or document is not admissible in evidence against the person in any proceeding other than:

(a) a proceeding against the person for professional misconduct under this Act; or

(b) a proceeding for an offence against this Act.

## 12 Section 34G amended (When inquiry to be held)

Section 34G, after 'section'

*insert*

25H(1), 25J(1)(b),

## 13 Section 34P amended (Decision on inquiry)

After section 34P(2)(a)

*insert*

(ab) if the decision is to suspend or cancel a building practitioner's registration – the Commissioner; and

## 14 Section 34S amended (Professional misconduct)

(1) Section 34S, before 'A building'

*insert*

(1)

(2) Section 34S, at the end

*insert*

(2) If a corporation is found guilty of professional misconduct on a ground listed in subsection (1)(b) to (g), each person being a director of the corporation or a person concerned in the management of the corporation is taken to have been found guilty by the Inquiry Board under section 34P(1)(a) of professional misconduct on that ground except if the person proves that the person had no knowledge of the misconduct and could not, by the exercise of due diligence, have prevented the misconduct.

## 15 Section 40 amended (Building certifier or Director may rely on certificate)

(1) Section 40(a)

*omit*

or

*insert*

and

(2) After section 40(a)

*insert*

(ab) a certificate of a building practitioner certifying that building work complies with a design certified by another building practitioner as complying with this Act and the Regulations that was provided with the application for the building permit for the building work;

## 16 Section 59 amended (General requirements for grant of building permit)

Section 59(1)(b)

*omit*

or are to be granted or supplied concurrently with the building permit

## 17 Section 60B amended (Amendment and cancellation of building permit)

After section 60B(2)

*insert*

(3) A building certifier must not amend a building permit unless the building work and the amended building permit will comply with this Act and the Regulations.

Maximum penalty: 85 penalty units.

*Note for section 60B*

*See Schedule 3, clauses 5 and 6 for when a consent or report of a reporting authority is required for an amendment to a building permit.*

## 18 Section 63 amended (Inspections)

(1) Section 63(5)

*omit*

, in all material respects,

(2) Section 63(6)(c)

*omit*

in all material respects

(3) Section 63(7)

*omit*

form.

*insert*

form and be issued within 14 days after the date of the inspection.

## 19 Section 66 amended (Buildings etc. not to be used for public assembly without occupancy permit)

(1) Section 66, heading

*omit*

**permit**

*insert*

**certification**

(2) Section 66(1) and (2)

*omit*

occupancy permit

*insert*

occupancy certification

(3) After section 66(2)

*insert*

(3) Subsections (1) and (2) do not apply in relation to a temporary structure that:

(a) is a marquee or shade structure; and

(b) does not have tiered seating or fixed internal structures.

## 20 Section 70 amended (Granting occupancy permit)

Section 70(1)

*omit*

in all material respects

## 21 Section 72 amended (Effect of occupancy permits)

Section 72

*omit*

in all material respects

## 22 Section 72D amended (Application)

(1) Section 72D(2)

*omit, insert*

(2) An owner or owner's agent may apply for a certificate of existence in relation to building work (***existing building work***) carried out in or on a building of a class prescribed by regulation.

(2) After section 72D(3)

*insert*

(3A) An application for a certificate of existence may also be made even if, at the time the existing building work was carried out, no relevant building law required a building authorisation to be granted for the work.

## 23 Section 72E amended (Building certifier's recommendation to Director)

(1) After section 72E(1)

*insert*

(1A) A recommendation must be accompanied by the prescribed fee to be paid by the applicant for the certificate.

(2) After section 72E(3)

*insert*

(3A) A building certifier need not make a recommendation to the Director under subsection (1) if the recommendation would be to refuse to grant the certificate of existence.

(3) Section 72E(4)(a)

*omit*

72D(2)(a)

*insert*

72D(2)

(4) After section 72E(4)

*insert*

(5) The building certifier must not make a recommendation for the grant of a certificate of existence unless the applicant for the certificate of existence has paid the prescribed fee required to accompany the recommendation.

## 24 Section 72F amended (Granting certificate of existence)

Section 72F(2)(a)

*omit*

section 72E(2); and

*insert*

section 72E(2) and the prescribed fee mentioned in section 72E(1A); and

## 25 Section 73A amended (Exemption certificate and prescribed certification)

Section 73A(2)(a)

*omit*

40(a)

*insert*

40(a), (ab)

## 26 Section 74 amended (Temporary occupation of buildings)

(1) Section 74 heading, after '**buildings**'

*insert*

**or temporary structures**

(2) Section 74(1)

*omit*

building for

*insert*

building or temporary structure for

(3) Section 74(2)

*omit, insert*

(2) An application for an approval to occupy a building or temporary structure on a temporary basis may be made to a building certifier by the owner of the building or temporary structure or by the owner's agent.

