

Department of LANDS, PLANNING AND ENVIRONMENT

Performance Report

Compliance and Enforcement Reporting 2025-2026



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Front cover: Image 1: Measuring bore depth.

Image 2: NT EPA Officer investigating.

Back cover: Image 1: Officer monitoring conditions.

Image 2: Todd River, Alice Springs after rain.

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1. Introduction

The Department of Lands, Planning and Environment (DLPE) supports the Territory's economic development and the protection of natural and cultural assets through integrated planning, evidence-based advice and efficient regulation. This regulation includes activities to promote compliance with legislative requirements and the undertaking of enforcement action where necessary.

DLPE [reports](#) annually on its assessment and approvals performance. This report expands that reporting to include compliance activities. To provide context, data from the previous three years has been included.

This report details DLPE's performance in relation to the compliance and enforcement activities conducted under:

- *Building Act 1993*
- *Environment Protection Act 2019*
- *Heritage Act 2011*
- *Petroleum (Environment) Regulations 2016*
- *Planning Act 1999*
- *Waste Management and Pollution Control Act 1998*
- *Water Act 1992*
- *Weeds Management Act 2001*

This is the first compliance and enforcement performance report completed for DLPE. The report includes available data and assesses performance against key performance indicators (KPIs) published in Budget Paper No. 3: Agency Budget Statements (BP3) and internal departmental KPIs. Additional data may be included in future reports as it becomes available.

DLPE recognises that education and consultation are important mechanisms to support regulatory compliance. This work is qualitative and difficult to measure and report. A summary of educational approaches implemented by regulators to encourage compliance is provided throughout the report.

Some divisions within DLPE publish additional compliance reporting including the Environment Compliance Report Card and Water Resources [Report Cards](#).

2. Building Act 1993

The *Building Act 1993* (Building Act) is the primary legislation regulating building work, certification, and standards in the Northern Territory. It mandates building permits for construction in control areas, establishes the Building Practitioners Board to register builders, and sets up a private certification system for building approvals and occupancy permits.

Building Advisory Services administer the Building Act and approach regulation with an educational focus, seeking to prevent breaches of the regulations through industry engagement. However, where serious breaches of the Building Act and the Building Regulations 1993 occur, the Building Act provides the Director of Building Control the power to take disciplinary action. Such actions give consumers confidence their building practitioners are conforming and complying with the legislation, the National Construction Code and technical standards relevant for the Northern Territory.

Under the Act, the Director of Building Control has powers to investigate complaints against registered building practitioners and to investigate allegations into non-compliant building works. The Director of Building Control may refer practitioners to the Building Practitioners Board for inquiry into misconduct.

2.1. Timeframes and KPI reporting

BP3 includes a KPI requiring the completion of 65 building practitioner audits within the financial year. This same KPI has applied and been achieved in previous financial years. Table 1 reports the average number of days taken to complete practitioner audits.

Table 1: Average number of days taken

Action	2023-24	2024-25	2025-26
Audits	34 days*	63 days	79 days

*The audit timeframes between 2023-24 and 2024-25 were extended as a result of a policy review which sought to increase response times for respondents to ensure natural justice is afforded.

With respect to compliance timeframes under the Building Act, the following applies:

- An inquiry into the misconduct of a building practitioner is limited to the building practitioner’s work or conduct or both (as the case requires) during the seven years immediately before the practitioner ceased to be registered; and
- A prosecution for an offence against the Act or the Regulations must be commenced within two years after the day on which a police officer, the Director or an authorised officer becomes aware of the commission of the alleged offence.

There are currently no active prosecutions under the Building Act.

2.2. Complaints, investigations and enforcement actions

A summary of compliance activity is provided in Table 2. It shows the number of complaints received, audits completed, and enforcement actions undertaken by Building Advisory Services.

Complaints in relation to compliance of works relate to potentially unapproved works which have been completed. Complaints around practitioner compliance relate to meeting their obligations under the Building Act.

