

Mining and Petroleum Activities: Interfering with a waterway

The Water Act 1992 applies to mining and petroleum activities.

Mining and petroleum activities that interfere with a waterway need to comply with the Water Act 1992.

A **transition period** is in place to enable existing authorised mining and petroleum activities to comply with the Water Act 1992 within a reasonable timeframe.

For the transition period to apply, the mine or environment management plan must have been:

- approved before 1 July 2019, or
- submitted for approval before 1 July 2019 and then approved with no change.

The transition period does not apply to hydraulic fracturing activities.

What is a waterway?

Section 4 of the Water Act 1992 defines a waterway and includes:

- a river, creek, stream or watercourse
- a perennial or ephemeral natural channel
- a perennial or ephemeral artificial channel that was constructed by altering or relocating a river, creek, watercourse or natural channel
- a lake, lagoon, swamp or marsh in which water collects and that is connected to a river, creek, stream or watercourse
- a floodplain.

A waterway does not include any artificial channel or diversion works constructed on a floodplain.

What is interference with a waterway?

Interference with a waterway includes any activity that causes:

- a material change to the shape of a waterway
- a material change to the volume, speed or direction of the flow of a waterway
- an alteration to the stability of the bed or banks of a waterway, including vegetation removal.

Examples of works that may constitute interference with a waterway include:

- construction or alteration of a dam
- diversion or realignment of a waterway
- flood mitigation works such as a levee
- extraction or deposition of material
- waterway crossing
- outlet structures
- erosion and control works.

Contact the Water Resources Division for advice if you think your activity may interfere with a waterway.

Retrospective applications to obtain a permit to interfere with a waterway may not be accepted.

How do I apply for a permit?

Applications must be made in the prescribed form and include any relevant previous or current Mining Management Plan or Environment Management Plan.

Applications submitted without **all** the required information will be returned.

More information on applying for a permit to interfere with a waterway is available at:

<https://nt.gov.au/interfere-waterway-permit>.

How do I submit an application?

- **Email**

Attach the completed and signed application form and all the required supporting information to water.licensing@nt.gov.au.

- **Post**

Water Resources
Licensing and Regulation Branch
PO Box 496
Palmerston NT 0831

Need help?

Contact Water Resources Division for more information.

Phone: **08 8999 4455** during business hours

Email: water.licensing@nt.gov.au