### 27 Section 130 amended (Who may appeal)

(1) After section 130(1)

*insert*

(1A) An appeal against a decision of the Director or a building certifier made under Part 6 or 8 for which a right of appeal is specified in Schedule 3 or 4 may be made by the person specified in relation to that right of appeal in that Schedule.

(2) Section 130(2), after 'subsection (1)'

*insert*

or (1A)

### 28 Part 25 inserted

After section 210

*insert*

## Part 25 Transitional matters for Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026

### 211 Definitions

In this Part:

***amending Act*** means the *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026*.

***commencement*** means the commencement of Part 2, Division 1 of the amending Act.

### 212 Application of amendments to findings, applications and decisions

(1) Section 34S, as amended by section 14 of the amending Act, applies only in relation to a finding of professional misconduct made on or after the commencement.

(2) Section 34S, as in force immediately before the commencement, continues to apply in relation to a finding of professional misconduct made before the commencement.

(3) Section 59, as amended by section 16 of the amending Act, applies only in relation to an application for a building permit made on or after the commencement.

(4) Section 59, as in force immediately before the commencement, continues to apply in relation to an application for a building permit made before the commencement.

(5) Sections 72E and 72F, as amended by sections 23 and 24 of the amending Act, apply only in relation to an application for a certificate of existence made on or after the commencement.

(6) Sections 72E and 72F, as in force immediately before the commencement, continue to apply in relation to an application for a certificate of existence made before the commencement.

(7) Schedule 3, clauses 5(2) and 6(2), as amended by section 29(2) and (5) of the amending Act, apply only in relation to an application for a building permit, occupancy certification or amendment to a building permit made on or after the commencement.

(8) Schedule 3, clauses 5(2) and 6(2), as in force immediately before the commencement, continue to apply in relation to an application for a building permit, occupancy certification or amendment to a building permit made before the commencement.

(9) Schedule 3, clause 11, as inserted by section 29(8) of the amending Act, applies only in relation to a decision to grant a building permit or an occupancy certification made on or after the commencement.

(10) Schedule 3, clause 11, as in force immediately before the commencement, continues to apply in relation to a decision to grant a building permit or an occupancy certification made before the commencement.

## 29 Schedule 3 amended (Building permits and occupancy certification)

(1) Schedule 3, clause 5(1) and (2), after 'certification'

*insert*

or an amendment to a building permit

(2) Schedule 3, clause 5(2)

*omit*

or intends to apply

(3) Schedule 3, after clause 5(2)

*insert*

(3) To avoid doubt, a recommendation in a report by the Northern Territory Fire and Rescue Service as a reporting authority under this Act does not constitute a notice under section 25(2) of the *Fire and Emergency Act 1996*.

(4) Schedule 3, clause 6(1), after 'certification'

*insert*

or an amendment to a building permit

(5) Schedule 3, clause 6(2)

*omit, insert*

(2) A building certifier need not obtain a report or consent from a reporting authority if:

(a) the applicant notifies the building certifier that the applicant has applied for the relevant report or consent; and

(b) in accordance with subclause (3), the applicant supplies a copy of the relevant report or consent made or given:

(i) in the 12 months preceding the application; or

(ii) after the application and within the time required under subclause (3) for the supply of the report or consent.

(6) Schedule 3, clause 6(3), after 'certification'

*insert*

or the amendment to a building permit

(7) Schedule 3, clause 7

*omit*

prescribed time,

*insert*

prescribed time or that time as extended by regulation,

(8) Schedule 3, clauses 10 and 11

*omit, insert*

**10 Notice of decision**

(1) A building certifier must, in writing, notify an applicant for a building permit or occupancy certification of the following in accordance with subclause (3):

(a) a refusal to grant the permit or certification, including a refusal taken under clause 9(2) to be made and either:

(i) the reasons for the refusal; or

(ii) if applicable, an explanation of the effect of clause 9(2);

(b) if the permit or certification is granted subject to conditions – the reasons for the conditions.

Maximum penalty: 40 penalty units.

(2) The Director must, in writing, notify an applicant for a certificate of existence of the following in accordance with subclause (3):

(a) a refusal to grant the certificate, including a refusal taken under clause 9(5) to be made and either:

(i) the reasons for the refusal; or

(ii) if applicable, an explanation of the effect of clause 9(5);

(b) if the certificate is granted subject to conditions – the reasons for the conditions.

(3) A notification under subclause (1) or (2) must be given within 14 days after the decision referred to in subclause (1)(a) or (b) or (2)(a) or (b) is made or is taken under clause 9(2) or (5) to be made.

