New environment and water bill sells out Territorians

The Central Land Council is calling on the Northern Territory Government to withdraw the Environment and Water Legislation Amendment Bill 2026. This bill sells out Territorians by stripping away the last remaining protections we have around the industrial use of precious water.

“The bill paves the way for the government to rush through water licences without guardrails for good decision-making and public accountability,” CLC chief executive Les Turner said.

The bill removes community consultation safeguards and instead places all key water planning decisions solely in the hands of the minister. Under the bill, the public and stakeholders will no longer be engaged in planning through water advisory committees unless the Minister decides they’re warranted.

Water allocation plans, which previously lasted a maximum of ten years before requiring review, will now remain in force until the minister revokes them. This removes the last legally secured, regular opportunity for water plans to be updated according to changing environmental conditions, scientific evidence and community priorities. It means weak or dangerous water plans are locked in indefinitely.

Water management decisions won’t need to align with water allocation plans, rendering the plans meaningless and undermining National Water Initiative requirements for water allocation plans to have a statutory basis. The amendments flout best practice and community aspirations for more transparent water planning laws.

The bill flies in the face of National Water Initiative commitments to secure water for the environment and public benefit, completely tipping an already unbalanced scale towards industry interests.

“The CLC is deeply concerned that we have lost our last line of defence against high-water-consuming projects that might come our way,” Mr Turner said. “With weakened laws and free water, the NT is a honey pot for industrial-scale use of precious and finite groundwater. It is shocking that the bill has not been referred to the legislative scrutiny committee before it is due to be debated on 24 November 2026. This must be rectified.”

In August, the High Court quashed the NT Government’s decision to grant the 40-billion-litre Singleton Station water licence, citing it had been unlawfully granted. This was a licence with potentially devastating impacts on groundwater and the environment and culture that depend on it.

Due to changes the NT Government has made about who is in control of water planning decisions, the law would not support native title holders to challenge the merits of such a licence today.

This is especially troubling when we are already facing proposals for future developments like data centres looking to take advantage of the NT’s lax regulations and free water.

“The NT Government was already backsliding against national best practice for water management. Now it’s over the cliff. It’s clearer than ever that the Federal Government needs to step in by strengthening the water trigger under federal environment laws,” Mr Turner said.

The reforms also make concerning amendments to the Environmental Protection Act, allowing mining companies to reclaim their security deposits before they have remediated their mine sites. This removes an incentive for mining companies to properly fix their sites once work is finished, leaving country at risk, and increasing the cost for Territorians to address the damage of legacy mines.

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The CLC is calling on the Federal Government to strengthen the existing water trigger under the Environment Protection and Biodiversity Conservation Act to cover all projects with potentially significant impacts on water and dependent ecosystems. This means the Federal Government can step in to protect Territorians when the NT Government makes decisions that put our water and our environment at risk.

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