

Serial 34

Lands, Planning and Environment Legislation Amendment Bill 2025

Mr Burgoyne

A Bill for an Act to amend the *Building Act 1993*, the *Heritage Act 2011*, the *Licensed Surveyors Act 1983*, the *Place Names Act 1967*, the *Planning Act 1999*, the *Special Purposes Leases Act 1953*, the *Swimming Pool Safety Act 2004*, the *Territory Parks and Wildlife Conservation Act 1976*, the *Valuation of Land Act 1963*, the *Waste Management and Pollution Control Act 1998*, the *Water Act 1992* and various subordinate legislation



NORTHERN TERRITORY OF AUSTRALIA

LANDS, PLANNING AND ENVIRONMENT LEGISLATION AMENDMENT  
ACT 2025

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Act No. [ ] of 2025

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- Schedule 6**      **Swimming Pool Safety Act 2004 further amended**
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- Schedule 8**      **Valuation of Land Act 1963 further amended**
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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2025

5

An Act to amend the *Building Act 1993*, the *Heritage Act 2011*, the *Licensed Surveyors Act 1983*, the *Place Names Act 1967*, the *Planning Act 1999*, the *Special Purposes Leases Act 1953*, the *Swimming Pool Safety Act 2004*, the *Territory Parks and Wildlife Conservation Act 1976*, the *Valuation of Land Act 1963*, the *Waste Management and Pollution Control Act 1998*, the *Water Act 1992* and various subordinate legislation

10

[Assented to [ ] 2025]  
[Introduced [ ] 2025]

15

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, Planning and Environment Legislation Amendment Act 2025*.

20

### 2 Commencement

- (1) This Act (except Part 6) commences on the day after the day on which the Administrator's assent to this Act is declared.
- (2) Subject to subsection (3), Part 6 commences on the day fixed by the Administrator by *Gazette* notice.
- (3) If a provision of Part 6 does not commence before 1 September 2026, it commences on that day.

25

## **Part 2 Amendment of building legislation**

### **Division 1 Building Act 1993**

#### **3 Act amended**

This Division amends the *Building Act 1993*.

#### **4 Section 24D amended (Term of registration)**

Section 24D(a)

*omit*

2

*insert*

10 4

#### **5 Section 24EAA inserted**

After section 24E

*insert*

#### **24EAA Registration continues in force pending determination of application for renewal of registration**

15

- (1) Subsection (2) applies to a registered builder if:
  - (a) the registered builder has made an application for renewal of the registered builder's registration under section 24E before the prescribed date mentioned in section 24E(2); and
  - (b) the application for renewal is not determined under section 24EA or 24F before the expiry of the registered builder's registration.
- (2) Subject to subsection (3), the registered builder's registration continues to remain in force until the application for renewal is determined under section 24EA or 24F.
- (3) The registration of the registered builder does not continue in force in accordance with subsection (2) if it is otherwise cancelled under this Act.

20

25

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**6 Section 52 amended (Adopted codes and standards)**

After section 52(1)

*insert*

5 (1A) Despite subsection (1), the Minister may, by *Gazette* notice, declare that specified provisions of an adopted code or standard do not apply for a period specified in the notice.

10 (1B) If a declaration under subsection (1A) disapples a provision of an adopted code or standard that modifies or substitutes another provision of the adopted code or standard, the effect of the declaration is that the modified or substituted provision is taken to remain in force for the specified period.

(1C) The period specified under subsection (1A) may be fixed by reference to the occurrence of a specified event.

**7 Section 52A inserted**

15 After section 52

*insert*

**52A Director may determine provisions of Regulations adopting code or standard not to apply in certain circumstances**

20 The Director may, in writing, determine that specified provisions of the Regulations that adopt a code or standard under section 52, do not apply in relation to specified building work if the Director is of the opinion that the building work:

- 25 (a) consists of minor work; and
- (b) would not adversely affect the safety of persons occupying or using a building or an area of land in the vicinity of a building.

**8 Part 23 inserted**

After section 208

*insert*

**Part 23 Transitional matters for Lands, Planning and Environment Legislation Amendment Act 2025**

**209 Application of amendment to section 24D**

The amendment to section 24D by the *Lands, Planning and Environment Legislation Amendment Act 2025* applies to the grant or renewal of a building practitioner's registration after the commencement of section 4 of that Act.

**9 Act further amended**

Schedule 1 has effect.

**Division 2 Building Regulations 1993**

**10 Regulations amended**

Schedule 2 amends the *Building Regulations 1993*.

**Part 3 Amendment of Heritage Act 2011**

**11 Act amended**

This Part amends the *Heritage Act 2011*.

**12 Section 26 amended (Public consultation on heritage significance of place or object)**

(1) Section 26(1)(b)

*omit*

in a newspaper circulating generally throughout the Territory.

*insert*

on the Agency's website.

(2) Section 26(2)

*omit*

The notice

*insert*

5 A notice under subsection (1)

(3) Section 26(2)(b), before "submissions"

*insert*

that

(4) Section 26(2)(b)

10 *omit*

public notice is given

*insert*

notice mentioned in subsection (1)(b) is published

15

**13 Section 35 amended (Minister's decision not to declare heritage place or object)**

(1) Section 35(4)

*omit*

Also, if

*insert*

20

If

(2) Section 35(4)(b)

*omit*

in a newspaper circulating in the part of the Territory in which the place or object is located.

25

*insert*

on the Agency's website.

---

**14 Section 40 amended (Notice of declaration of heritage place or object)**

Section 40(3)(a)

*omit*

5 in a newspaper circulating in the part of the Territory in which the place or object is located

*insert*

on the Agency's website

**15 Section 45 amended (Public consultation on heritage significance of places or objects)**

10

(1) Section 45(1)(b), after "give"

*insert*

a

(2) Section 45(1)(c)

15

*omit, insert*

(c) publish a notice on the Agency's website inviting submissions on the heritage significance of places or objects of the class.

(3) Section 45(2)

*omit*

20

The notice

*insert*

A notice under subsection (1)(c)

(4) Section 45(2)(b), before "submissions"

*insert*

25

that

(5) Section 45(2)(b)

*omit*

public notice is given

*insert*

notice mentioned in subsection (1)(c) is published

**16 Section 51 amended (Notice of declaration)**

Section 51

5

*omit*

in a newspaper circulating generally in the Territory.