**11 Approvals where reporting body involved**

(1) If a building certifier grants a building permit or occupancy certification that must be reported on or consented to by a reporting authority (other than the Northern Territory Fire and Rescue Service), the building certifier must, within 7 days after granting the building permit or occupancy certification, send to the reporting authority:

(a) a copy of the relevant permit or certification; and

(b) if the grant of the permit or certification differs from or fails to require the implementation of a recommendation of the reporting authority, a copy of the decision of the building certifier in relation to the report of the reporting authority.

Maximum penalty: 40 penalty units.

(2) If a building certifier grants a building permit or occupancy certification that must be reported on by the Northern Territory Fire and Rescue Service, the building certifier must, within 7 days after granting the building permit or occupancy certification, send to the Service:

(a) a copy of the relevant permit or certification; and

(b) a written notice stating that:

(i) in the case the grant of a building permit – the proposed building work will comply with the fire safety matters in the National Construction Code and Australian Standards relevant to the building work specified in the report provided by the Service; or

(ii) in the case the grant of an occupancy certification – the building work complies with the fire safety matters in the National Construction Code and Australian Standards relevant to the building work specified in the report provided by the Service; and

(c) if the grant of the permit or certification differs from or fails to require the implementation of a recommendation of the Service:

(i) a copy of the decision of the building certifier in relation to the report of the Service; and

(ii) a statement of the reasons for the decision not to follow the recommendation.

Maximum penalty: 40 penalty units.

(3) If the Director grants a certificate of existence that must be reported on or consented to by a reporting authority, the Director must, within 7 days after granting the certificate of existence, send to the reporting authority:

(a) a copy of the certificate; and

(b) where the grant of the certificate differs from or fails to require the implementation of a recommendation of the reporting authority, a copy of the Director's decision in relation to the report of the reporting authority.

## Division 2 Amendment of Building Regulations 1993

### 30 Regulations amended

This Division amends the *Building Regulations 1993*.

### 31 Regulation 2 amended (Interpretation)

Regulation 2(1)

*insert*

***Australian Standard*** means a standard published by Standards Australia Limited ABN 85 087 326 690, as in force from time to time.

### 32 Regulation 5 amended (Accrediting persons or bodies)

After regulation 5(3)

*insert*

(4) An application to the Building Advisory Committee for a certificate of accreditation must be in the approved form and be accompanied by the prescribed fee.

## 33 Regulation 5E amended (Toilet concession)

Regulation 5E(3), definition ***Australian Standard***

*omit*

## 34 Regulation 6 amended (Application for building permit)

Regulation 6(b)

*omit*

plumbing and drainage work

*insert*

building work (including plumbing and drainage work)

## 35 Regulation 8 amended (Reporting authority)

(1) Regulation 8(1)(a), after 'authority'

*insert*

for an application for a building permit or an amendment to a building permit

(2) After regulation 8(2)

*insert*

(2A) A reporting authority may:

(a) advise the building certifier of any additional documents it requires to consider a matter to be reported on; and

(b) inspect any building work required to be reported on.

## 36 Regulation 9 replaced

Regulation 9

*repeal, insert*

**9 Limitation of time for reporting authority**

(1) A reporting authority is taken to have supplied a report in relation to an application for a building permit or an amendment to a building permit if the report is not supplied within 10 days of the receipt by the reporting authority of the request for the report and the information required under regulation 8(2).

(2) The Northern Territory Fire and Rescue Service may, within 5 days after receipt of a request for a report and the information required by regulation 8(2), give notice to the building certifier that an extension of time is required to complete the report.

(3) If the Northern Territory Fire and Rescue Service gives a notice under subregulation (2), the prescribed time under subregulation (1) for the Service to provide the report is extended by 5 days.

## 37 Regulation 10 amended (Limitation of time for building certifier to decide application for building permit)

(1) Regulation 10

*omit*

The time

*insert*

(1) Subject to subregulation (2), the time

(2) Regulation 10, at the end

*insert*

(2) If the time for the Northern Territory Fire and Rescue Service to complete a report is extended under regulation 9(3), subregulation (1)(a) and (b) apply as if a reference to 20 days were a reference to 25 days.

## 38 Regulation 17 replaced

Regulation 17

*repeal, insert*

**16A Reporting authority**

(1) A building certifier may request the Northern Territory Fire and Rescue Service to report on an application for an occupancy certification.

(2) The Northern Territory Fire and Rescue Service:

(a) is a reporting authority for an application for an occupancy certification in relation to the class of buildings or building work specified opposite the Service in Schedule 2, column 2; and

(b) is to report about the matters specified opposite the class of building or building work in Schedule 2, column 3, that are relevant to the request for a report.

