

NORTHERN TERRITORY OF AUSTRALIA

ENVIRONMENT PROTECTION AMENDMENT REGULATIONS 2024

Subordinate Legislation No. 23 of 2024

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Environment Protection Amendment Regulations 2024

I, Hugh Crosby Heggie, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Environment Protection Act 2019*.

Responsible Minister:

K. J. WORDEN

Minister for Environment, Climate Change and Water Security

H. C. HEGGIE

Administrator

Date of making: 30 July 2024

1 Title

These Regulations may be cited as the *Environment Protection Amendment Regulations 2024*.

2 Commencement

These Regulations commence on the day after the day on which they are made.

3 Regulations amended

These Regulations amend the *Environment Protection Regulations 2020*.

4 Part 7A, Division 1 heading amended

Part 7A, Division 1 heading

omit

prescribed enactments

insert

conditions generally

5 Regulation 233A amended (Purpose of Division)

Regulation 233A(b)

omit, insert

(b) prescribes matters for the conditions that may be imposed on an environmental (mining) licence under section 124X or 124Z of the Act.

6 Regulation 233E amended (Decision on draft declaration)

After regulation 233E(2)

insert

(3) The Minister must publish the decision on the declaration of risk criteria together with a statement of reasons.

(4) The decision and statement of reasons must be published:

(a) for a decision specified in subregulation (2)(a) or (b) – with the publication of the declaration of risk criteria in accordance with section 124T(4) of the Act; or

(b) otherwise – as soon as practicable after the decision is made.

7 Part 7A, Division 1, Subdivision 5 heading replaced

Part 7A, Division 1, Subdivision 5 heading

omit, insert

Subdivision 5 Conditions generally

8 Regulation 233QA inserted

After regulation 233Q, in Part 7A, Division 1, Subdivision 5

insert

233QA Prescribed requirements for conditions to manage environmental impacts

(1) For section 124X(e) of the Act, conditions imposed on an environmental (mining) licence may require the mining operator to minimise and manage the environmental impacts of dewatering for a mining activity.

(2) In this regulation:

dewatering, for a mining activity, means the removal of water for one or more of the following purposes:

- (a) facilitating access below ground level for the mining activity;
- (b) ensuring the serviceability and safety of operating conditions below ground level for the mining activity;
- (c) preventing or controlling pollution below ground level arising from the mining activity.

Example for definition dewatering, paragraph (c)

Intercepting contaminated seepage and plumes of polluted groundwater.

9 Regulation 233T amended (Public consultation)

After regulation 233T(4)

insert

(4A) The required time under section 124ZM of the Act for the Minister to decide the application for an environmental (mining) licence ceases to run during the period of any consultation required under this regulation.

10 Repeal of Regulations

These Regulations are repealed on the day after they commence.