*insert*

on the Agency's website.

**17 Section 59 amended (Public consultation on assessment)**

10 (1) Section 59(2)(a), after "giving"

*insert*

a

(2) Section 59(2)(b)

*omit, insert*

15

(b) publishing a notice on the Agency's website.

(3) Section 59(3)

*omit*

must state

*insert*

20

under subsection (2) must state that

(4) Section 59(3)

*omit*

public notice is given

*insert*

25

notice mentioned in subsection (2)(b) is published

---

**18 Section 65 amended (Notice of revocation of declaration of heritage place or object)**

Section 65(4)(a)

*omit*

5 in a newspaper circulating in the part of the Territory in which the place or object is located

*insert*

on the Agency's website

**Part 4 Amendment of Licensed Surveyors Act 1983**

10 **19 Act amended**

This Part amends the *Licensed Surveyors Act 1983*.

**20 Section 4 amended (Definitions)**

(1) Section 4, definitions ***Department*** and ***Institute***

*omit*

15 (2) Section 4, definition ***graduate surveyor***

*omit*

he or she

*insert*

the person

20 **21 Section 9 amended (Composition of Board and appointment of members)**

(1) Section 9(1)

*omit*

shall consist

25 *insert*

consists

---

(2) Section 9(2)

*omit, insert*

(2) The Minister must, by *Gazette* notice, appoint the following to be the members of the Board:

5 (a) 2 persons from a panel of 3 licensed surveyors nominated by a recognised professional surveying body representing land boundary surveyors in the Territory;

(b) 2 other licensed surveyors.

**22 Sections 10 and 11 replaced**

10 Sections 10 and 11

*repeal, insert*

**11 Period of appointment**

A member:

15 (a) holds office for the period, not exceeding 4 years, specified in the instrument of appointment; and

(b) is eligible for re-appointment.

**23 Section 49 amended (Submission and approval of plan)**

(1) Section 49(3)(a), (b) and (c), at the end

*insert*

20 and

(2) After section 49(3)

*insert*

25 (3A) For subsection (3)(e), the Surveyor-General may require a licensed surveyor to submit further information or documents relevant to the Surveyor-General's consideration of approval of a plan.

**24 Act further amended**

Schedule 3 has effect.

## **Part 5 Amendment of Place Names Act 1967**

### **25 Act amended**

This Part amends the *Place Names Act 1967*.

### **26 Section 5 amended (Place Names Committee)**

5 (1) Section 5(1)

*omit*

shall

*insert*

is to

10 (2) Section 5(2)

*omit, insert*

(2) The Committee is to consist of at least 4 and no more than 6 members.

(3) Section 5(3)(a), before "2"

15 *insert*

at least

(4) Section 5(4)

*omit*

shall

20 *insert*

is to

## **Part 6 Amendment of Planning Act 1999**

### **27 Act amended**

This Part amends the *Planning Act 1999*.

---

**28 Section 43B amended (Issue or refusal to issue alteration permit)**

(1) Section 43B(1)

*omit, insert*

5 (1) The consent authority may, in writing, issue an alteration permit if in the opinion of the consent authority:

(a) the proposed alteration will not materially affect the amenity of adjoining or nearby land or premises; and

10 (b) the alteration does not authorise a substantive change to the existing building or existing works.

(2) Section 43B(2)

*omit*

(1)(a)

*insert*

15 (1)

(3) After section 43B(3)

*insert*

(4) For subsection (1)(b), a substantive change is:

20 (a) a change that increases non-compliance with a measurable aspect of the development by more than 5%; or

(b) if the change is not conveniently measurable – an alteration that materially changes the character of the existing building or existing works.

**29 Section 47 amended (Public notice of development application)**

25

(1) Section 47(5)

*omit*

this section and sections 47B, 48 and 48A

*insert*

30 development applications requiring public notice

- (2) Section 47(5), at the end

*insert*

*Note for subsection (5)*

5

*See sections 48(1A) and 48A(2A) for minimum submission periods for development applications requiring no or limited public notice.*

**30 Section 47A amended (Development application requiring no notice)**

- (1) Section 47A, heading, after "no"

*insert*

10

**public**

- (2) Section 47A, after "No"

*insert*

public

**31 Section 47B amended (Development application requiring limited notice)**

15

- (1) Section 47B, heading, after "limited"

*insert*

**or no**

- (2) Section 47B(2)

20

*omit*

regulation.

*insert*

25

regulation, unless the development application includes the written consent, in the approved form, of the persons and classes of persons as prescribed.

- (3) After section 47B(3)

*insert*

- (4) For subsection (3), the minimum submission period that may be specified in the notice, under section 47(2)(c), is 7 days.

---

**32 Section 48 amended (Notice to local government council of development application)**

(1) After section 48(1)

*insert*

5 (1A) If public notice is not required under section 47, the minimum submission period that may be specified in the notice is 7 days.

(2) After section 48(2)

*insert*

10 (3) Written notice is not required if a development application includes the approved form completed by the applicable local government council.

**33 Section 48A amended (Notice to service authority of development application)**

(1) After section 48A(2)

15 *insert*

(2A) If public notice is not required under section 47, the minimum submission period that may be specified in the notice is 7 days.

(2) After section 48A(4)

*insert*

20 (5) Written notice is not required if a development application includes the approved form completed by the applicable service authority.

**34 Section 57 amended (Variation of conditions of permit)**

(1) Section 57(3)(a) and (b)

*omit, insert*

25 (a) the proposed variation will not materially affect the amenity of adjoining or nearby land or premises; and

(b) the variation does not authorise a substantive change to the development approved by the development permit.

(2)            After section 57(5)

*insert*

(6) For subsection (3)(b), a substantive change is:

5

(a) a change that increases non-compliance with a measurable aspect of the development permit by more than 5%; or

(b) if the change is not conveniently measurable – a variation that materially changes the character of the development approved by the development permit.