(3) If a report is requested from the Northern Territory Fire and Rescue Service, the building certifier must supply the Service with sufficient detailed drawings and other information to enable the reporting authority to properly consider the matter.

(4) The Northern Territory Fire and Rescue Service may:

(a) advise the building certifier of any additional documents it requires to consider a matter to be reported on; and

(b) inspect any building work required to be reported on.

**17 Limitation of time for Northern Territory Fire and Rescue Service in relation to occupancy certification**

(1) For Schedule 3, clause 7 of the Act, the Northern Territory Fire and Rescue Service is taken to have supplied a report in relation to an application for an occupancy certification if the report is not supplied within 10 days of the receipt by the Service of the request for the report and the information required under regulation 16A(3).

(2) The Northern Territory Fire and Rescue Service may, within 5 days after receipt of a request for a report and the information required by regulation 16A(3), give notice to the building certifier that an extension of time is required to complete the report.

(3) If the Northern Territory Fire and Rescue Service gives a notice under subregulation (2), the prescribed time under subregulation (1) to provide the report is extended by 5 days.

**39 Regulation 18AB amended (Limitation of time for building certifier to determine application or make recommendation)**

(1) Regulation 18AB(1)

*omit*

For

*insert*

Subject to subregulation (1A), for

(2) After regulation 18AB(1)

*insert*

(1A) If the time for the Northern Territory Fire and Rescue Service to complete a report is extended under regulation 17(3), subregulation (1) applies as if a reference to 20 days were a reference to 25 days.

(3) Regulation 18AB(2)

*omit*

For

*insert*

Subject to subregulation (3), for

(4) After regulation 18AB(2)

*insert*

(3) If the time for the Northern Territory Fire and Rescue Service to complete a report is extended under regulation 17(3), subregulation (2) applies as if a reference to 25 days were a reference to 30 days.

## 40 Regulations 19D and 19E replaced

Regulations 19D and 19E

*repeal, insert*

### 19D Classification of buildings

For section 72D(2) of the Act, all classes of buildings are prescribed.

### 19E Criteria to be complied with

For section 72E(4)(c)(ii) of the Act, the existing building work must comply with the following criteria:

(a) each building must be structurally sound and be able to withstand the loadings likely to arise from its expected use;

(b) the building work must provide an appropriate level of health and amenity;

(c) the building work must contain adequate provision for:

(i) the safety of the people likely to be in the building in the event of a fire, including the provision of adequate facilities for leaving the building; and

(ii) the prevention and suppression of fire; and

(iii) the prevention of the spread of fire;

(d) each building identified in the Building Code as an importance Level 3 or 4 building must meet the fire safety requirements and be able to resist the loads and actions to which it may be reasonably subjected as determined by the Building Code in force at the time the application is made.

### 41 Part 3, Division 2, Subdivision 5 inserted

After regulation 20

*insert*

## Subdivision 5 Exemption certificates – prescribed certification

### 20AA Prescribed certification

For section 73A(2)(d) of the Act, the following documents are prescribed:

(a) a wet area sealing products certificate;

(b) a glazing certificate;

(c) a prefabricated window certificate or prefabricated door frame certificate.

### 42 Regulation 20C amended (Declaration for certain building work not requiring occupancy certification)

Regulation 20C(3)

*omit*

the work.

*insert*

the work together with the documents required by regulation 20CA to accompany the declaration.

## 43 Regulation 20CA inserted

After regulation 20C

*insert*

### 20CA Documents to accompany declaration under regulation 20C

(1) The following documents are required to accompany a declaration under regulation 20C:

(a) the certificates or other documents that relate to the manufacture and assembly off-site, or installation on-site, of any components of the building work by a person other than the person required to make the declaration under regulation 20C for the work that the building certifier reasonably requires;

(b) if electrical work requiring a certificate of compliance under section 41 of the *Electrical Safety Act 2022* was carried out in conjunction with the building work – a copy of the certificate;

(c) a copy of each relevant planning or other prescribed consent, report or approval, if any.

(2) For subregulation (1)(a), components of building work include the following:

(a) plumbing and drainage services;

(b) termite management systems;

(c) prefabricated roof trusses;

(d) wet area sealing products;

(e) prefabricated window and door frames;

(f) glazing.

## 44 Regulation 20E amended (Declaration by corporation after prescribed event)

(1) Regulation 20E(4)(c)

*omit*

work.

*insert*

work; and

(2) After regulation 20E(4)(c)

*insert*

(d) in the case of a declaration in accordance with regulation 20D – give the documents required by regulation 20CA to the building certifier who granted the building permit for the work.

