

NT PLANNING COMMISSION HEARING

PROPOSED NT PLANNING SCHEME AMENDMENT PA2026/0205

Amend NT Planning Scheme 2020 to facilitate
infill development and subdivision in Zone LR

Agenda Item Number: 1

Meeting Date: 1 October 2026

Attachment A – Exhibition Material

Attachment B – Submissions Received

Attachment C – Submissions Record

Report to the Planning Commission

This report is prepared under section 22 of the *Planning Act 1999*, and considers the submissions made in relation to the proposal.

1. GENERAL INFORMATION

PROPOSED AMENDMENT	Amendment to the NT Planning Scheme 2020 (NTPS 2020) to facilitate infill development and subdivision in Zone LR by: • reducing the minimum lot size • allowing dwelling-group and dwelling-multiple
PROPONENT	Minister initiated planning scheme amendment under Section 12 of the <i>Planning Act 1999</i> (The Act)

2. LEGISLATIVE REQUIREMENTS

The Minister for Lands, Planning and Environment is responsible for determining proposals to amend the NTPS 2020, including the rezoning of land. The Act establishes requirements relating to the exhibition, consultation and reporting of proposed amendments to the NT Planning Scheme.

Under section 22(6), the Planning Commission must hold a hearing if submissions are received during the exhibition period, and the Chairperson is satisfied that a hearing would provide further useful information.

Under section 24 of the Act, the Planning Commission must provide to the Minister for Lands, Planning and Environment, a written report that addresses the issues raised in the submissions; the issues raised at the hearing and during any consultation; and any other matters the Commission considers the Minister should take into account when considering the proposal.

3. PROPOSAL

The planning scheme amendment as exhibited seeks to amend the NTPS 2020 to allow smaller lots and a broader range of housing types in Zone LR. The table below outlines the changes proposed and exhibited.

Further details of these amendments, and other minor amendments to the NT Planning Scheme required to implement the proposed changes, are provided in the exhibition material at **Attachment A**.

	Current Provision	Proposed Amendment
Minimum Lot Size	<u>Established suburbs</u> 800m ² <u>Greenfield suburbs</u> Average of 600m ² and minimum of 450m ² in greenfield suburbs	450m ²
Lot Size Variations	Up to 5% reduction (minimum 760m ² lot)	Up to 10% reduction (minimum 405m ² lot)

	Current Provision	Proposed Amendment
Types of Homes	'Dwelling-group' & 'dwelling-multiple' <u>prohibited</u>	'Dwelling-group' & 'dwelling-multiple' – <u>development permit required</u>
Density	1 dwelling-single plus a dwelling-independent (i.e. granny flat)	1 dwelling per 450m ² as part of a dwelling-group or dwelling-multiple (with a maximum of 10% variation in some cases)
Minimum lot frontage (450-600m² lots)	13 metres	12 metres
Battle-axe lots	To be avoided	Allowed in limited circumstances
Subdivision on land affected by flooding and storm surge overlays	To be avoided	Prohibited
Dwelling-group and dwelling-multiple on land affected by flooding and storm surge overlays	Allowed above flood level	Prohibited on affected portion of lot

Following public exhibition, the Minister may decide to modify the proposed planning scheme amendment in response to issues raised in submissions. Whether the amended proposal requires re-exhibition will depend on the nature and extent of any changes made.

4. LAND AFFECTED BY THE PROPOSED AMENDMENT

The proposed changes would apply to all Zone LR land across the Northern Territory, including greenfield areas, except for land affected by flooding or storm surge.

Zone LR land with potential for infill development is located within the Darwin, Palmerston, Litchfield, Coomalie, Katherine, Tennant Creek and Alice Springs local government areas.

Mapping of all Zone LR lots across the NT greater than 900m² not located in flooding or storm surge areas was published with the exhibition material at **Attachment A**.

While the new provisions would apply broadly across Zone LR, not all lots would be able to utilise them. Many sites may not satisfy the minimum requirements for subdivision or development due to factors such as lot configuration, access constraints, servicing limitations, or other site constraints. In addition, increased development intensity may require upgrades to existing infrastructure, with the cost of any necessary works to be borne by the developer.

Conversely, some properties not identified in the mapping may still be suitable for subdivision or development. This may occur where variations to minimum lot size or density controls can be justified through the development assessment process.

5. EXHIBITION OF PROPOSAL

On 15 July 2026, the Minister for Lands, Planning and Environment determined under section 13(3)(a) of the *Planning Act 1999* to continue consideration of the proposed amendment by placing it on exhibition.