**35            Part 12, Division 10 inserted**

10

After section 218

*insert*

**Division 10        Lands, Planning and Environment Legislation  
Amendment Act 2025**

**219            Application of amendments to section 57**

15

The amendments to section 57 by the *Lands, Planning and Environment Legislation Amendment Act 2025* apply in relation to the variation of a condition of a development permit even if the development permit that is sought to be varied was issued before the commencement of section 34 of that Act.

20

**Part 7            Amendment of special purposes leases  
legislation**

**Division 1        Special Purposes Leases Act 1953**

**36            Act amended**

This Division amends the *Special Purposes Leases Act 1953*.

25

**37            Section 3 amended (Definitions)**

(1)            Section 3

*omit*

unless the contrary intention appears

(2) Section 3, definitions **aboriginal reserve** and **the Gazette**

*omit*

(3) Section 3

*insert*

5 **Aboriginal reserve** includes land which is reserved under a law in force in the Territory for the use and benefit of the Aboriginal people of the Territory.

**approved form** means a form approved under section 32A.

(4) Section 3, definition **approved person**, paragraph (a)

10 *omit*

aboriginal

*insert*

Aboriginal person

(5) Section 3, definition **approved person**, paragraph (b)

15 *omit*

aboriginals

*insert*

Aboriginal people

(6) Section 3, definition **Darwin Town Area**

20 *omit*

1945.

*insert*

1945 (Cth) as in force immediately before its repeal.

25 **38 Section 5AA amended (Agreement to grant lease for special purpose)**

(1) Section 5AA

*renumber as section 4A*

(2) Section 5AA(1)

*omit*

his discretion and the prescribed

*insert*

5 the Minister's discretion and the approved

**39 Section 5A amended (Power to invite applications for leases)**

(1) Section 5A(1)(e)

*omit*

10 that the annual rent payable will be 10 cents, if and when demanded by the Minister;

*insert*

the annual rent payable (if any); and

(2) Section 5A(1)(a) to (d), (f)(ii) and (g)(i), at the end

*insert*

15 and

(3) Section 5A(2)

*omit, insert*

(1A) For subsection (1)(e), the Minister may:

(a) determine the rent payable; and

20 (b) if rent is payable – decide when and how to levy the rent.

(2) An application made under subsection (1) must be made in the approved form (if any) and subject to any conditions directed by the Minister.

**40 Section 5AB amended (Auctioning of leases)**

25 (1) Section 5AB(5)(e)

*omit*

that the annual rent payable will be 10 cents, if and when demanded by the Minister;

*insert*

the annual rent payable (if any); and

- (2) Section 5AB(5)(a) to (d), (f)(ii) and (g)(i), at the end

*insert*

5 and

- (3) After section 5AB(5A)

*insert*

- (5B) For subsection (5)(e), the Minister may:

(a) determine the rent payable; and

10 (b) if rent is payable – decide when and how to levy the rent.

- (4) Section 5AB(9)

*omit*

all words from "delivered to him" to "Minister at the auction,"

*insert*

15 served on the person, sent to the person by electronic communication

- (5) Section 5AB(10)

*omit*

20 **41 Section 8A amended (Conversion of term of lease to perpetuity)**

- (1) Section 8A(5)

*omit, insert*

25 (5) A notice under subsection (4) must be in writing addressed to the lessee and sent by post or electronic communication to an address given in the application.

- (2) Section 8A(7)

*omit*

subsection (5)

*insert*

subsection (6)

**42 Section 10B amended (Rent of land within a municipality)**

(1) Section 10B(1)

5

*omit*

an annual rent of 10 cents if and when demanded by the Minister

*insert*

the annual rent determined by the Minister (if any)

(2) After section 10B(1)

10

*insert*

(1A) For subsection (1), the Minister may decide when and how to levy any rent that is payable.

**43 Sections 12 and 13 replaced**

Sections 12 and 13

15

*repeal, insert*

**12 Notice of reappraisals, determinations etc.**

(1) Notice of the following must be given to a lessee or former lessee by the Minister or the Valuer-General as soon as practicable:

20

(a) a reappraisal by the Minister of the rent payable under a lease;

(b) a determination by the Valuer-General under section 19(2) or 32;

(c) a determination by the Minister under section 21(1);

(d) a decision under section 13(3).

25

(2) A notice under subsection (1) must be:

(a) in writing; and

(b) served on, or sent by electronic communication to, the lessee or former lessee.

### 13 Objections

(1) If a lessee or former lessee is given notice of any of the following, the lessee or former lessee may make an objection to the reappraisal, determination or forfeiture:

- 5
- (a) the reappraisal of the rent payable under a lease;
  - (b) a determination under section 19(2), 21(1) or 32;
  - (c) the forfeiture of a lease under section 23.

(2) An objection under subsection (1) must:

- 10
- (a) be made within 28 days after receipt of the notice; and
  - (b) specify the grounds of the objection; and
  - (c) be served on, or sent by electronic communication to, the Minister or Valuer-General (as the case requires).

(3) The Minister or Valuer-General must, within 28 days after receiving an objection:

- 15
- (a) consider the objection; and
  - (b) disallow it or allow it in whole or in part.

### 44 Section 23 amended (Forfeiture)

(1) Section 23(2)

*omit*

20 he shall cause notice to be given to

*insert*

the Minister must serve notice stating reasons for the proposed forfeiture on

(2) Section 23(3)

25 *omit*

**45 Section 32A inserted**

After section 32

*insert*

**32A Approved forms**

5 The Minister may approve forms for this Act.

**46 Act further amended**

Schedule 4 has effect.

**Division 2 Special Purposes Leases Regulations 1955**

**47 Regulations amended**

10 Schedule 5 amends the *Special Purposes Leases Regulations 1955*.

**Part 8 Amendment of swimming pool safety legislation**

**Division 1 Swimming Pool Safety Act 2004**

15 **48 Act amended**

This Division amends the *Swimming Pool Safety Act 2004*.

**49 Section 4 amended (Interpretation)**

(1) Section 4(1)

*omit*

20 , unless the contrary intention appears

(2) Section 4(1), definitions **Registrar** and **Review Committee**

*omit*

(3) Section 4(1)

*insert*

25 **affected person**, see section 48(2).

