



Late Agenda Item Ordinary Meeting of Council

Tuesday 26 October 2021

Ordinary Meeting 6.00pm

Council Chambers, Civic Centre,
Stuart Highway, Katherine

16. LATE AGENDA ITEM

16.1 Proposal for a Safe Drinking Water Act for the NT _____ 1-2

KATHERINE TOWN COUNCIL**REPORT**

NO : 16.1

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/INFRASTRUCTURE AND ENVIRONMENT

MEETING : ORDINARY COUNCIL MEETING – 26/10/2021

REPORT TITLE : PROPOSAL FOR A SAFE DRINKING WATER ACT FOR THE NT

AUTHOR : BRENDAN PEARCE – DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

ATTACHMENT/S : NIL

PURPOSE OF REPORT

To establish Katherine Town Council's support for the development of a Safe Drinking Water Act for the NT that aims to legislate minimum standards for protection for drinking water.

BACKGROUND

With the upcoming LGANT meeting and AGM in November 3-5, 2021 focussed on water security issues for the NT, this is an important time to be advocating for pro-active legal and regulatory reform to protect valuable water assets for local regions.

The Water Supply and Sewerage Services Supply Act 2000 (NT) (WSSSA) regulates public water supply in the NT. It requires that "water supply services" in "water supply licence areas" are licensed by the Utilities Commission.

The government-owned Power and Water Corporation is the current and sole licensee. Its license contract requires meeting provisions related to asset management planning, license compliance reporting, a customer contract, and service planning.

The Water Act (s73), the WSSSA (s45), and the Public and Environmental Health Act 2011 (s133), each include a power to establish minimum standards for drinking water quality. However, this power has not been used.

Instead, the Department of Health and Power and Water Corporation have a Memorandum of Understanding (MoU) that states the Australian Drinking Water Guidelines "will be used as a peak reference". The MoU appears to have expired in 2015. Legally, the MoU and Power and Water Corporation's customer contract are unenforceable.

Currently, Power and Water provide services to remote parts of the Territory through its subsidiary Indigenous Essential Services, a private company.

Power and Water's Annual Drinking Water Quality Report for the NT that measures performance against the Australian Drinking Water Guidelines can be found here:

[Annual Drinking Water Quality Report 2020 \(powerwater.com.au\)](https://powerwater.com.au)

The Australian Drinking Water Guidelines measure water quality against limit criteria in relation to:

- Aesthetic Parameters
- Health Parameters, and
- Bacteriological monitoring (presence, if any, of E Coli)

A Safe Drinking Water Act would require drinking water suppliers to be accountable to remote community residents and to comply with minimum drinking water quality standards.

A Safe Drinking Water Act could:

- Establish a general power to reserve water for drinking water supply against other consumptive uses (which does not exist in the Water Act)
- Establish minimum water quality standards (which are currently governed by an unenforceable MoU)
- Establish the requirement that Indigenous Essential Services (IES) or Power and Water Corporation (PwC) is licensed by the Utilities Commission to deliver water services in 72 remote communities, according to similar standards governing existing license areas

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Support the Local Government Association of the Northern Territory's call for a Safe Drinking Water Act to be introduced in the NT to deliver legislated protection of drinking water that ensures minimum standards for water quality and water resource protection are applied equally across our regions.
2. Engage in the NT Water Security Directions paper consultation process (2021-Feb 2022) in the development of NT Government water policy.



Ian Bodill
CHIEF EXECUTIVE OFFICER