The proposal was on public exhibition for a period of 28 days, in accordance with the requirements of the Act. The exhibition closing date was 21 August 2026.

6. SUBMISSIONS

A total of 66 public submissions, along with responses from relevant service authorities and local government councils, were received during the exhibition period. Further detail is provided below.

Public Submissions (Attachments B1 to B66)

A total of 66 public submissions were received during the exhibition period:

- 49 submissions opposed the proposal.
- 5 submissions supported the proposal.
- 12 submissions supported the proposal subject to changes (7 of these were from industry groups/peak bodies).
 - These submissions were primarily from industry stakeholders.
 - Suggested changes included both less restrictive and more restrictive controls.

By location:

- Darwin: 47 submissions
 - 41 opposed
 - 4 supported
 - 2 supported with changes
- Alice Springs: 4 submissions
 - 1 opposed
 - 1 supported
 - 1 supported with less restrictive flood controls
 - 1 supported with additional design and landscaping controls
- Location not specified: 15 submissions
 - 7 opposed
 - 8 supported with changes

Supportive submissions generally:

- Supported increased housing diversity and supply.
- Supported more efficient use of serviced urban land.
- Considered the reforms a practical response to housing affordability and housing choice issues.
- Sought supporting measures relating to infrastructure planning, landscaping, tropical design, and monitoring.

Opposing submissions generally:

- Raised concerns about infrastructure capacity and the cumulative impacts of increased density.
- Objected to the potential loss of neighbourhood character, tree canopy and tropical amenity.

- Raised concerns regarding traffic, parking, drainage and urban heat.
- Preferred a strategic, location-specific or place-based approach to identifying areas suitable for increased density.

Public Submission Issues Summary

Individual submissions are summarised thematically in the table below.

Issues Raised
Infrastructure capacity • Concerns that existing water, sewerage, electricity, stormwater and road infrastructure may not have sufficient capacity to accommodate increased density. • Concerns that infrastructure in many established suburbs is ageing and may require significant upgrades before additional development occurs. • Requests for infrastructure capacity assessments and greater certainty regarding upgrade requirements and funding responsibilities.
Tree canopy, urban heat and climate resilience • Concerns that subdivision and increased density would result in the removal of mature trees and a reduction in canopy cover. • Concerns that reduced vegetation and increased hardstand areas would contribute to urban heat and reduce liveability. • Suggestions for stronger landscaping, tree retention and climate-responsive design requirements.
Neighbourhood character and amenity • Concerns that the proposal would alter the character of established low-density residential suburbs. • Concerns regarding reduced privacy, increased building bulk and the loss of spacious landscaped residential environments. • Views that larger lots, mature vegetation and separation between dwellings are important elements of neighbourhood character.
Traffic and parking • Concerns regarding increased vehicle movements and congestion on local roads. • Concerns that additional dwellings would increase on-street parking demand. • Concerns regarding emergency vehicle access, pedestrian safety and waste collection in higher-density areas.
Strategic planning and place-based growth • Support for a more targeted approach to increased density based on infrastructure capacity and location. • Preference for growth around centres, transport corridors and areas already identified for intensification.

Issues Raised
Concerns that a Territory-wide amendment does not adequately reflect differences between suburbs and communities.
Cumulative impacts - Concerns that the cumulative effect of multiple subdivisions within the same area has not been assessed. - Concerns regarding the combined impacts on infrastructure, traffic, parking, drainage, tree canopy and local amenity. - Requests for suburb-level assessments of potential development outcomes.
Stormwater, flooding and drainage - Concerns that increased hardstand areas would reduce infiltration and increase stormwater runoff. - Concerns regarding localised flooding and drainage infrastructure capacity. - Requests for stronger stormwater management measures and catchment-wide planning.
Housing supply and diversity - Supportive submissions considered the proposal would increase housing supply and housing choice. - Support for enabling a broader range of housing types in established suburbs. - Support for making more efficient use of serviced urban land.
Tropical design and landscaping - Support for stronger requirements relating to shade, landscaping, airflow and passive cooling. - Suggestions that development should respond appropriately to Territory climatic conditions. - Requests for greater emphasis on deep soil areas, permeability and canopy retention.
Battle-axe lots - Mixed views on the proposed battle-axe lot provisions. - Support for battle-axe lots as a means of facilitating development on constrained sites and retaining existing dwellings. - Concerns regarding access, servicing, drainage, emergency access and the lack of clear criteria.
Flooding and storm surge General support for limiting development in areas exposed to flooding and storm surge hazards.