**reviewable decision**, see section 48(1).

**50 Part 7 replaced**

Part 7

*repeal, insert*

**Part 7 Review of decisions**

5 **48 Review by NTCAT**

(1) NTCAT has jurisdiction to review a decision (a **reviewable decision**) specified in Schedule 2.

(2) An **affected person**, for a reviewable decision, is a person specified in Schedule 2 for the decision.

10 (3) An affected person for a reviewable decision may apply to NTCAT for review of the decision.

*Note for section 48*

15 *The Northern Territory Civil and Administrative Tribunal Act 2014 sets out the procedure for applying to the Tribunal for review and other relevant matters in relation to reviews.*

**51 Schedule amended (Transitional provisions)**

(1) Schedule, heading, after "**Schedule**"

*insert*

**1**

20 (2) Schedule, before clause 1

*insert*

**Part 1 Transitional matters for Swimming Pool Safety Act 2004**

(3) Schedule, clause 1

*omit*

25 this Schedule:

*insert*

this Part:

(4) Schedule, after clause 7

*insert*

**Part 2 Transitional matters for *Lands, Planning and Environment Legislation Amendment Act 2025***

5 **8 Decisions reviewable by Review Committee**

10 (1) For section 48, as inserted by section 50 of the amending Act, a reviewable decision includes a decision that, immediately before the commencement, was subject to review by the Review Committee under Part 7 as in force before the commencement, but for which a review had not been applied for or determined before the commencement.

(2) In this clause:

***amending Act*** means the *Lands, Planning and Environment Legislation Amendment Act 2025*.

15 ***commencement*** means the commencement of section 50 of the amending Act.

**52 Schedule 2 inserted**

After Schedule 1

*insert*

20 **Schedule 2 Reviewable decisions**

section 48

---

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
1	A decision of the Authority under section 18(1) not to issue an interim compliance certificate	The applicant
2	A decision of the Authority under section 18(4)(b) to refuse to issue a compliance certificate	The applicant
3	A decision of the Authority under section 19(1) to vary an interim compliance certificate or compliance certificate	The holder of the certificate

---

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
4	A decision of the Authority under section 19(1) not to vary an interim compliance certificate or compliance certificate	The holder of the certificate
5	A decision of the Authority under section 19(3) to revoke a compliance certificate	The holder of the certificate
6	A decision of the Authority under section 21(1) not to issue an acknowledgment notice	The applicant
7	A decision of the Authority under section 26(4) not to issue a provisional compliance notice	The applicant
8	A decision of the Authority under section 27(4) not to issue a provisional acknowledgment notice	The applicant
9	A decision of the Authority under section 28(4) not to issue a temporary acknowledgment notice	The applicant
10	A decision of the Authority under section 37(1) to issue an order	The person to whom the order is directed

**53 Act further amended**

Schedule 6 has effect.

**Division 2 Swimming Pool Safety Regulations 2004**

**54 Regulations amended**

5 This Division amends the *Swimming Pool Safety Regulations 2004*.

**55 Regulation 21 repealed (Certain notices to include particulars of reviews)**

Regulation 21

*repeal*

**56 Schedule 1 repealed**

Schedule 1

*repeal*

**57 Regulations further amended**

5 Schedule 7 has effect.

**Part 9 Amendment of territory parks and wildlife conservation legislation**

**Division 1 Territory Parks and Wildlife Conservation Act 1976**

**58 Act amended**

10 This Division amends the *Territory Parks and Wildlife Conservation Act 1976*.

**59 Section 45A inserted**

After section 45

*insert*

15 **45A Taking or interfering with protected wildlife under prescribed statutory approval**

20 A person who holds a statutory approval prescribed by regulation for this section is, for this Act, authorised to take or interfere with protected wildlife to the extent necessary to carry out an action permitted under the statutory approval.

**Division 2 Territory Parks and Wildlife Conservation Regulations 2001**

**60 Regulations amended**

25 This Division amends the *Territory Parks and Wildlife Conservation Regulations 2001*.

**61            Regulation 3A inserted**

After regulation 3

*insert*

**3A            Prescribed statutory approvals**

5            For section 45A of the Act, the following statutory approvals are prescribed:

(a)    an authorisation to use and develop land under section 21A or 25AKB of the Act;

(b)    a development permit issued under the *Planning Act 1999*;

10        (c)    a clearing permit granted under section 91H of the *Pastoral Land Act 1992*;

(d)    an environmental approval granted under Part 5 of the *Environment Protection Act 2019*;

15        (e)    an environmental (mining) licence granted under Part 5A, Division 4, Subdivision 3 or Subdivision 7 or section 313 of the *Environment Protection Act 2019*;

(f)    an environment management plan approved under regulation 11 of the *Petroleum (Environment) Regulations 2016*.

20        **Part 10            Amendment of valuation of land legislation**

**Division 1        Valuation of Land Act 1963**

**62            Act amended**

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

**63            Section 4 amended (Definitions)**

25        (1)    Section 4, definitions ***Board***, ***Chairperson***, ***Panel*** and ***stratum***.

*omit*

(2)    Section 4

*insert*

***approved form*** means a form approved under section 7B.

**unit** means:

- (a) a unit, as defined in section 4(1) of the *Unit Titles Act 1975*; or
- (b) a unit of a scheme, as defined in section 37 of the *Unit Title Schemes Act 2009*.

5 (3) Section 4, definition **land**

*omit*

stratum

*insert*

unit

10 **64 Section 7B inserted**

After section 7A, in Part II

*insert*

**7B Approved forms**

The Valuer-General may approve forms for this Act.

15 **65 Section 10A amended (Rating authority may request valuation)**

(1) Section 10A(1)

*omit, insert*

- (1) A rating authority may, by notice in writing to the Valuer-General, request a valuation of the following to be made in relation to land or part of land to which the authority is entitled to impose rates:

20

- (a) the improved capital value;
- (b) the annual value;
- (c) the unimproved capital value.

