

# Report Card - Compliance and Enforcement Priorities 2020-21

## Water Resources Division

The Water Resources Division is responsible for ensuring compliance with the Water Act 1992 (the Act), Water Regulations 1992 and licences and permits issued under the Act.

Each year, Water Resources Division establishes its current and enduring compliance and enforcement priorities. A Report on the 2020-21 priorities is provided below.

### 1. Failure to comply with reporting requirements

Water extraction licence holders are required to report their monthly meter readings. This information is critical to monitoring compliance with the Act, determining water availability and understanding the impact of extraction on water resources. Improving the consistency of compliance with reporting requirements is therefore a high priority for the division.

**The volume of water reported to be taken increased by 20% during the 2020-21 financial year compared to the previous financial year.**

**This is attributed to increasing compliance in the Darwin Rural area in response to the department's active program to educate new licence holders. The department undertook 129 site inspections during 2020-21 to ensure licence holders understood their obligations to install water meters and report monthly water use data.**

**The level of reporting also demonstrates the commitment of existing licence holders across the Territory to comply with their licence conditions.**

**130 GL of water was reported to be taken under licence over the 2020-21 financial year. The total volume of water subject to licensing across the Territory is 598 GL/yr.**

**Water use reporting is expected to improve across the Territory with the launch of a new online interactive portal in the 2021-22 year. This mobile responsive portal will receive individual licence holder data and transfer it directly to the division's databases creating efficiency for the licence holder and the division's regulatory officers. The portal will also provide additional benefits to the licence holder by displaying a snap shot of water use year to date. Individual information will be available to licence holders along with aggregated water resource data.**

### 2. Recovery of unused licensed water entitlements

Licensed water entitlements are a finite resource granted to licence holders to promote the sustainable economic development of the Territory for the benefit all Territorians. Holding unused licensed water entitlements in a consistent way is contrary this objective and the good management and administration of the water resources. Accordingly, administration of the Recovery of Unused Licensed Water Entitlements policy<sup>1</sup> is a priority compliance and enforcement activity.

**The division initiated the recovery of unused water in a number of regions across the Territory. Submissions from licence holders in response to that activity clearly indicated the impacts of the global Covid19 pandemic extended to the development of water use activities in the Territory. Considering these early impacts of the global pandemic no water was recovered during 2020-21.**

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<sup>1</sup> <https://denr.nt.gov.au/water/policy/water-licensing-policies>



The division is cognisant that developing water use under existing licences is critical to the Territory's economic recovery and licence holders will need to be innovative in how they meet their obligations to develop and use water under their licences in a Covid19 environment.

Water Resources will resume processes associated with the recovery of unused water from January 2022.

### 3. Submission of the statement of bore for new bores

Bores are required to be drilled in accordance with the current version of the Minimum Construction Requirements for Water Bores in Australia. The requirements are set to protect the integrity of the groundwater resources. To ensure new bores have met the requirements, a Statement of Bore must be submitted to the division within 28 days of the bore being drilled.

Thanks to the good work of a many of our licensed drillers and the tenacity of the division's regulatory officers nearly 80% of the 422 statements received during the 2020-21 financial year were submitted within the required 28 days of the bore work being completed.

Remote work and internet access present challenges to licensed drillers in meeting the timing requirements for submitting statements of bore.

However, there remain licensed drillers within the industry who consistently fail to submit the required statements of bore within the specified timeframe.

The division will explore options to assist licensing drillers in submitting bore information ontime.

### 4. Unlawful water extraction

Individuals and organisations who unlawfully extract water in contravention of the Act detrimentally affect the rights of existing licence holders; the sustainability of water resources; availability of water for other users; and the ability to manage impacts to the environment.

In 2020 the division undertook a significant investigation of an interference with a waterway which resulted in unlawful take of surface water. The investigation resulted in the issue of a remediation notice under the Act. The remediation effort will see a return to natural flow and a return of surface water to the water resource. Remediation works will be assessed for a period of ongoing including monitoring to manage any potential impacts within the disturbed area.

### 5. Over extraction of licensed water entitlements

Licensed water entitlements are granted based on a number of factors, including water availability, demonstration of need for the water and the environmental impact. Over extraction of licensed water entitlements presents similar risks as unlawful water extraction; undermines the licensing framework and is unfair to licence holders who invest in the proper management of their water use.

Successive dry years across the Territory and reductions to annual licensed entitlements in response to annual announced allocations in the Katherine area increased the significance of managing water within licence limits.

Generally across the Territory water users managed water extraction within the limits of the licenced volume. In some cases this was aided by trading water between existing licence holders in accordance with relevant water allocation plans. Details on the trades approved during the 2020-21 year can be found here on the Trade Register at: <https://depws.nt.gov.au/water/water-information-systems/water-trade-register>

One infringement and 12 caution letters were issued during the 2020/21 year for exceeding licenced water allocation.