Issues Raised
- Some concerns that a blanket prohibition may be overly restrictive for certain sites. - Suggestions that site-specific assessments should remain available where risks can be appropriately managed.
Social and affordable housing - Some submissions questioned whether increased development capacity would improve housing affordability. - Support for monitoring the effectiveness of the reforms in delivering additional affordable housing.

Submissions from industry groups (Attachments B60 to B66)

Submissions were received from several peak bodies regarding the proposal who all support the proposal with recommended changes. These changes include:

- Request for stronger provisions to deliver social and affordable housing outcomes
- Sought infrastructure planning and capacity assessments to support additional development and recommended cost-sharing arrangements for future infrastructure upgrades
- Request for stronger climate-responsive design requirements.
- Sought improved stormwater management measures and controls to mitigate urban heat impacts.
- Recommend increased tree canopy, landscaping and deep-soil planting requirements.
- Sought measures to maintain neighbourhood amenity and improve design quality outcomes.
- Request for greater council consultation and strategic planning to support infill development.
- Sought ongoing monitoring and review of amendment outcomes.
- Request for refinements to provisions relating to battle-axe lots, flooding and storm surge overlays and implementation guidance.

Service Authority Comments (Attachments B67 to B75)

Responses were received from a number of service authorities which are summarised in the table below.

Service Authority	Comments
Aboriginal Areas Protection Authority (AAPA) (Attachment B67)	No objection

Civil Aviation Authority (CASA) (Attachment B68)	No objection
Darwin International Airport (Attachment B69)	Request to exclude any Zone LR lots that lie within the endorsed ANEF contours from being allowed to undertake infill development and subdivision
Department of Health – Medical Entomology Branch (Attachment B70)	No objection
Development Coordination Branch on behalf of the Department of Lands, Planning and Environment (Attachment B71)	Under the <i>Waste Management and Pollution Control Act 1998</i> (NT) (WMPC Act), all persons have statutory obligations to take all reasonable and practicable measures to prevent or minimise pollution and environmental harm, and to reduce the amount of waste generated. This is known as the General Environmental Duty, set out in section 12 of the WMPC Act. The proponent is responsible for ensuring that their activities comply with these obligations.
NT Fire and Emergency Services (Attachment B72)	No objection
Power and Water Corporation (Power) (Attachment B73)	- The proposed increase in residential density within existing Zone LR areas will increase electricity demand requirement as additional dwellings are developed. This may have implications for the existing electricity distribution network, particularly in areas where the network was originally designed to service lower residential densities. Increased load requirements may result in the need for network augmentation, including distribution transformer upgrades, distribution feeder upgrades and upstream network upgrades. - The extent of any required network augmentation will depend on the location, scale, timing and cumulative uptake of development within the affected areas. - As the proposed amendment applies broadly across Zone LR areas and does not specify the location, timing or extent of future development uptake, the specific network augmentation requirements cannot be determined at this stage. These requirements should be assessed as part of future subdivision and/or development applications, where the proposed development and associated electrical load are known and network modelling can be undertaken where required. - The cost of necessary works to be borne by the developer.
Power and Water Corporation (Water)	Power and Water do not expect the water and sewer demand to reduce proportionally with smaller lot sizes as it is primarily driven by the number of dwellings rather than lot area.

(Attachment B74)	• Water and sewer assessment will be undertaken on a per dwelling basis, consistent with the approach outlined in the NT supplement to the relevant WSAA supply codes. • In most instances, Power and Water Corporation expect the network will be capable of supporting the change. However, where upgrades are triggered as a result of the change, the developer will be responsible for the required augmentation. • For master planned subdivisions/developments currently underway which may have undeveloped or partially developed lots present, changes to densify under the amendment would trigger a need for updated water and sewer assessment. Depending on the scale of densification proposed, this may trigger a requirement for an update to the overall master plan for water and sewer.
Transport and Civil Infrastructure – Department of Logistics and Infrastructure (Attachment B75)	• For the lots that have a boundary with NTG-controlled roads and meet the criteria of infill development and subdivision, no additional access will be permitted from the adjoining NTG-controlled roads. I.e. the existing number of access(es) to the NTG-controlled roads shall remain the same. The diagrams in Annexure A, which accompanied the submission from the Department, indicates examples of acceptable access plans.

Local Authority Submissions (Attachments B76 to B80)

Local authority responses received are summarised in the table below.