(2) Section 10A(2), (4), (5), (6), (7) and (8)

25

*omit*

shall

*insert*

must

**66      Section 16 replaced**

Section 16

*repeal, insert*

**16      Notice of valuations**

- 5      (1) The Valuer-General must, as soon as practicable after making any of the following valuations in relation to land, give notice of the valuation to the owner of the land:
- (a) the improved capital value;
  - (b) the annual value;

10      (c) the unimproved capital value;

  - (d) the value of prescribed improvements on or appertaining to the land.
- (2) If any of the valuations mentioned in subsection (1) are varied under Part 5 or 6, the Valuer-General must, as soon as practicable, give notice of the variation of the valuation to the owner of the land.
- 15      (3) A notice under this section must be in writing in accordance with the approved form.

**67      Section 18 replaced**

Section 18

20      *repeal, insert*

**18      Objection to valuations**

- (1) An owner of land who receives a notice of valuation under section 16 may object to the valuation made by the Valuer-General in relation to the land.
- 25      (2) An objection mentioned in subsection (1) must:
- (a) be in writing in accordance with the approved form; and
  - (b) specify one or more of the prescribed grounds of objection under section 19; and

30      (c) be lodged with the Valuer-General's office within 30 days after notice of the valuation is given under section 16.

**68 Sections 20 and 20A replaced**

Sections 20 and 20A

*repeal, insert*

**20 Decision of Valuer-General on objection**

- 5 (1) If an objection is lodged with the Valuer-General under section 18, the Valuer-General must consider the objection and may:
- (a) allow it in whole or in part; or
  - (b) disallow it.
- 10 (2) The Valuer-General must give written notice to the objector, in accordance with the approved form, of the decision on the objection under subsection (1).
- (3) A valuation is not affected by the lodging of an objection to the valuation.

**Part 6 Review of valuations**

15 **20A Review by NTCAT**

- (1) NTCAT has jurisdiction to review a decision of the Valuer-General under section 20 to disallow an objection or allow it in part only.
- (2) The objector may apply to NTCAT for review of the Valuer-General's decision.
- 20 (3) On an application under subsection (2) for review of a decision of the Valuer-General on an objection under section 20, the applicant's case is limited to the grounds that were specified in the applicant's objection.

*Note for section 20A*

- 25 *The Northern Territory Civil and Administrative Tribunal Act 2014 sets out the procedure for applying to the Tribunal for review and other relevant matters in relation to reviews.*

**69 Part VA repealed (Valuation Board of Review)**

Part VA

- 30 *repeal*

**70 Part VI heading replaced**

Part VI, heading

*omit, insert*

**Part 7 Land and Valuation Review Tribunal**

5 **71 Section 21 amended (Land and Valuation Review Tribunal)**

Section 21, heading, before "Land"

*insert*

**Establishment of**

**72 Sections 25 and 26 repealed**

10 Sections 25 and 26

*repeal*

**73 Section 40 amended (Certified copies of entries in valuation roll)**

Section 40(1)

15 *omit, insert*

- (1) The Valuer-General must, on written application by a member of the public and payment of the prescribed fee, give the member of the public a copy of an entry in a valuation roll certified by the Valuer-General to be a true copy of that entry.

20 **74 Section 45 replaced**

Section 45

*repeal, insert*

**45 Change of ownership of land**

25 (1) A change in the ownership of land to which a valuation by the Valuer-General has been made, does not affect any of the following:

- (a) the validity of any notice of the valuation given before the change to the former owner;
- (b) any objection to the valuation or application for review made before the change by the former owner;
- 30

(c) the duty of the Valuer-General to consider an objection to the valuation;

(d) the power of NTCAT to review the valuation.

5

(2) The new owner of land is, for this Act, taken to have been, at all times, the owner of the land and any act or thing done by the former owner or any notice given to the former owner is, taken to have been done by, or given to, the new owner.

## 75 Part 9 inserted

After section 47

10

*insert*

## Part 9 Transitional matters for Lands, Planning and Environment Legislation Amendment Act 2025

### 48 Decisions reviewable under Part VA or VI

15

(1) For section 20A, as inserted by section 68 of the amending Act, a decision of the Valuer-General includes a decision that, immediately before the commencement, was subject to review under Part VA or VI as in force before the commencement, but for which a review had not been lodged or considered before the commencement.

20

(2) In this section:

***amending Act*** means the *Lands, Planning and Environment Legislation Amendment Act 2025*.

***commencement*** means the commencement of section 68 of the amending Act.

25

## 76 Act further amended

Schedule 8 has effect.

## Division 2 Valuation of Land Regulations 1981

### 77 Regulations amended

This Division amends the *Valuation of Land Regulations 1981*.

**78 Regulation 3 repealed (Prescribed forms)**

Regulation 3

*repeal*

**79 Schedule repealed**

5 Schedule

*repeal*

**Part 11 Amendment of waste management and  
pollution control legislation**

**Division 1 Waste Management and Pollution Control Act 1998**

10 **80 Act amended**

This Division amends the *Waste Management and Pollution Control Act 1998*.

**81 Section 37 amended (Application to amend or revoke  
conditions)**

15 Section 37, at the end

*insert*

*Note for section 37*

*For an administrative amendment to a condition, see section 46AA.*

**82 Section 46AA inserted**

20 After section 46, in Part 5, Division 3

*insert*

**46AA Administrative amendment to environment protection approval  
or licence**

25 (1) The NT EPA may make an administrative amendment to an environment protection approval or a licence on the NT EPA's own initiative or at the request of the holder of the approval or licence.

(2) The NT EPA must give notice of the administrative amendment to the holder of the environment protection approval or licence.

(3) The administrative amendment takes effect on the day on which the notice is given.

(4) Sections 37 and 38 do not apply in relation to an administrative amendment.

5 (5) In this section:

**administrative amendment** means an amendment:

(a) correcting a clerical error; or

10 (b) correcting an error arising from an omission, a material mistake in a calculation or in the description of any person, thing or matter; or

(c) removing duplicate or conflicting material; or

(d) clarifying any matter.

### 83 Section 113 replaced

Section 113

15 *repeal, insert*

### 113 Service of notices and public notice

(1) Except as otherwise provided in this Act and subject to subsection (2), a notice required by or under this Act to be given to a person may be given:

20 (a) by serving it on the recipient as authorised by section 25 of the *Interpretation Act 1978*; or

(b) by sending it to the recipient's email address as an attachment to an email.