Table 2: Compliance activity

Compliance function	2023-24	2024-25	2025-26
Number of complaints received (Compliance of works)	45	48	28
Number of complaints received (Practitioners compliance)	4	9	14
Number of enquiries	33	31	50
Number of audits	65	66	65
Number of enforcement notices	5	0	1
Number of referrals of building practitioners to the Building Practitioners Board for inquiry into misconduct	6	1	1

3. Environment Protection Act 2019

The *Environment Protection Act 2019* (EP Act) is designed to protect the environment and promote ecologically sustainable development. The EP Act manages impacts on the environment through two statutory frameworks:

- environmental impact assessment and environmental approval of actions with the potential to have a significant impact on the environment; and
- environmental (mining) licences for mining activities (i.e. including all exploration activities, extractive and mining operations).

The EP Act contains a range of compliance and enforcement tools such as environmental audits (s. 142), environment protection notices (s. 176), stop work notices (s. 194) as well as penalty infringement notices (PINs), and prosecution to facilitate compliance with the EP Act, environmental approvals and environmental (mining) licences. A prosecution for an offence must be commenced not more than three years after the offence was committed or when it came to the attention of the Chief Executive Officer or Northern Territory Environment Protection Authority (s274).

Non-statutory tools, such as education and warning letters, may be used in addition to, or as an alternative to, statutory compliance and enforcement tools to achieve desired environmental outcomes.

All environmental approval holders and mining operators must report and respond appropriately to any incident relating to an authorised activity that causes or threatens to cause material environmental harm or significant environmental harm (s225). These are known as ‘notifiable incidents’.

3.1. Environmental Approvals

The Environmental Regulation Division monitors compliance with Environmental Approvals.

The Environmental Regulation Division exercises discretion with respect to enforcement action ensuring any response is measured and proportionate to the seriousness of the contravention.

The Environmental Regulation Division’s [Enforcement Guidelines](#) outlines the proportionate, accountable, consistent, transparent and targeted principles used in the application of the regulatory framework.

3.1.1. Complaints, investigations and enforcement actions

A summary of compliance activity is provided in Table 3, showing the number of inspections conducted and warning letters issued by the Environmental Regulation Division under the EP Act.

Table 3: Compliance activities – Environmental Regulation Division

Compliance function	2023-24	2024-25	2025-26
Number of inspections	12	5	2
Warning Letters	1	1	1

There have been no other compliance actions (e.g. audits, PINs or prosecutions) undertaken over the past three years.

3.2. Environmental (mining) licences

The Mining Division monitors compliance with environmental (mining) licences. An environmental (mining) licence is required to undertake a 'mining activity', including any exploration activity involving 'substantial disturbance', and all extractive and mining operations. Mining Division compliance and enforcement functions focus on:

- Environmental mining licences: ensuring mining operators are compliant with the conditions of their licence; and
- Notifiable incidents (s255).

The department must be notified and provided details about a notifiable incident within 24 hours on the approved form. This form, along with other guidance material is available [online](#) to support licensed mining operators in meeting their obligations under the EP Act.

3.2.1. Timeframes and KPI reporting

On 1 July 2024, regulation for licensed mining activities transferred from the repealed *Mining Management Act 2001* (MMA) to the EP Act. To reflect the changed legislative framework, a new KPI has been identified in BP No.3 for 2025–26. This seeks to achieve inspection of greater than or equal to 85% of high-risk mining sites each year. In 2025-26, 85% of high risk sites were inspected.

3.2.2. Complaints, investigations and enforcement actions

In 2025-26, the Mining Division was responsible for compliance activities associated with the regulation of 454 environmental (mining) licences. Mining Division compliance activities focus on mining activities identified as being high-risk based on an assessment of site location, activity type, operator compliance history, inspection records, and matters of environmental relevance.

Under the EP Act, audits and investigations may be conducted as part of standard monitoring of mining activities, or in response to complaints received. Enforcement functions available under the EP Act include issuing a notice to show cause, directions, penalty infringement notices and prosecution. Table 4 provides an overview of compliance action undertaken by the Mining Division over the past three years.

