Frequently asked questions

Water Act Reform 2026

1. Why is the Water Act being amended?

The proposed amendments respond to experience applying the *Water Act 1992* and stakeholder feedback.

The reforms target improved clarity, transparency and effectiveness in water resource management, support adaptive water planning, strengthen protections for Aboriginal water interests and maintain opportunities for stakeholder participation.

Water allocation planning

2. What is a water allocation plan?

A water allocation plan is a statutory document that describes a water resource, identifies how much water may be allocated from the resource, explains how water is shared between beneficial uses, and sets out the rules that apply to water management and use.

3. What is changing for water allocation plans?

The amendments clarify what must be included in a water allocation plan and allow plans to remain in force until amended or revoked. This means that plans will no longer expire after a pre-determined ten year period.

Plans will continue to be reviewed at least every five years and may be amended where required.

4. Why are expiry dates being removed?

Removing expiry dates provides greater certainty and avoids unnecessary administrative burden. Plans will remain in effect while they are reviewed and updated, reducing the risk of regulatory uncertainty.

Mandatory reviews every five years will continue to ensure plans remain current and responsive to changing circumstances.

5. Will water allocation plans still be reviewed?

Yes. Water allocation plans will continue to be reviewed at least every five years.

6. Can plans be amended between reviews?

Yes. Following a review, the Minister may amend a plan through a public consultation process.

Administrative amendments may also be made to correct errors, remove inconsistencies or improve clarity.

Estimated Sustainable Yield (ESY)

7. What is estimated sustainable yield (ESY)?

Estimated sustainable yield (ESY) is the amount of water from a water resource that, having regard to the environment, may be allocated to beneficial uses and taken by people. This includes all aspects of our physical and biological surroundings, economic, cultural and social aspects.

8. Does ESY represent all the water in a resource?

No. The ESY represents the amount of water that may be allocated and used. It is only a portion of the water estimated to be in the entire water resource. It does not represent the total volume of water within a water resource.

Water allocation plans will describe the size and scale of the water resource as well as the amount available for allocation. This will provide clarity about how much water remains in a water resource.

9. What aspects are considered when determining ESY?

Environmental, social, cultural and economic factors inform the ESY.

10. Why is ESY being defined in the Act?

Including a definition in the Act improves clarity and transparency by better explaining how water available for allocation is identified and managed. It also makes clearer that ESY is a portion of the water resource and separates that volume more clearly from the water that will remain in the system.

Aquatic ecosystems and environmental protection

11. Why is "environment" being renamed "aquatic ecosystems"?

The term "environment" has a broad meaning including all aspects of our physical and biological surroundings, economic, cultural and social aspects and is considered when determining ESY.

Renaming the beneficial use to "aquatic ecosystems" more accurately describes the purpose of that allocation category and distinguishes it from the broader environmental considerations that inform ESY determination.

Retaining ‘aquatic ecosystems’ as a beneficial use, retains the ability to allocate water to that express purpose where there is need to take water for that purpose.

12. Does this change reduce environmental protection?

No. Environmental aspects continue to play a central role in water allocation planning through the determination of ESY.

The amendment improves clarity about how environmental values are recognised and maintained as a priority within the water allocation planning framework. What are aquatic ecosystems?

Aquatic ecosystems include water-dependent ecosystems such as rivers, streams, wetlands, springs, estuaries, groundwater-dependent ecosystems and the plants and animals that depend on them.

Community participation

13. Will the community still be consulted on water allocation plans?

Yes. These amendments ensure draft water allocation plans and significant amendments will continue to be publicly released for comment before a plan is decided.

Whilst this has been established practice for many years, this amendment enshrines this into legislation going forward.

14. How can stakeholders have their say?

Stakeholders will continue to have the same opportunities to participate through public consultation processes and, through advisory committees and stakeholder engagement activities.

15. Why is community participation important?

Community participation helps ensure local knowledge, community values and stakeholder interests are considered in water planning and water decisions.

Aboriginal water reserves

16. What is an Aboriginal water reserve?

An Aboriginal water reserve is water set aside in a water allocation plan to support current and future Aboriginal economic development where there is eligible Aboriginal land.

17. What changes are being made to Aboriginal water reserve transfers?

The amendments clarify that water allocated from an Aboriginal water reserve cannot be permanently transferred.

Temporary transfers may still occur in accordance with the requirements of the Act.

18. Why are these changes proposed?

The amendments strengthen protections for Aboriginal water reserves and help ensure reserve water remains available for current and future Aboriginal economic development opportunities.

19. Will Aboriginal people continue to be involved in water planning?

Yes. The reforms maintain existing opportunities for Aboriginal participation in water planning and water management processes.

Water Advisory Committees

20. What is changing for Water Advisory Committees?

The amendments create a more flexible framework that allows committees to be established for the Territory, a region, a water resource or a specific issue.

21. Why is this change proposed?

The reforms provide greater flexibility to ensure advice can be tailored to regional, resource or policy issues.

Water extraction licences

22. What changes are proposed for licence applications?

The Controller of Water Resources may request additional information, pause assessment timeframes while information is being provided, and close inactive or incomplete applications through an established process.

23. Why is this change proposed?

These amendments improve administrative efficiency and help ensure applications are assessed using complete and accurate information.

24. Will existing water licences be affected?

No. The reforms largely focus on water planning, administration, consultation and compliance processes. Existing water licences are not affected.

Compliance and enforcement

25. What is an enforceable undertaking?

An enforceable undertaking is a legally binding commitment that may be accepted in response to an alleged contravention of the Act. Enforceable undertakings already exist in other forms of legislation in the Territory, and this amendment brings that compliance tool into the Water Act.

26. Why are enforceable undertakings being introduced?

Enforceable undertakings provide an additional compliance tool that can support practical, timely and effective compliance outcomes while maintaining accountability.

General

27. What do the reforms mean for me?

Water users and licence holders

The reforms provide clearer planning and licensing processes; and improved transparency in water management decisions.

Industry

The reforms provide greater planning certainty; clearer information about water resources; and continued opportunities to participate in water planning.

Aboriginal Territorians

The reforms strengthen protections for Aboriginal water reserves; support future Aboriginal economic development opportunities; and maintain Aboriginal participation in water planning.

Community and environmental interest groups

The reforms maintain environmental considerations in water planning; improve transparency in decision-making; and continue opportunities for public consultation.

28. When will the amendments start?

The amendments are proposed to be introduced through Northern Territory Government legislation in 2026.

29. Where can I find more information?

More information about the proposed amendments can be found at https://nt.gov.au/environment/water/management-security/changes-water-rules .