## 45 Regulation 20F amended (Building certifier to give copy of declaration to Director)

(1) Regulation 20F, heading, after '**declaration**'

*insert*

**and accompanying documents**

(2) Regulation 20F

*omit*

7

*insert*

14

(3) Regulation 20F

*omit*

it

*insert*

the declaration and the accompanying documents required under regulation 20CA

## 46 Regulation 36G amended (Occupancy permit and structural report)

(1) Regulation 36G, heading

*omit*

**permit**

*insert*

**certification**

(2) Regulation 36G(1) and (2)

*omit (all references)*

occupancy permit

*insert*

occupancy certification

**47 Part 22 inserted**

After regulation 57

*insert*

## Part 22 Transitional matters for Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026

### 58 Definitions

In this Part:

***amending Act*** means the *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026*.

***commencement*** means the commencement of Part 2, Division 2 of the amending Act.

### 59 Application of amendments to existing applications

(1) Regulations 6, 8 and 9, as amended by sections 34, 35 and 36 of the amending Act, apply only in relation to an application for a building permit or an amendment to a building permit made on or after the commencement.

(2) Regulations 6, 8 and 9, as in force immediately before the commencement, continue to apply in relation to an application for a building permit made before the commencement.

(3) Regulation 36G, as amended by section 46 of the amending Act, applies only in relation to an application for an occupancy certification made on or after the commencement.

(4) Regulation 36G, as in force immediately before the commencement, continues to apply in relation to an application for an occupancy permit made before the commencement.

## 48 Schedule 1 amended (Prescribed fees)

(1) Schedule 1, after item 5

*insert*

| | | | |
|---|---|---|---|
| 5A | For a recommendation submitted to the Director for a certificate of existence: | | |
| | (a) | for a Class 1 building, a Class 2 building not exceeding 3 residential storeys or a Class 10 building | 543 |
| | (b) | for any other building | 1087 |

(2) Schedule 1, item 6, after 'permits'

*insert*

and occupancy certification, by lot number

(3) Schedule 1, item 6

*omit*

5

*insert*

20

(4) Schedule 1, item 7

*omit*

(5) Schedule 1, items 8 and 11

*omit*

5

*insert*

45

(6) Schedule 1, after item 11

*insert*

| | | |
|---|---|---|
| 11A | For an application to the Building Advisory Committee for accreditation of a building product, construction method, design, component or system | 543 |
| 11B | For an application to the Building Advisory Committee for an amendment to an accreditation of an accredited building product, construction method, design, component or system | 271 |

(7) Schedule 1, item 13

*omit*

115

*insert*

230

(8) Schedule 1, item 13

*omit*

230

*insert*

543

(9) Schedule 1, item 14

*omit*

57

*insert*

115

(10) Schedule 1, item 16

*omit, insert*

| | | |
|---|---|---|
| 16 | For a digital copy decision of the Building Appeals Board | 45 |
| | Plus additional fee for printing by request: | |
| | – per sheet no larger than A3 | 2 |
| | – per sheet larger than A3 | 8 |

### 49 Schedule 2 amended (Reporting Authorities)

(1) Schedule 2

*omit*

regulation 8

*insert*

regulations 8 and 16A

(2) Schedule 2, column 2, entry for the Northern Territory Fire and Rescue Service

*omit*

all words from 'Special hazard' to 'Woodwool.'

(3) Schedule 2, column 3, entry for the Northern Territory Fire and Rescue Service

*omit*

all words from 'Emergency vehicle' to 'theatres.'

*insert*

Fire safety matters relating to compliance with the National Construction Code and Australian Standards relevant to the building work.

## Part 3 Amendment of Place Names Act 1967

### 50 Act amended

This Part amends the *Place Names Act 1967*.

## 51 Section 4A amended (Meaning of *place*)

(1) Section 4A(1)(d)

*omit, insert*

(d) a park or garden that is open to or used by the public; and

(da) a reserve or a recreation or sporting ground that is open to or used by the public; and

(2) After section 4A(2)(b)

*insert*

(ba) a park or reserve declared under section 12 of the *Territory Parks and Wildlife Conservation Act 1976*; or

## 52 Section 9 amended (Committee's reports and recommendations)

Section 9(1)

*omit, insert*

(1) Subject to this section, the Committee may, from time to time as occasion requires, make reports to the Minister containing recommendations in relation to the naming of or the altering of the name of a place:

(a) specified in section 4A(1)(a), (b), (da), (e), (f) and (g); or

(b) referred to the Committee by the Surveyor-General under section 10A(2).

## 53 Sections 10A and 10B inserted

After section 10

*insert*

### 10A Surveyor-General’s reports and recommendations

(1) Subject to this section, the Surveyor-General may, from time to time as occasion requires, make reports to the Minister containing recommendations in relation to the naming of or the altering of the name of a place specified in section 4A(1)(c) or (d).