25 (2) Subject to evidence to the contrary, a notice sent as mentioned in subsection (1)(b) is taken to be given to the recipient when it is sent to the recipient's email address.

*Note for subsection (2)*

*See section 25(2) to (4) of the Interpretation Act 1978 for when notices served as mentioned in subsection (1)(a) are taken to be served.*

30 (3) A requirement of or under this Act that a document be made available for viewing by the public at a place, may be satisfied by enabling an electronic version to be viewed and by specifying the place or the electronic address at which the electronic version may be viewed.

**84 Section 117 amended (Regulations)**

(1) Section 117(1)

*omit*

all words after "make"

5 *insert*

regulations under this Act.

*Note for subsection (1)*

*See section 65 of the Interpretation Act 1978.*

(2) Section 117(2)(k)

10 *omit*

**85 Act further amended**

Schedule 9 has effect.

**Division 2 Waste Management and Pollution Control  
(Administration) Regulations 1998**

15 **86 Regulations amended**

This Division amends the *Waste Management and Pollution Control (Administration) Regulations 1998*.

**87 Part 1 heading inserted**

Before regulation 1

20 *insert*

**Part 1 Preliminary matters**

**88 Regulation 2 amended (Interpretation)**

Regulation 2(1)

*omit, insert*

25 (1) In these Regulations:

***infringement notice***, for Part 3, see regulation 13.

***infringement notice offence***, for Part 3, see regulation 12(1).

**prescribed amount**, for Part 3, see regulation 12(2).

## 89 Regulation 2A replaced

Regulation 2A

*repeal, insert*

## 5 Part 2 General matters

### 2A Listed wastes

For section 4(1) of the Act, definition **listed waste**, the wastes specified in Schedule 1 are prescribed.

## 90 Regulations 6 to 9 repealed

10 Regulations 6 to 9

*repeal*

## 91 Regulation 12 replaced

Regulation 12

*repeal, insert*

## 15 Part 3 Infringement notice offences

### 12 Infringement notice offence and prescribed amount payable

(1) An **infringement notice offence** is an offence against a provision specified in Schedule 2.

20 (2) The **prescribed amount** for an infringement notice offence is the amount payable under section 8 of the *Environmental Offences and Penalties Act 1996* for the specified environmental offence level of the offence.

### 13 When infringement notice may be given

25 If an authorised officer believes on reasonable grounds that a person has committed an infringement notice offence, the officer may give a notice (an **infringement notice**) to the person.

## 14 Contents of infringement notice

- (1) The infringement notice must specify the following:
- (a) the name and address of the person to whom it is issued, if known;
  - 5 (b) the date the infringement notice is given to the person;
  - (c) the date and time of the infringement notice offence and the place at which the infringement notice offence occurred;
  - (d) a description of the offence;
  - (e) the prescribed amount payable for the offence;
  - 10 (f) the enforcement agency to which the prescribed amount is payable.
- (2) The infringement notice must include a statement to the effect of the following:
- 15 (a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the prescribed amount to the specified enforcement agency within 28 days after the notice is given;
  - (b) the person may elect to have the offence dealt with by a court by:
    - 20 (i) completing a statement of election and giving it to the specified enforcement agency; and
    - (ii) not paying the prescribed amount;
  - 25 (c) if the *Fines and Penalties (Recovery) Act 2001* applies to the infringement notice offence – enforcement action may be taken under that Act if the person does nothing in response to the notice.
- (3) The infringement notice must include an appropriate form for making the statement of election mentioned in subregulation (2)(b)(i).

## 30 15 Electronic payment and payment by cheque

- (1) If the person uses electronic means to pay the prescribed amount, payment is not effected until the amount is credited to the payee's bank account.

- (2) If the person tenders a cheque in payment of the prescribed amount, payment is not effected unless the cheque is cleared on first presentation.

## **16 Expiation of offence**

5 If the prescribed amount for the infringement notice offence is paid in accordance with the infringement notice, the alleged offence is expiated and no further proceedings can be taken in relation to the offence.

## **17 Withdrawal of infringement notice**

10 (1) The NT EPA may withdraw the infringement notice by written notice given to the person.

(2) The notice must be given:

(a) within 28 days after the infringement notice is given to the person; and

15 (b) before payment of the prescribed amount.

## **18 Effect of Part**

(1) This Part does not prejudice or affect the start or continuation of proceedings for an infringement notice offence for which an infringement notice has been given unless the offence is expiated.

20 (2) This Part does not:

(a) require an infringement notice to be given; or

(b) affect the liability of a person to be prosecuted in a court for an offence for which an infringement notice has not been given; or

25 (c) prevent more than one infringement notice for the same offence being given to a person.

(3) If more than one infringement notice for the same offence has been given to a person, the person may expiate the offence by paying the prescribed amount in accordance with any of the notices.

## **92 Schedule 1 repealed (Offences)**

Schedule 1

*repeal*

**93      Schedule 2 amended**

(1)      Schedule 2, heading

*omit*

**Schedule 2**

5      *insert*

**Schedule 1    Listed wastes**

(2)      Schedule 2

*insert (in alphabetical order)*

10      Waste substances and articles containing or contaminated with  
per- and polyfluoroalkyl substances (**PFAS**)

**94      Schedule 2 inserted**

After Schedule 2

*insert*

**Schedule 2    Infringement notice offences**

15      regulation 12(1)

1      *Waste Management and Pollution Control Act 1998*

Sections 14(1), 30(1), (2) and (3), 39(2), 43(1), 46B(2), 51(1), 58(2),  
61(5), 63(2), 67, 76(c), 80(2), 83(5) and (7) and 112(2), (3), (4) and (5).

2      *Environment Protection (National Pollutant Inventory) Objective 2004*

20      Clauses 3, 6, 7 and 8.

**Part 12      Amendment of water legislation**

**Division 1      Water Act 1992**

**95      Act amended**

This Division amends the *Water Act 1992*.

**96 Section 4 amended (Interpretation)**

Section 4(1)

*insert*

**administrative amendment** means an amendment:

- 5
- (a) correcting a clerical error; or
  - (b) correcting an error arising from an omission, a material mistake in a calculation or in the description of any person, thing or matter; or
  - (c) removing duplicate or conflicting material; or
  - 10 (d) clarifying any matter.

