



Water Use Compliance and Enforcement

Why am I hearing about this now?

In May 2020, the Victorian Government confirmed its commitment to a zero tolerance approach for unauthorised water take. Unauthorised take typically occurs when water users draw beyond what they have in their account – even if they have the intention of squaring it up later.

*Certified to best practice standards
ISO 9001 / 14001 and AS/NZS 4801*

GWMWater has always undertaken water use compliance and enforcement activities, and we will continue to follow up and investigate instances of unauthorised water take and other suspected non-compliances with the *Water Act 1989*, in-line with our Compliance and Enforcement Strategy, available at gwmwater.org.au/ces

What Is Compliance and enforcement?

Compliance and enforcement are two separate concepts that work together to maintain the integrity of water markets and sustain public confidence in Victoria's water management.

Compliance is proactive regulatory activity to prevent breaches or offences from occurring in the first place. Enforcement is a reactive regulatory activity that is triggered when breaches of the law are detected. Enforcement actions under the Victorian *Water Act 1989* include warning notices, suspension or cancellation of an authorisation (e.g. Take and Use Licence), and prosecution.

What is GWMWater's Role?

GWMWater has been delegated responsibility under the Victorian *Water Act 1989* to manage the compliance and enforcement of water take from the resources within its jurisdiction. The *Water Act 1989* is the main governing Act from which our compliance and enforcement responsibilities arise. The *Water Act 1989* operates to promote fair, efficient and sustainable use and management of Victoria's water resources for the benefit of water users, communities, the environment and the State.

In terms of compliance and enforcement, GWMWater is responsible for:

- Providing information to licence holders regarding licence condition obligations and relevant State policies.
- Monitoring the compliance of water users with their licence(s) or authorisation(s).
- Investigating any detected breach of the *Water Act 1989*.
- Responding to/investigating any reports alleging that possible breaches of the *Water Act 1989* may have occurred.
- Determining the extent of any enforcement action to be taken, and taking that action.

How does GWMWater deal with non-compliance?

GWMWater's approach to compliance focuses on supporting licence holders to understand their obligations and responsibilities, through education and awareness. However, any suspected possible non-compliances with the *Water Act 1989* will still be investigated and may result in enforcement action.

Enforcement action will depend on the nature of the non-compliance, including; intent, impact and previous non-compliance(s). As the severity of a non-compliance increases, more than one method may be utilised.

What happens if I suspect someone is accessing water illegally?

You can report a suspected non-compliance with the *Water Act 1989* by contacting our **Water Investigations Officer** through any of following:

Mail: PO Box 481, Horsham, VIC, 3402

Telephone: 1300 659 961

Email: info@gmwwater.org.au

Where can I go for more information on Compliance and enforcement

You can download a copy of GWMWater's Compliance and Enforcement Strategy from our website at gmwwater.org.au/ces

General information on water use compliance and enforcement in Victoria is available from the Victorian Department of Environment, Land, Water and Planning at water.vic.gov.au/water-for-agriculture/taking-and-using-water