(2) The Surveyor-General may, from time to time as occasion requires, refer a place to the Committee to make a report to the Minister under section 9(1) containing recommendations in relation to the naming of or the altering of the name of that place.

(3) The Surveyor-General must not make a recommendation under subsection (1) in relation to naming or altering the name of a road, street, lane, trail or thoroughfare that is not vested in the Territory or a local government council unless the owner of the road, street, lane, trail or thoroughfare agrees to the recommendation being made.

(4) The Surveyor-General must not make a recommendation under subsection (1) in relation to the naming of a place in commemoration of a person unless the views of the family or descendants of the person proposed to be commemorated have been sought.

(5) A reference in this section to the altering of the name of a place includes a reference to the substitution of another name for the name of the place.

**10B Minister may direct Surveyor-General to provide advice on place name**

The Minister may, in relation to the naming of or the altering of the name of a place, direct the Surveyor-General to provide advice on the proposed name to the Minister in relation to:

(a) the name's compliance with any relevant standards or guidelines used for place naming in the Northern Territory; and

(b) any sensitivities arising from the use of the name; and

(c) any other relevant matter.

## 54 Section 11 amended (Powers of Minister)

(1) Section 11(1A)

*omit*

(2) Section 11(2), after 'Committee'

*insert*

and the Surveyor-General

(3) After section 11(2)

*insert*

(3) On receiving a report under section 10A or advice under section 10B, the Minister may:

(a) approve, either without alteration or subject to any alteration the Minister thinks fit, any recommendation contained in the report or advice; or

(b) reject any recommendation contained in the report or advice; or

(c) return the report to the Surveyor-General for further consideration and the submission of another report under section 10A; or

(d) seek further advice from the Surveyor-General under section 10B.

(4) The Minister must notify the Surveyor-General of a recommendation approved under subsection (3)(a).

## 55 Section 11A amended (Delegation)

(1) Section 11A(1)

*omit, insert*

(1) The Minister may, in writing, delegate to the Chairperson of the Committee the Minister's powers under section 11(1)(a) and (2).

(1A) The Minister may, in writing, delegate to the Surveyor-General the Minister's powers under sections 11(3)(a) and (4) and 11D(1).

(2) Section 11A(2)(b)

*omit*

(3) Section 11A(2)(e)

*omit*

years; or

*insert*

years.

(4) Section 11A(2)(f)

*omit*

(5) Section 11A(2)(f), example

*omit*

## 56 Section 11B replaced

Section 11B

*repeal, insert*

**11B Register**

(1) The Surveyor-General must establish a register.

(2) The register may be kept in any form the Surveyor-General determines.

(3) The Surveyor-General must record in the register a name approved under section 11 as soon as practicable after being notified under section 11(2) or (4).

(4) The Surveyor-General must ensure that the register is able to be inspected by the public.

## 57 Section 11D amended (Notification of naming of place)

(1) Section 11D(1)

*omit, insert*

(1) The Minister may publish a notice of the naming of a place:

(a) in the *Gazette*; or

(b) on the Agency's website; or

(c) by any other method of communication.

(2) Section 11D(2)

*omit*

Committee

*insert*

Surveyor-General

### 58 Section 14 inserted

After section 13

*insert*

**14 Transitional matters for *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026***

(1) On the commencement, the register established by the Committee under section 11B(1) as in force immediately before the commencement is taken to form part of the register established by the Surveyor-General under section 11B(1).

(2) On the commencement, any guidelines developed by the Committee under section 11D(2) as in force immediately before the commencement are taken to be guidelines of the Surveyor-General under section 11D(2).

(3) In this section:

***commencement*** means the commencement of Part 3 of the *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026*.

## Part 4 Amendment of Planning Act 1999

### 59 Act amended

This Part amends the *Planning Act 1999*.

### 60 Section 13 amended (Minister's consideration of request and decision)

Section 13(1)(b)

*omit, insert*

(b) whether the proposed amendment is consistent with the parts of the strategic framework in the planning scheme that are relevant to the amendment and, if the proposed amendment includes an amendment to the strategic framework, whether the proposed amendment is consistent with the strategic framework generally;

## 61 Section 22 amended (Submissions and hearing)

Section 22(6), (7), (8) and (9)

*omit, insert*

(6) The Commission must conduct a hearing if:

(a) the Commission receives a submission; and

(b) the Chairperson considers that a hearing would aid the Commission's understanding of issues raised in submissions or provide further useful evidence or information.

(7) If the Commission conducts a hearing, the Commission may invite any person or body who made a submission to attend the hearing and give evidence.

