

## Water law reform

Water is our most precious resource, and is essential for sustaining all life in the Northern Territory. In particular, human health is reliant on the availability of water that is safe to drink, of adequate supply, and distributable to homes. In recent years, there have been multiple instances of water scarcity and contamination across the Northern Territory, particularly in remote Indigenous communities. These impacts will be exacerbated by the impacts of climate change, as the Northern Territory warms and water supply becomes more vulnerable.

Yet there are significant limits and gaps in the current regime governing drinking water in the Northern Territory. The result is a system that privileges certain (urban, predominantly non-Indigenous) populations over others (remote, predominantly Indigenous). In summary:

- There is no general power to reserve water for drinking water supply against other uses in the *Water Act (NT)*.
- There are no mandated minimum standards set for drinking water quality across the NT under the *Water Act (NT)*, the *Water Supply and Sewerage Services Act (NT)* or the *Public and Environmental Health Act (NT)* (despite there being the power to impose minimum standards).
- Different legal regimes govern how drinking water is supplied depending on the context in the NT. Specifically, the key legislation regulating the supply of drinking water, the *Water Supply and Sewerage Services Act (NT) (WSSS Act)*, only applies in the NT's 18 gazetted towns. For the 72 larger Indigenous communities and 66 of the approximately 600 outstations, this legislation does not apply.<sup>1</sup> This has resulted in different “[islands](#)” of drinking water governance across the NT.

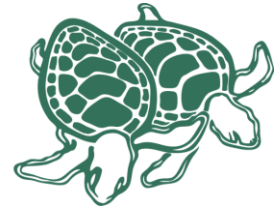
Urgent reform is needed to ensure that these regulatory gaps are closed. It is critically important that the Northern Territory Government prioritises the current and future water security of the NT to protect drinking water for all Territorians.

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<sup>1</sup> Source: Housing for Health Incubator, University of Sydney: <https://www.hfhincubator.org/wp-content/uploads/2019/03/Housing-for-Health-Incubator-Submission-to-NT-Water-Regulatory-Reform-30.3.19.pdf>, <https://blogs.crikey.com.au/northern/2019/05/31/are-there-legal-protections-for-drinking-water-in-the-northern-territory/>.

# Environment Centre NT

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Political parties should commit to implementing the following reforms to ensure safe and adequate drinking water is available and legally protected across the NT:

- (a) legislate a *Safe Drinking Water Act* in the NT to provide regulatory protection and accountability for the provision of safe and adequate drinking water for all Territorians;
- (b) create enforceable minimum standards for drinking water quality under legislation for all Territorians;
- (c) amend the *Water Act* (NT) to include a power to specifically reserve water for future drinking water supply above other consumptive uses in the NT;
- (d) legislate for a right to potable and adequate drinking water for all Territorians;
- (e) develop an overarching Water Strategy for water security, sustainable use and resilience - to protect our most precious resource.

Political parties should also commit to amending the Water Act to include protections for environmental and cultural flows and establish an allocation decision making framework, across the NT, based on science.