Table 4: Compliance activities – Mining Division

Compliance function	2023-24	2024-25	2025-26
Number of complaints received	12	3	8
Number of site inspections	116#	53	65
Number of audits	3	2	1
Number of investigations	2	1	4
Number of notices to show cause	Nil	1	8
Number of directions	9	1	18
Number of s225 notifications^	18	29	13

Site inspections reported prior to 1 July 2024 include compliance visits conducted by the specialist Environmental Monitoring Unit retained by the Department of Mining and Energy, and not transferred to the Department of Lands, Planning and Environment

^ Notifications reported between 1 July 2023 and 30 June 2024 relate to those submitted in compliance with section 29 of the former MMA. Section 29 MMA reporting is considered analogous to s225 EP Act reporting for compliance purposes

There are no active prosecutions under the EP Act.

4. Heritage Act 2011

The *Heritage Act 2011* (Heritage Act) provides for the conservation of the Territory’s cultural and natural heritage. This includes declaring heritage places and objects, requiring works on them to be regulated and establishing enforcement and offence provisions.

The Heritage Act provides for statutory enforcement tools such as Stop Work Orders (s. 80), Repair Orders (s. 86) and prosecution.

Early engagement is encouraged with the Heritage Branch which promotes a preventative approach to impacts on heritage places and objects. Where impacts do occur, the Heritage Branch may issue orders or take other action available under the Heritage Act in response.

Complaints directed to the Heritage Branch about potential impacts to heritage places or objects are investigated and may result in engagement and educational approaches being taken to prevent impacts from occurring (such as warning letters).

4.1. Timeframes and KPI reporting

The Heritage Act provides six months from the date of the offence to the lodgement of a formal complaint in court. There are no KPIs associated with compliance under the Heritage Act.

4.2. Complaints, investigations and enforcement actions

A summary of compliance activity for the past three years is provided in Table 5.

Table 5: Compliance activities

Compliance function	2023-24	2024-25	2025-26
Number of complaints received	4	2	3
Investigation not to proceed#	0	1	1
Warning letters*	3	1	1
Number of prosecutions^	1	0	0

#Investigation not to proceed due to insufficient grounds, or not an offence under the Heritage Act.

* Warning letters issued prior to a possible stop works order or other action.

^ Prosecution commenced in 2023-24 and concluded in 2024-25.

5. Petroleum (Environment) Regulations 2016

The *Petroleum Act 1984* (the Petroleum Act) and the Petroleum (Environment) Regulations 2016 (PE Regulations) seek to ensure that regulated onshore petroleum activities are carried out in a manner consistent with the principles of ecologically sustainable development; and the environmental impacts and environmental risks of the activities are reduced to a level that is as low as reasonably practicable and acceptable.

Two government agencies are responsible for regulating the onshore petroleum industry, with the Petroleum Regulation Team within DLPE being responsible for regulating matters relating to the environment under the PE Regulations. The Department of Mining and Energy is responsible for petroleum titles, well integrity and surface infrastructure such as pipeline maintenance and leaks.

5.1. Timeframes and KPI reporting

There are no timeframes set out in the Petroleum Act to limit when proceedings may commence in relation to a potential contravention. However, DLPE abides by the principles of a model litigant when considering any proceedings.

BP3 has set a KPI for all priority sites (100%) identified in the Compliance Plan for the Environmental Regulation Division to have undergone an inspection. The Petroleum Regulation Team is a work unit within the Environmental Regulation Division. For 2025-26, a total of 4 sites regulated under the PE Regulations have been identified for inspection.

Table 6: KPI results for sites identified under the Division's Compliance Plan

Action	Target	2023-24	2024-25	2025-26
Site inspections completed as per compliance plan	100%	100%	100%	100%

5.2. Complaints, investigations and enforcement actions

The Petroleum Regulation Team applies a risk-based and proportionate compliance approach, consistent with the [Compliance and Enforcement Policy](#). Educational and advisory correspondence is used to support industry to achieve compliance and manage matters assessed as low risk, unintentional, or capable of being addressed through guidance and education.

This approach seeks to resolve matters before they escalate, encourage engagement with the regulator and reduce instances where more serious enforcement action is required. Non-compliance is being identified and addressed early, reducing the need for escalation.

Formal enforcement tools are being applied selectively, where matters involve higher risk, greater severity, a history of non-compliance, or an unsatisfactory compliance attitude. These may include: directions, PINs and prosecution.

Table 7 summarises compliance activity conducted over the last three years.