## 62 Section 25 amended (Minister's action on amendment of planning scheme)

(1) Section 25(2)(b)

*omit, insert*

(b) whether the proposed amendment is consistent with the parts of the strategic framework in the planning scheme that are relevant to the amendment and, if the proposed amendment includes an amendment to the strategic framework, whether the proposed amendment is consistent with the strategic framework generally;

(2) Section 25(3)

*omit*

90

*insert*

30

## 63 Section 30D amended (Consideration and initial decision by Minister)

Section 30D(4A)(b)

*omit, insert*

(b) whether the proposed amendment is consistent with the parts of the strategic framework in the planning scheme that are relevant to the amendment and, if the proposed amendment includes an amendment to the strategic framework, whether the proposed amendment is consistent with the strategic framework generally;

## 64 Section 30W amended (Determination of development proposal)

Section 30W(5) and (6)

*omit*

contrary to

*insert*

inconsistent with

## 65 Section 38 amended (Application for permit or variation of permit)

Section 38(2)

*omit*

permit any

*insert*

only permit one or more

## 66 Section 39 amended (Decision on receipt of application)

Section 39(1)(b)

*omit*

if the proposal in the application is for a variation of a permit –

## 67 Section 40 amended (Grant or variation of permit or refusal to grant or vary)

Section 40(4)

*omit, insert*

(4) If the Minister has decided under section 39 that a proposal to grant or vary an exceptional development permit is not so significant as to require exhibition, the Minister must:

(a) in relation to a proposal to grant an exceptional development permit:

(i) grant a permit in accordance with the proposal; or

(ii) alter the proposal and grant a permit in accordance with the altered proposal; or

(iii) refuse to grant a permit; or

(b) in relation to a proposal to vary an exceptional development permit:

(i) vary the permit in accordance with the proposal; or

(ii) alter the proposal and vary the permit in accordance with the altered proposal; or

(iii) refuse to vary the permit.

## 68 Section 48 amended (Notice to local government council of development application)

Section 48(3), after 'required'

*insert*

under subsection (1)

## 69 Section 48A amended (Notice to service authority of development application)

Section 48A(5), after 'required'

*insert*

under subsection (1)

## 70 Section 50 amended (Evidence and information)

(1) Section 50(1), (2) and (3)

*omit, insert*

(1) The consent authority must hold a meeting if:

(a) the consent authority receives a submission under section 49; and

(b) the relevant entity considers that a meeting in relation to the application would aid the consent authority's understanding of issues raised in submissions or provide further useful evidence or information.

(2) If the consent authority holds a meeting, the consent authority may invite any person or body who made a submission to attend the meeting and give evidence.

(3) If the Minister is the consent authority in relation to the land or development to which a submission relates, the Minister may appoint a person or body to hold a meeting mentioned in subsection (1).

(2) After section 50(5)

*insert*

(6) In subsection (1):

***relevant entity*** means:

(a) if the Minister is the consent authority – the Minister; or

(b) if a Division of the Development Consent Authority is the consent authority – the Chair.

## 71 Section 76KA inserted

After section 76K, in Part 7, Division 2

*insert*

### 76KA Protection from liability

(1) An authorised officer is not civilly or criminally liable for an act done or omitted to be done by the authorised officer in good faith in the performance of a function or the exercise of a power as an authorised officer under this Act.

(2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

***exercise***, of a power, includes the purported exercise of the power.

***performance***, of a function, includes the purported performance of the function.

## 72 Section 77A amended (Show cause process)

Section 77A(3)

*omit*

business

## 73 Section 79AA inserted

After section 79

*insert*

### 79AA Investigation of referred contraventions

(1) If an authorised officer has reasonable grounds to believe that a person has contravened this Act or the Regulations, the authorised officer may refer the matter to a consent authority for investigation.

(2) On receiving a referral under subsection (1), the consent authority may:

(a) investigate the alleged contravention if it has reasonable grounds to believe the contravention has occurred; or

(b) refuse to investigate the alleged contravention.

(3) Within 14 days after making a decision to investigate an alleged contravention under subsection (2), the consent authority must give the person who is the subject of the alleged contravention written notice of:

(a) the substance of the alleged contravention; and

(b) the consent authority's intention to investigate the alleged contravention; and

(c) the person's right to respond to the allegation under subsection (4).

(4) The person may respond in writing to the allegation, which must be lodged with the consent authority within 14 days after the person is given the notice referred to in subsection (3).

## 74 Section 79A amended (Action after investigation)

Section 79A(2)(a) and (b)

*omit, insert*

(a) the complainant (if any);

(b) the person who was the subject of the complaint or alleged contravention.

