Frequently asked questions

Environment Protection Act Reform 2026

1. Why is the Environment Protection Act being amended?

The proposed amendments respond to experience applying the *Environment Protection Act 2019* and stakeholder feedback.

The reforms are intended to improve the clarity, transparency and effectiveness of the Act in managing impacts on the environment from mining activities and other activities with the potential for significant environmental impact.

Mining licences

2. What changes are proposed for licences?

The Minister may consolidate applications or licences held by the same operator where they relate to the same, or substantially the same, mining activity or mining site.

The Minister may also close inactive or incomplete applications through an established process.

The Minister's powers to revoke and cancel licences are being clarified.

3. Why is this change proposed?

These amendments improve administrative efficiency and help ensure applications are assessed using complete and accurate information and will work to reduce fragmented and overlapping licences.

4. Will existing licences be affected?

The reforms largely focus on future applications and licences.

Existing licence holders with multiple licences may apply for the licences to be consolidated. The Department may recommend existing licences be consolidated when future applications are received.

The Minister's powers to revoke and cancel licences address administrative cancellations for obsolete licences. There are no changes to the Minister's powers to suspend, revoke or cancel licences for ongoing mining activities.

5. What changes are proposed to the process for declaring risk criteria and standard conditions?

The changes to the process for declaring risk criteria and standard conditions are administrative and will improve certainty in the declaration process.

There are no substantive changes to process: all obligations to prepare and consult on draft criteria and conditions remain.

6. What changes are proposed to mining securities? Is the environment still going to be protected?

Yes, the environment will continue to be protected.

The changes to mining securities relate to refunds and returns.

Administrative refunds will be available where mineral title holders and mining operators have changed, provided the existing disturbances and liabilities on the mining site continue to be secured.

Mining securities will also be refundable in a very limited range of circumstances where there is no clear evidence that all rehabilitation and remediation requirements have been met. These circumstances are:

1. When the value of the mining security is less than $4000.
2. When special circumstances apply such that retaining the mining security would be contrary to the public interest.

7. Who will determine special circumstances?

The Minister will determine if special circumstances exist. The Minister will consider a range of factors such as the level of disturbance at the site; whether the site is generally safe, stable and non-polluting; the period that has elapsed since the operator was responsible for the site; current ownership of the mineral title; and the relationship between the title holder and the mining operator.

Community participation

8. Will the community still be consulted on environmental impact assessments and mining licence applications?

Yes. These amendments retain all existing requirements for consultation in the environmental impact assessment and environmental (mining) licensing frameworks.

There is a small, 5 business day, reduction in the timeframe for the public to provide comments in relation to modified or tailored condition licences for exploration, fossicking and extractive operations.

9. How can stakeholders have their say?

Stakeholders will continue to have opportunities to participate through public consultation processes.

Environmental impact assessment consultation is published on the NT EPA website.

Environmental (mining) licence applications are published on the NT Government's 'Have Your Say' website.

10. Why is community participation important?

Community participation helps ensure local knowledge, community values and stakeholder interests are considered in mining licensing and environmental approval decisions.

Compliance and enforcement

11. What additional compliance and enforcement tools are proposed?

No additional compliance and enforcement tools are proposed.

Existing environmental officer powers will be expanded to enable officers to require information or documents in a specified form or format and require the submission of revised or amended information or documents previously provided.

This will ensure that information and documents are provided in formats that are easily accessible, searchable and suitable for compliance monitoring and enforcement purposes. It will also ensure that there is an express power to address situations where critical information required to support ongoing regulatory oversight is omitted or presented inconsistently by operators and approval holders.

12. Why aren't additional compliance and enforcement tools proposed?

The Act contains a wide range of contemporary compliance and enforcement tools, including environment protection notices, stop work notices, directions, enforceable undertakings, civil and criminal proceedings, and obligations on mining licence holders and environmental approval holders to report and record environmental incidents.

General

13. What do the reforms mean for me?

Licence holders

The reforms are intended to provide greater certainty in processes, reduce consultation timeframes, support earlier return of mining securities, and clarify the powers of the regulator.

Community and environmental interest groups

The reforms will maintain environmental considerations in mining licensing, maintain transparency in decision-making and continue opportunities for public consultation.

14. When will the amendments start?

The amendments are proposed to be introduced through Northern Territory Government legislation in 2026.

15. Where can I find more information?

More information about the proposed amendments can be found here: https://environment.nt.gov.au/environment/environmental-policy-reform/environmental-regulatory-reform-program/news.