Table 7: Compliance activities

Compliance function	2023-24	2024-25	2025-26
Number of Directions	0	1	0
Number of PINs	0	3	9
Inspections	29	27	33
Compliance Advisory correspondence*	-	-	32
Warning Letter	18	6	4

*Tracking of compliance advisory activities commenced in 2025-26 financial year.

6. Planning Act 1999

The purpose of the *Planning Act 1999* (Planning Act) is to establish a system to facilitate planning for the orderly use and development of land.

The Vegetation Compliance Unit administer the compliance and enforcement functions under the Planning Act in relation to clearing of native vegetation on unzoned land. Development Assessment Services administer the compliance and enforcement functions for all other development under the Planning Act.

Matters primarily investigated relate to complaints received under the Planning Act about alleged offences including: where land is developed in contravention of a planning scheme that applies to the land (except in accordance with a development permit); and for development in contravention of a development permit, or an enforcement notice.

The consent authority may refuse to investigate a complaint if it is satisfied that the complaint is trivial, frivolous or vexatious; or no grounds exist for the complaint.

6.1. Timeframes and KPI Reporting

The Planning Act prescribes timeframes for compliance and enforcement activity, regulating the progress of any investigation undertaken. Investigations into alleged contraventions are undertaken by authorised officers under the Planning Act. Any prosecution commenced as a result of an investigation is determined by the consent authority or their delegate.

As the Northern Territory Government has a common law responsibility to act as a model litigant, the Development Consent Authority and the Minister (respective decision makers under the Planning Act) ensures conduct aligns with the principles of a model litigant in handling and progressing any prosecution.

There is a two year limit on commencing a prosecution in accordance with s. 81 of the Planning Act. A prosecution must commence within two years after the latest of the following: the day an authorised officer becomes aware of the commission of the alleged offence; the day the alleged offence was committed; or in the case of an alleged continuing offence – the last day the conduct occurred.

There are no KPIs associated with compliance under the Planning Act.

6.2. Complaints, investigations and enforcement actions

Enforcement tools available under the Planning Act include enforcement notices, PINs, and prosecution. However matters may also be resolved through informal methods such as consultation, and education via pre-lodgement meetings.

A show cause or enforcement notice can only be issued if a formal complaint is received under section 78 of the Planning Act. Table 8 below shows formal enforcement action taken over the past three years.

Table 8: Compliance activities

Compliance function	2023-24	2024-25	2025-26
Number of complaints received (s. 78)	81	61	54*
Number of investigations	81	61	94
Number of enforcement notices	3	6	6#
Number of PINs	0	0	0
Number of prosecutions	2^	3	2
Matters resolved	78	51	37

* One of the 53 complaints was received by the Vegetation Compliance Unit.

One of the six enforcement notices was issued by the Vegetation Compliance Unit.

^ Court proceedings for one matter relating to the clearing of native vegetation commenced, however has not been concluded.

Investigations completed in response to informal enquiries may result in a PIN being issued, and guidance being provided to land holders on their obligations. Advice to land holders is also offered on how they may seek to remedy minor breaches.

Table 9 reports the average number of calendar days taken to complete investigations undertaken by Development Assessment Services. Each complaint is managed on a case-by-case basis, guided by the respondent's actions, and the instructions of the consent authority. Timeframes for the conclusion of investigations vary accordingly.

Table 9: Average number of days taken

Action	2023-24	2024-25	2025-26
Complaints to closure	71	47	43
Issue notice (Enforcement) from receipt of complaint	3	6	4

7. Waste Management and Pollution Control Act 1998

The *Waste Management and Pollution Control Act 1998* (WMPC Act) seeks to protect the environment through effective waste management and pollution prevention.

To achieve this outcome the WMPC Act requires certain potentially polluting industries to be authorised through an Environment Protection Licence (EPL) or Environment Protection Approval or (EPA). The Environmental Regulation Division monitors compliance with EPLs and EPAs under the WMPC Act.

The Environmental Regulation Division [Compliance Plan](#) outlines regulatory principles and identifies annual priorities for compliance activities under the WMPC Act.

The Environmental Regulation Division also operates a public Pollution Response Line for complaints and reports of pollution. These reports are triaged in accordance with the Environmental Regulation Division's [Triage Guideline](#) and are predominantly investigated under the WMPC Act's provisions for General Environmental Duty (s. 12).

