Gary Higgins
Minister for Land Resource Management

Changes to exemptions under the Water Act for the Darwin rural area

7 July 2016

The Minister for Land Resource Management, Gary Higgins has announced the Northern Territory Government has removed the 15 litres per second exemption in the Northern Territory’s Water Act.

Mr Higgins said this decision was made to help better manage groundwater resources more sustainably throughout the Darwin Rural Water Control District.

‘Currently non stock and domestic water users who are pumping less than 15 litres of water per second are exempt from licencing obligations under the Water Act’.

This exemption has been in place since the commencement of the Act in 1992 and is unique to the Darwin Water Control District which encompasses the Darwin Rural area across to the Adelaide River, down to Acacia, across to Blackmore, and includes such areas as Humpty Doo, Lambells Lagoon Acacia Hills, and Berry Springs.

‘I have been outspoken and public regarding my position about this exemption and the fact that I have a firm view that it has run its course,’ said Minister Higgins.

‘It was included in the list of exemptions in 1992 to help develop horticultural and agricultural areas in the Darwin rural area. This has been achieved and it is now time for this region to be subject to the same licencing arrangements as exist for other areas, such as Katherine or Tennant Creek.

‘There is no reason for areas like Howard or Berry Springs, Middle Point or Humpty Doo to be subject to less monitoring and management than other water control districts – especially when we are facing a drought year in the Darwin rural area.

‘Fifteen litres per second is a lot of water, by any estimation. Those using just shy of these volumes in order to fit within the exemption are most likely to be a commercial venture, and as such, it is appropriate for these users to be licenced,’ said Minister Higgins.

Licensing ensures that water use is monitored, improving its management overall. It also gives some certainty to a commercial operation or venture through a licence entitlement under the Act.

Stock and domestic water users in the Darwin Rural area are not affected by the removal of this exemption.
The new gazettal notice removing the exemption takes effect as of 6 July 2016. Commercial water users will have three months to submit their licence request to the Department of Land Resource Management, including submitting details of crop types and areas, and proof of existing water use.

Minister Higgins confirmed an amnesty will need to apply to give time for those operating under the 15L per second exemption to apply for and be assessed for a water extraction licence for at least the next six months.

‘Applicants will need to demonstrate that their licence request is consistent with their current requirements. This is not an opportunity for ambit claims,” he said.

‘Staff from the Department will also be verifying water requirements, bore details and pumping rates with applicants over the coming three months and processing those applications as water licences in the three months that follow’.

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