**97 Section 22B amended (Water allocation plans)**

(1) Section 22B(5)(a) and (b), at the end

*insert*

and

15 (2) Section 22B(5)(c)

*omit*

**98 Section 45 amended (Licence to take water)**

Section 45(6)(c) and (d)

*omit*

20 **99 Section 60 amended (Grant of licence to take groundwater)**

Section 60(6)(c) and (d)

*omit*

**100 Part 6AA inserted**

After section 71

*insert*

**Part 6AA Trading of water entitlements**

5 **71AA Transfer of entitlements to water**

- (1) The holder (the **seller**) of a water extraction licence may apply to the Controller to approve a transfer of all or part of the holder's entitlement to water under the licence to one or more other holders (the **buyer**) of a licence granted in respect of the same water resource.

10

*Example for subsection (1)*

*A licence holder does not use the entire water entitlement under the licence and wishes to sell a portion of it to a farmer who holds a licence to extract water from the same water resource.*

15

- (2) The application must be in a form approved by the Controller.
- (3) The Controller must approve or refuse to approve the transfer of water entitlement and give the seller and the buyer written notice of the decision.
- (4) If the Controller approves the transfer of water entitlement, the transfer takes effect on the later of:
- (a) the day after the approval is given; or
  - (b) the date of transfer specified in the application.

20

**71AB Amendment of licences if transfer approved**

- (1) If the Controller approves an application made under section 71AA(1), the Controller must amend the licences to:
- (a) reduce the seller's entitlement to water; and
  - (b) increase the buyer's entitlement to water by no more than the reduction in the seller's entitlement under paragraph (a).
- (2) An amendment to a licence under subsection (1) is not a decision to which section 90 applies.

25

30

---

**101 Section 71A amended (Water extraction licence decision and application of Part)**

(1) Section 71A(2A)(a)

*omit, insert*

5 (a) the transfer of an entitlement to take water under a licence and related amendment of one or more licences under Part 6AA;

(2) Section 71A(3)

*omit*

10 all words after "extraction licence"

*insert*

under section 93A.

**102 Section 71B amended (Notice of intention to make water extraction licence decision)**

15 Section 71B(2)

*omit*

a newspaper circulating in the general locality to which the application relates.

*insert*

20 the manner the Controller considers appropriate.

**103 Section 71D amended (Notice of water extraction licence decision)**

Section 71D(1)(b)

*omit*

25 newspaper (or newspapers) in which notice of the relevant application was given.

*insert*

manner the notice of the relevant application was published.

---

**104 Section 71F amended (Application by developer)**

Section 71F(3) and (4)

*omit, insert*

- 5 (3) The Controller must not accept an application for a licence to take water in respect of a development on land in a Restricted Water Extraction Area, other than an application in relation to Crown land that is leased from the Crown under the *Crown Lands Act 1992* or the *Special Purposes Leases Act 1953*.

**105 Section 71J repealed (Trading entitlements to water)**

10 Section 71J

*repeal*

**106 Section 90 amended (Factors to be considered)**

(1) Before section 90(1)

*insert*

15 (1AA) This section applies in relation to the following decisions of the Controller:

- 20 (a) a decision to grant, amend or modify a permit, licence or consent under section 41, 57, 63, 65, 67, 74 or 93(1), other than an amendment or modification to a permit, licence or consent that is an administrative amendment;
- (b) a decision to renew a permit or licence under section 93A(4);
- (c) a water extraction licence decision;
- (d) a decision to approve the transfer of an entitlement to take water under a licence.

25 (2) Section 90(1)

*omit*

all words from "deciding" to "decision,"

*insert*

making a decision to which this section applies,

**107 Section 92 replaced**

Section 92

*repeal, insert*

**92 Transfer of permit or licence**

5 If a permit or licence is granted to a person in relation to the person's interest in land and that interest is transferred to another person during the period of the permit or licence, the permit or licence:

- 10 (a) is taken to have been transferred to the other person when the interest in the land is transferred; and
- (b) continues in effect as if it had originally been granted to the other person.

**108 Section 93 amended (Power to amend, modify or revoke licence)**

15 (1) Section 93, heading, after "**revoke**"

*insert*

**permit or**

(2) Section 93(1), (2), (3) and (4), before "licence" (*all references*)

*insert*

20 permit or

(3) After section 93(4)

*insert*

(5) This section does not apply in relation to an amendment to one or more water licences under section 71AB.

25 **109 Section 93A inserted**

After section 93

*insert*

**93A Renewal of permit or licence**

30 (1) The holder of a permit or licence may apply to the Controller for renewal of the permit or licence.

- (2) The application must be made in accordance with the regulations.
- (3) The Controller must renew the permit or licence if the Controller is satisfied:
- 5 (a) there has been no material change to the circumstances on which the permit or licence was originally granted; and
- (b) the holder of the permit or licence has substantially complied with the terms of the permit or licence.
- (4) If subsection (3) does not apply to a permit or licence, the Controller may renew the permit or licence or refuse to renew the permit or licence.
- 10 (5) The renewal of a permit or licence under this section:
- (a) is to be for a further period as permitted under this Act and that is specified in the renewal of the permit or licence; and
- 15 (b) is otherwise on the same terms and conditions as the original permit or licence.

#### **110 Schedule 2 amended (Reviewable decisions)**

- (1) Schedule 2, after item 20

*insert*

- 21 A decision of the Controller under section 71AA to refuse to approve the transfer of an entitlement to water      The holder of the licence who applied for the transfer of water entitlement

- (2) Schedule 2, item 25

*omit*

- (3) Schedule 2, after item 30

*insert*

- 31 A decision of the Controller under section 93A(4) to refuse to renew a permit or licence      The holder of the permit or licence

### **Division 2 Water Regulations 1992**

#### **111 Regulations amended**

This Division amends the *Water Regulations 1992*.

**112 Regulation 15 amended (Renewal of permits and licences)**

Regulation 15(1)

*omit, insert*

5

- (1) An application for the renewal of a permit or licence must be made in the approved form.

**Part 13 Repeal of Act**

**113 Repeal of Act**

This Act is repealed on the day after it commences.