Service Authority	Comments
Central Desert Regional Council (Attachment B76)	• No comments
City of Darwin (Attachment B77)	• City of Darwin supports the objective of increasing housing diversity and facilitating appropriate infill development in established urban areas. • Council remains concerned that the amendment is not supported by sufficient strategic analysis to understand the cumulative impacts of increased density on infrastructure, particularly stormwater, traffic, parking and local road networks. • Council considers that infrastructure planning should occur at a suburb, catchment or local area level rather than relying on individual development applications to identify and manage impacts. • Concerns were raised that increased subdivision and development intensity could reduce permeable surfaces, increase stormwater runoff, place pressure on ageing infrastructure, and generate additional traffic and parking demand. • Council highlighted the need for strategic planning to identify areas suitable for increased density, infrastructure upgrades

	required, funding arrangements, and constraints such as cul-de-sacs and limited road network capacity. • Council also emphasised the importance of protecting Darwin's established character, including mature trees, landscaping, open space, urban cooling and neighbourhood amenity, and understanding how these qualities may be affected by increased density. • While supportive of the principle of infill development, Council does not support the amendment proceeding in its current form and recommends further strategic planning and infrastructure assessments before implementation.
City of Palmerston (Attachment B78)	• City of Palmerston is generally supportive of infill development and subdivision in Zone LR where infrastructure and services can adequately support additional development. • Council requested several technical amendments to the draft provisions, including: - o Prohibiting single dwellings in flood and storm surge overlay areas. - o Requiring local government approval for wider driveways within road reserves. - o Strengthening controls on battle-axe lots, including local government consent regarding access, waste collection and drainage. - o Retaining the requirement for lots to be connected to reticulated services. • Council expressed concern that the amendment adopts a broad lot size-based approach to infill development rather than being guided by strategic planning, infrastructure capacity and proximity to services and facilities. • Concerns were raised that existing infrastructure and servicing constraints in older neighbourhoods could be exacerbated if development intensity increases without adequate assessment of servicing capacity. • Council advocated for a more integrated strategic approach, including additional statutory controls relating to infrastructure constraints and mandatory pre-lodgement meetings with local government and service authorities. • While supportive in principle, Council considers further consideration should be given to the strategic framework, infrastructure capacity and consultation requirements to avoid approvals being granted with conditions that may be difficult or impossible for developers to satisfy.
Coomalie Community Government Council	• Coomalie Council opposes the proposed amendments applying to Batchelor and recommends the existing Zone LR provisions

(Attachment B79)	remain unchanged to protect the township's heritage values and natural landscape character. • Council encourages the NT Government to investigate a broader range of housing supply options, including vacant Crown land release, infill development, subdivision opportunities and greenfield development through a strategic planning process. • Council recommends that strategic, suburb-level assessments be undertaken before widespread infill development is enabled to better understand infrastructure capacity, traffic impacts and community needs. • Council supports stronger engagement with local government in the development and implementation of the infill development framework. • Council supports comprehensive infrastructure capacity assessments before rezoning or development approvals are granted, and seeks measures to avoid cost shifting and additional infrastructure burdens on local government, including funding support.
Litchfield Council (Attachment B80)	• Litchfield Council does not support the amendment and recommends it not apply within the municipality, arguing there is no demonstrated need for broad-scale infill development given existing land supply, planned growth opportunities and the area's rural lifestyle character. • Council is concerned the amendment could alter the rural and low-density character of Litchfield, reduce privacy and amenity, increase traffic and service demands, and place additional pressure on roads, stormwater, waste and community infrastructure. • Council considers that existing Zone LMR provisions already provide an appropriate mechanism for higher-density development in locations that are strategically planned and serviced for increased density, making additional density rights in Zone LR unnecessary. • Concerns were raised that the proposal relies too heavily on individual development assessments, which may not adequately address the cumulative impacts of increased density on infrastructure, services, open space, roads and neighbourhood character. • Council identified infrastructure constraints, including sewer capacity issues and ageing infrastructure, and recommends strategic, precinct-level infrastructure and servicing assessments be completed before additional infill rights are introduced. • Council criticised the indicative infill mapping, stating it does not adequately reflect local conditions, infrastructure constraints or land ownership, and noted that at least one identified site is a Council drainage reserve and unsuitable for development.

	• Council argued that the proposal applies a one-size-fits-all Territory-wide approach that does not adequately distinguish between established urban areas and rural municipalities such as Litchfield. • Council recommended: - o Excluding Litchfield from the proposed amendments. - o Undertaking further strategic planning and infrastructure assessments. - o Better demonstrating how previous consultation feedback was addressed. - o Using location-specific planning controls where increased density is appropriate. - o Continuing to rely on existing Zone LMR provisions for higher-density outcomes rather than increasing density allowances across Zone LR.
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7. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Lands, Planning and Environment on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.