7.1. Timeframes and KPI reporting

BP3 has set a KPI for all priority sites (100%) identified in the Compliance Plan for the Environmental Regulation Division to have undergone an inspection; refer to Table 10.

The Environmental Regulation Division's annual Compliance Plan identifies priority sites for inspection each year based on environmental risk. High risk sites are inspected more frequently while lower risk sites may be visited on a rotational basis, or to address particular compliance issues that have been identified.

Priority sites are listed in the Environmental Regulation Division's annual compliance action plan, recognising that not all licensed sites can be inspected every year. A total of 38 sites have been identified for inspection in 2025-26 for licences issued under the WMPC Act.

Section 94 of the WMPC Act requires proceedings to commence within 12 months of the date of the offence.

Table 10: KPI results for sites identified under the Division's Compliance Plan

Action	Target	2023-24	2024-25	2025-26
Site inspections completed as per compliance plan	100%	100%	100%	100%

7.2. Complaints, investigations and enforcement actions

Compliance and enforcement functions available under the WMPC Act include directions, Pollution Abatement Notices (PANs), PINs, and audits. More informal action can include warning letters and inspections. Compliance activity undertaken over the last three years is shown in Table 11.

Table 11: Compliance activities

Compliance function	2023-24	2024-25	2025-26
Number of complaints received	676	540	683
Number of environmental audits	4	0	2
Number of Directions	1	5	17
Number of PANs	0	0	1
Number of PINs	3	4	6
Inspections	38	53	38
Warning Letters	13	13	11
Prosecutions initiated	0	0	1

8. Water Act 1992

The *Water Act 1992* (Water Act) provides a framework for the investigation, allocation, use, control, protection management and administration of water resources in the NT. It establishes rules for how water is managed including who can use it, how much they can take and how water quality is maintained.

The Water Resources Division is responsible for ensuring compliance with the Water Act and the Water Regulations 1992. The Environmental Regulation Division is responsible for waste discharge licences under the Water Act.

The Water Resources Division develops a [compliance plan](#) each financial year that lists key compliance priorities and targets for that year. Regulatory activities carried out by the Water Resources Division are designed to align with the priorities and actions listed in the compliance plan. The annual compliance plan is underpinned by the Water Resources Division's [Compliance and Enforcement Priorities 2021-2026](#), which is updated every 5 years.

8.1. Timeframes and KPI reporting

The timeframes for resolving complaints vary depending on the nature of the complaint and the level of investigation required to resolve the matter. Some complaints are resolved on the same day, whilst others have taken several months to investigate and resolve.

The Water Act requires that a prosecution must be commenced within 12 months of the date on which the offence was committed, or the date on which evidence of the offence first came to the attention of the authorised officer.

Carrying out site inspections of at least 20% of water extraction licences across the NT is a BP3 KPI for the Water Resources Division. In the 2025-26 financial year, 128 inspections are required to be conducted. During the 2025-26 financial year 131 water extraction licences were inspected, achieving the KPI.

The compliance priorities and targets listed in the compliance plan are reported on at the end of each financial year in a [report card](#) that is released to the public. The compliance plans and report cards can be viewed on the [Water Resource Division's webpage](#).

A total of 18 sites have also been identified for inspection, as outlined in the Environmental Regulation Division's annual compliance action plan, with respect to Waste Discharge Licences issued. This contributes to reporting against BP3 KPI for 100% of priority sites identified in the Compliance Plan for the Environmental Regulation Division to have undergone an inspection.

8.2. Complaints, investigations and enforcement actions

Educational strategies used to support compliance and prevent enforcement action include:

- discussions with licence holders during site inspections;
- monthly notices sent to licence holders to remind them to submit meter readings;
- update notices sent to licence holders throughout the year advising of their water use and actions to be undertaken;
- fact sheets available on the Water Resource Division's website; and
- community information sessions to increase public awareness of regulatory activities.

Table 12 shows compliance activities undertaken over the last three years.