---

**Schedule 1 Building Act 1993 further amended**

section 9

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 24(1)(b) and 24B(1)(b), after "experience"		(if any)
section 24EA(1)(b)	determined under section 24G(a) for	(if any) determined under section 24G(a) for renewal of registration in
section 24EA(1)(c) and (2)(a)(ii)	with the	with any
section 24F(1)(b)	determined under section 24G(a) for	(if any) determined under section 24G(a) for renewal of registration in
section 24F(1)(c) and (2)(a)(ii)	with the	with any
section 24G(a), after "registration"		or renewal of registration
section 24G(c), after "may be"		required under a condition

---

---

## Schedule 2 Building Regulations 1993 amended

section 10

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 2(1), definitions <b>Building Code</b> and <b>Plumbing Code</b>	Series	
regulation 2(1), definition <b>Class 2 building</b> , paragraph (a)	Part A6.0, Exemption 1	A6G1, Exemption (1)
regulation 2(1), definitions <b>effective height, performance requirement</b> and <b>performance solution</b> , paragraph (b)	Volume 1, Schedule 3 of the Building Code	the National Construction Code
regulation 2(1), definition <b>National Construction Code Series</b>	<b>Series</b> means the National Construction Code Series	means the National Construction Code
regulation 4(2)	whole subregulation	
regulation 4A(2), definition <b>performance solution</b>	Schedule 3 of the Plumbing Code	the National Construction Code
Schedule 1, items 1(b), 2(b)(i), 3(b) and 3A(b)	690	345 per year or part thereof

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**Schedule 3 Licensed Surveyors Act 1983 further amended**

section 24

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 40(2)(b)	, subject to subsection (3), is to be appointed on the nomination of the Institute.	is to be appointed on the nomination of a recognised professional surveying body representing land boundary surveyors in the Territory.
section 40(3)	whole subsection	
section 40(4)	him or her ( <i>all references</i> )	the member
section 59(2)(a)	Department	Agency

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## Schedule 4 Special Purposes Leases Act 1953 further amended

section 46

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 6(1)(a), (b), (c) and (d)	his	the lessee's
section 6(2)	shall	must
	aboriginal reserve	Aboriginal reserve
section 6(3)	shall consult with the aboriginals	must consult with the Aboriginal people
	organization	organisation
section 6(3)(a)	aboriginals on the aboriginal	Aboriginal people on the Aboriginal
sections 6A(1) and 6B(1) and (2)	aboriginal	Aboriginal
section 10(2)(b) and (3)	he	the Minister
section 10(4)	shall be in writing and served by post on	must be in writing and served on, or sent by electronic communication to,
section 10(6)	he shall	the Minister must
section 29(2)	given by registered post	sent by registered post or electronic communication

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## Schedule 5 Special Purposes Leases Regulations 1955 amended

section 47

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 2(1)	, unless the contrary intention appears	
regulation 2(2)	so numbered in the Schedule	as numbered and approved by the Minister under section 32A of the Act
regulation 5(a)	authorized	authorised
regulation 5(b)	authorize	authorise
regulation 5(e), (f) and (g)	he	the lessee
regulation 5(k)	him	the lessee
regulation 6(1) and (3)	Where	If
regulation 8	authorized	authorised
regulation 9, heading	<b>5AA</b>	<b>4A</b>
regulation 9	5AA	4A
	shall	must
The Schedule	whole Schedule	

**Schedule 6 Swimming Pool Safety Act 2004 further amended**

section 53

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Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 14(2), 17(3), 20(3), 26(2) and 27(2)	form prescribed by the Regulations	approved form

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## Schedule 7 Swimming Pool Safety Regulations 2004 further amended

section 57

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 3, heading	<b>Interpretation</b>	<b>Definitions</b>
regulation 3(1)	(1)  , unless the contrary intention appears	
regulation 3(2) and 7(1)	whole subregulation	
regulation 7(2)	The dividing barrier notice	A dividing barrier notice under section 10(1)(b), 11(1)(b) or 12(1)(b)(iii) of the Act
regulation 8	must be in accordance with Form 2 and	
regulation 10	must be in accordance with Form 3 and	
regulation 11	must be in accordance with Form 4 and	
regulation 16	be in accordance with Form 5 and	
regulation 17	be in accordance with Form 6 and	

**Schedule 8 Valuation of Land Act 1963 further amended**

section 76

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part I, heading	<b>I Preliminary</b>	<b>1 Preliminary matters</b>
Part II, heading	<b>II</b>	<b>2</b>
Part IV, heading	<b>IV</b>	<b>4</b>
sections 8(1) and 8A(1)	stratum	unit
section 8B, heading	<b>stratum</b>	<b>unit</b>
section 8B(1) and (2)	stratum ( <i>all references</i> )	unit
section 8C, heading	<b>stratum</b>	<b>unit</b>
section 8C(1) and (2)	stratum ( <i>all references</i> )	unit
section 8D, heading	<b>stratum</b>	<b>unit</b>
sections 8D(1), (2) and (3) and 9(1)	stratum ( <i>all references</i> )	unit
section 15(1), (3), (4) and (5)	shall	must
section 15(3)(a)	his	the owner's
section 15(5)	cause a copy of the valuation to be furnished	provide a copy of the valuation
section 15(6)	whole subsection	(6) The Valuer-General must, as soon as practicable after a variation of a valuation of ratable land under

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
		Part 5 or 6, provide a copy of the variation to the rating authority in respect of that land.
Part V, heading	<b>V</b>	<b>5</b>
Part VIII, heading	<b>VIII Miscellaneous</b>	<b>8 Miscellaneous matters</b>
section 43(1) and (2)	prescribed form	approved form

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**Schedule 9 Waste Management and Pollution Control Act 1998 further amended**

section 85

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 13(3)	or purchased	
section 13(4)	and purchase	
section 19(3)(c)	or purchased	
sections 19(4) and 20(2)(a)	and purchase	
sections 20(4)(b) and 23(2)(b)	or purchased	
section 25(1)	(1) and purchase	
section 25(2)	whole subsection	
section 27(2)(b)	or purchased	
Part 5, Division 3, heading, after <b>"Miscellaneous"</b>		<b>matters</b>

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