

Key policy recommendations to strengthen the Territory's water laws and protect our most precious resource.



Briefing notes in response to the
NT Strategic Water Plan – Directions Paper

This guide was compiled by the Arid Lands Environment Centre
February 2022

Who is the Arid Lands Environment Centre?

The Arid Lands Environment Centre (ALEC) is Central Australia's peak environment organisation that has been advocating for the protection of nature and growing sustainable communities in the arid lands since 1980. ALEC actively contributes to the development of water policy and planning through written submissions, participation upon water advisory committees, as well as through community engagement and education.

www.alec.org.au

About the Strategic Water Plan - Directions Paper

The *Strategic Water Plan Directions Paper* (the Directions Paper) is the NT Government's first step in developing a long-term, comprehensive Strategic Water Plan 'to ensure the sustainable and transparent management' of NT water resources. The Directions Paper outlines possible pathways to improve water security for the NT, and feedback from stakeholders will inform the Strategic Water Plan.

The Strategic Water Plan is the first of its kind in the NT and will set the agenda to 2050 across all aspects of water management. We are on the precipice of over-exploiting the NT's water resources. This is a critical juncture and opportunity to modernise NT's water management policies and prevent critical and irreversible ecological decline, conflict and expense. The health of our communities and environments depends on it.

[Download the NT Strategic Water Plan - Directions Paper here.](#)

Making a submission to the Directions Paper is a key opportunity for organisations and the public to be heard about how to fix the Northern Territory's water laws, so that public trust in water regulation can be restored. This is vital, not just for the protection of the environment, but for all water users, from residents of remote communities to farmers.

Making a submission

Use this guide to write your submission.

Email your submission to watersecurity.ntg@nt.gov.au by the deadline, **Friday 4 February 2022.**

If you would like to speak to someone about writing a submission feel free to get in to contact with Policy Officer Alex Vaughan policy@alec.org.au



Threats to our water

Water is our most precious resource and is essential to all life. The Northern Territory's river systems and groundwater aquifers underpin the economy and our social and cultural life. Water is essential for healthy communities and ecosystems. While there are numerous threats to Northern Territory water resources, two key challenges are:

1. **Climate change is significantly impacting our water resources.** We are facing harsher and longer droughts, erratic rainfall (and recharge of aquifers), and increased evapotranspiration.
2. **The Government is pushing ahead with plans for unsustainable large-scale industrial and water intensive agriculture.** This will involve extensive land clearing of NT savannas (which are, as highlighted above, ecosystems on the verge of collapse), and will require billions of additional litres of the Northern Territory's groundwater and surface water which industry will receive for free.

The Northern Territory's weak regulatory system is not adequate to respond to these threats and has meant that management of water has been a significant political issue for many years. Water controversies regularly punctuate the news cycle, eroding trust in the Northern Territory Government's management of our most precious resource. These include:

- the grant of a controversial water licence at Stylo Station to a political candidate,
- the revelation that there are no regulatory protections for drinking water in remote communities of the Northern Territory;
- the unprecedented overturning of a 10 billion litre per annum groundwater licence at Larrimah; and
- controversy over the circumstances surrounding the grant of the largest groundwater extraction licence in Northern Territory history, at Singleton Station.

Water justice principles

Water justice is central to ALEC's vision for the sustainable use of water resources. This vision was developed alongside ECNT in our joint submission to the Productivity Commission around National Water Reform in 2021. These principles centre notions of distributive, procedural and recognition-based justice. There are five key principles around water justice that we wish to emphasise:

1. Traditional Owners and their representative institutions are centred in all decision making around water management and use;
2. Water values of ecological, cultural and social significance are recognised and protected;
3. Basic water needs are met for all;
4. Water resource management is inclusive and participatory;
5. Water is recognised as a public good that should be looked after.



Writing your submission - key recommendations and policies

There are a host of recommendations and policy changes needed to create a holistic, sustainable and integrated system around water resource management. Below is a list of ALEC's eight key priorities for reform that we will be including in our submission.

Your own submission does not need to touch on all the areas outlined in this guide. ALEC suggests selecting the issue/s most relevant to you or your organisation, and asking for changes in those particular areas.

- 1. A Safe Drinking Water Act is legislated.** The current legislative framework for drinking water service provision in the NT is fragmented, inadequate for protecting people's human right to drinking water, and in need of reform. Drinking water governance in the NT is currently characterised by gaps, an overall lack of transparency and accountability, conflicts of interest, a dearth of monitoring and data, and a lack of Indigenous consultation and engagement. A Safe Drinking Water Act provides regulatory protection and accountability for the provision of safe and adequate drinking water across the NT for all Territorians. This must also include the development of a consistent minimum standard for drinking water quality, in accordance with the Australian Drinking Water Guidelines.
- 2. Establish an independent water regulator.** In the Northern Territory, water service delivery, policy-making and regulation are all fulfilled by the one Department. The Northern Territory Water Controller is also the CEO of the Department of Environment, Parks and Water Security, and they report to the Environment Minister. This centralisation of control creates a perceived conflict of interest. To improve oversight and transparency, the Northern Territory Government should establish an independent water body that assumes all responsibilities currently undertaken by the Controller of Water Resources. The final design of the independent body should be the result of widespread consultation and participation from key stakeholders.
- 3. Strengthen Water Allocation Planning.** Water Allocation Plans (WAPs) are the strongest tool to manage water resources in the NT, however, in their current form they are weak, fragmented and vary widely across geography. WAPs need: binding provisions to ensure they are enforceable; to be legally required to be developed (as only ¼ of water licences in the NT occur within WAPs); an overarching framework for how they are developed so they are consistent and follow a clear scientific definition of estimated sustainable yield; and, are implemented within a legislated time frame.
- 4. Alice Springs becomes a world leader in sustainable water use.** Alice Springs uses twice as much water per capita than the national average, with this water mined from groundwater below the surface. 9GL are extracted, while only 2GL are replenished annually, with the water table having dropped by 6m in the last 10 years. It is deeply unsustainable. This is a key opportunity to consider Alice Springs water future and whether it can become a key hub for research and innovation in best practice sustainable water use in the arid zone.
- 5. Majorly reform the Water Allocation Planning Framework.** This key policy document is 2-pages, and hasn't been updated in 22 years. It is responsible for guiding the majority of water allocation decisions, yet is not based upon best practice science. This document needs to be updated and



modernised reflecting best scientific practice and cultural knowledge. The updated document should be the result of widespread consultation and input.

6. **Investigate a fair price for commercial water use to improve compliance monitoring and enforcement.** The NT and WA are the only jurisdictions nationally that do not charge for commercial water use. Cost recovery is a key tool that ensures that the money spent paying for water is reinvested into the regulatory environment strengthening water governance. Strong monitoring, compliance and enforcement form the backbone of effective water governance, reducing economic, social, cultural and environmental risks. In addition, it builds greater trust in the regulatory environment. This is a key opportunity to investigate the feasibility of water pricing of commercial water use in the Northern Territory.
7. **Establish ecosystem/ catchment-based management of waterways.** This supports a holistic approach around the governance of water, land, biodiversity and cultural values within regions of significance.
8. **Standardise and strengthen water advisory committees (WACs).** WACs are a critical interface between key stakeholders and Government, although their powers are limited. WAC's are the only opportunity for stakeholder input into water planning design in the Northern Territory. WACs need to be: legally required to exist for the duration of a WAP; meet regularly; are updated with key scientific information; and, are standardised across the Northern Territory.