Table 12: Compliance activities

Compliance function	2023-24	2024-25	2025-26
Number of complaints received	1	11	7
Investigations			
Potential interference with waterway	14	8	4
Potential over extraction	5	4	7
Potential unlicensed use	3	6	6
Other	1	4	3
Number of audits#	18	18	18
Number of inspections ^	0	28	18
Warning letters (water use)	20	15	6
Warning letters (trade waste)	1	5	2
Number of enforcement notices (Direction Notices)	1	2	1
Number of PINs	3	8*	2
Number of prosecutions	0	0	0
Matters resolved	23	22	14

* One of the 8 PINs was issued by Environmental Regulations Division in relation to Waste Discharge.

Audits conducted relate to: compliance with quarterly meter reading submissions, compliance with special conditions (annual), compliance with bore drilling requirements (annual), compliance with water entitlement (monthly).

^ Inspections relate to waste discharge.

9. Weeds Management Act 2001

The *Weeds Management Act 2001* (Weeds Act) describes the legal requirements and responsibilities that apply to land owners and land occupiers regarding declared weeds. The Weeds Act provides the relevant powers to authorised officers to prevent, monitor and enforce compliance with the Weeds Act.

The Weed Management Branch delivers both targeted and responsive compliance actions, following a risk-based approach that considers the likelihood of impact/potential for further weed spread, along with culpability of the landholder/individual. This is detailed further in the Weeds Management Act: [Compliance Policy](#).

The Weed Management Branch delivers an annual coordinated compliance program for gamba grass, including education, assistance, instruction and enforcement. Other priority compliance areas include intercepting online sale and trade of weeds, and protecting the integrity of quarantine restrictions.

A range of educational strategies are used to support compliance and prevent enforcement action from being required, including the following:

- Education via publications and merchandise, website, social media and public forums.
- Identification/control/inspection training (ranger groups, contractors, Landcare, NT Government agencies, etc).
- Targeted community engagement programs, including the Gamba Action Program (GAP) which has been operating for over 10 years; attendance at key local events, and school education programs.
- Regional weed management strategies; statutory weed management plans; permits for use; and policy.
- Weed advisory committees, reference groups and joint projects.

9.1. Timeframes and KPI reporting

BP3 contains a KPI to conduct more than 90% of the planned compliance inspections identified for that year under the Weeds Act. A target of 1100 compliance inspections has been set by the Weed Management Branch for 2025-26.

Weed Management Branch aims to have all compliance action investigated and closed within the seasonal window of weed control. This is generally a six to eight month period for gamba grass (approximately March to September).

The Weeds Act includes a statute of limitation for commencing prosecutions. Under Section 39A of the Weeds Act, a prosecution for an offence must be commenced not more than two years after the later of:

- a) The date on which the alleged offence was committed; or
- b) If the alleged offence is constituted by conduct that is a series of acts occurring over more than 1 day – the date that is the later of the days on which those acts occur; or
- c) The date on which an officer became aware of the alleged offence.

9.2. Complaints, investigations and enforcement actions

Weed Management Branch release the [Gamba Annual Report](#) providing detail on compliance activity undertaken. A summary of compliance activity for the past three years is provided in Table 13.

Table 13: Compliance activities for Gamba Grass

Compliance function	2023-24	2024-25	2025-26*
Number of complaints received	92	51	76
Number of inspections (formal or informal)	1979	1905	2235
Number of compliance advice	50	0	649
Number of audits	2	2	1
Number of enforcement orders	586	998	537
Number of Notice of Intended Infringement	156	208	282
Number of PINs (brackets is withdrawn)	26 (6)	31 (11)	21
Number of prosecutions	0	0	0
Matters resolved	586	372	537

*In 2024-25 the Gamba Fire Management Unit ceased, and all compliance activity was carried by the Weed Management Branch

Weed compliance programs are influenced by seasonal variations. Educational programs roll out during the growth and control stage of a plant cycle, and compliance attention increases as the plant nears reproduction/seeding.

Like other weed compliance programs, the gamba compliance program is seasonal with an escalating enforcement response. Initial inspections are completed by around March/April each year, and Orders to Comply are subsequently issued, giving land managers an opportunity to obtain support and comply with requirements.

Follow up inspections occur around June/July and if a reasonable effort to meet requirements has not been made, Notices of Intended Infringement (NOII's) will be issued around August.

NOII's give land managers an opportunity to present reasons why they were unable to comply with the Order. After considering all evidence and defences available, PINs would be issued around September.

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