## 75 Section 81CA inserted

After section 81C

*insert*

**81CA Delegation**

The Commission may, by resolution, delegate to the Chairperson or any other member of the Commission any of its powers and functions under this Act.

## 76 Section 81G amended (Duration and conditions of appointment)

Section 81G(1)(a)

*omit*

2

*insert*

4

## 77 Section 88 amended (Chair and Deputy Chair)

Section 88(1)

*omit*

2

*insert*

4

**78 Section 89 amended (Appointment of members within council area)**

Section 89(2), after 'community member,'

*insert*

or during a vacancy in the office of a community member,

**79 Section 92 amended (Term of office of member)**

Section 92(1)

*omit*

2

*insert*

4

**80 Part 12, Division 11 inserted**

After section 219

*insert*

## Division 11 Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026

### 220 Definitions

In this Division:

***amending Act*** means the *Lands and Planning Legislation Amendment (Red Tape Reduction) Act 2026*.

***commencement*** means the commencement of Part 4 of the amending Act.

### 221 Application of amendments to existing applications, requests and submissions

(1) Section 13, as amended by section 60 of the amending Act, applies in relation to a request to amend a planning scheme:

(a) made on or after the commencement; or

(b) made before the commencement if a decision on that request was not made under section 13(3) before the commencement.

(2) Section 22, as amended by section 61 of the amending Act, applies in relation to a submission:

(a) made under that section on or after the commencement; or

(b) made under that section before the commencement if the Commission had not made a decision whether to conduct a hearing in relation to the submission before the commencement.

(3) Section 25(2), as amended by section 62 of the amending Act, applies in relation to any proposed amendment to a planning scheme for which a report under section 24(1) or (2):

(a) is received by the Minister after the commencement; or

(b) was received by the Minister before the commencement if a decision was not made under section 25(3) in relation to the proposed amendment before the commencement.

(4) Section 25(3), as amended by section 62 of the amending Act, applies in relation to any proposed amendment to a planning scheme for which a report under section 24(1) or (2) was received by the Minister before the commencement as if the reference to 30 days were a reference to the earlier of:

(a) the end of 90 days after the report was received; or

(b) the end of 30 days after the commencement.

(5) Section 30D, as amended by section 63 of the amending Act, applies in relation to a concurrent application:

(a) made on or after the commencement; or

(b) made before the commencement if a decision on the application was not made under section 30D before the commencement.

(6) Section 30W, as amended by section 64 of the amending Act, applies in relation to a development proposal:

(a) for which a notice under section 30U(1) is given on or after the commencement; or

(b) for which a notice under section 30U(1) was given before the commencement if a determination in relation to the development proposal was not made under section 30W(2) before the commencement.

(7) Sections 38 and 39, as amended by sections 65 and 66 of the amending Act, apply in relation to an application for an exceptional development permit:

(a) made on or after the commencement; or

(b) made before the commencement if a decision in relation to the application was not made under section 39 before the commencement.

(8) Section 50, as amended by section 70 of the amending Act, applies in relation to a submission:

(a) made under section 49 on or after the commencement; or

(b) made under section 49(1), (2) or (3) before the commencement if a meeting was not held under section 50 in relation to the submission before the commencement.

# Part 5 Amendment and repeal of valuation of land legislation

## Division 1 Amendment of Valuation of Land Act 1963

### 81 Act amended

This Division amends the *Valuation of Land Act 1963*.

### 82 Section 18 amended (Objection to valuations)

Section 18(1)

*omit*

receives

*insert*

is given

## 83 Section 40 amended (Certified copies of entries in valuation roll)

After section 40(2)

*insert*

(3) In subsection (1):

***prescribed fee*** means:

(a) the fee prescribed by regulation; or

(b) if no fee is prescribed by regulation:

(i) 20 revenue units; and

(ii) 2 revenue units per sheet for a printed copy.

## 84 Section 43 amended (Notice of change of ownership)

Section 43(1) and 2, penalty provision

*omit*

$40.

*insert*

1 penalty unit.

## 85 Section 44 amended (Service of notices, &c.)

(1) Section 44, heading

*omit*

**, &c.**

(2) Section 44, before 'A notice'

*insert*

(1)

(3) After section 44(a)

*insert*

(ab) by sending it to the email address provided by the person as an attachment to an email; or

(4) Section 44, at the end

*insert*

(2) A document sent to a person as mentioned in subsection (1)(ab) is taken to be given to the person when it is sent to the person's email address.

## Division 2 Repeal of Valuation of Land Regulations 1981

### 86 Regulations repealed

The *Valuation of Land Regulations 1981* (Subordinate Legislation No. 38 of 1981) are repealed.

# Part 6 Repeal of Act

### 87 Repeal of Act

This Act is repealed on the day after it commences.