



## Fact Sheet

# What are Melbourne Water's compliance powers?

**Water Act 1989:** Under the *Water Act 1989* (Act), the Minister for Water has delegated powers and functions for licence administration to water corporations, like Melbourne Water (MW). In addition to delivering water and drainage irrigation services, MW is responsible for the compliance and enforcement of rules and legislative requirements surrounding the take and use of water and construction of works.

## Why are compliance powers needed?

Water is a precious and limited resource. Zero-tolerance to water theft provides equity of access to limited water resources and protects those who are doing the right thing.

Water theft is a crime and there are new rules for stronger compliance. This is because whenever a little more water is taken than is allowed, it can easily add up and there is limited water to go around.

Our Compliance and Enforcement Statement explains how Melbourne Water manages compliance under the Act. The statement is available on the Melbourne Water website at [www.melbournewater.com.au/water-data-and-education/waterway-diversions/water-use-compliance](http://www.melbournewater.com.au/water-data-and-education/waterway-diversions/water-use-compliance). 

Melbourne Water is currently in the process of upgrading its fleet of meters to more modern meters. As of June 2021, Melbourne Water has approximately 805 non-urban meters, where 71% are compliant to Australian Standard AS4747 and 58 % of which are telemetered.

**At Melbourne Water we are continuing to invest in modern metering and telemetry to improve monitoring of groundwater and surface water use. We aim to have a fleet of fully compliant meters and telemetry by the June 2025 as per our Metering Action Plan (Jan 2021).**

## What powers does Melbourne Water have?

The Act gives MW officers various regulatory powers to gather evidence for a variety of purposes related to administering the Act. MW officers have a range of available compliance and enforcement tools to ensure water use compliance, including investigation and prosecution of offences of the Act.

Examples of compliance powers under the Act include :

Powers	Section of Act
Appoint authorised water officer	291A
Require a person to state their name and address	293(1)
Require occupier or manager to state owner's name and address	294(1)
Enter land for the purpose of exercising powers	133(1)(c),(d)
Issue penalty infringements notices, prosecute, suspend or revoke licences	295(A), 296, 60, 74AB

## Our approach to compliance and enforcement

Our approach to compliance and enforcement is risk-based and responsive, so our actions reflect the seriousness of the offence. We are committed to:

- an emphasis on education, community engagement, technology and monitoring programs, to encourage and assist with compliance
- a clear and logical escalation pathway in response to detected breaches
- working in good faith with all parties and using our enforcement powers only when needed.

## What can I expect from a Melbourne Water officer?

Melbourne Water's officers are accountable for their actions and decisions they make during investigations. We require officers to:

- make ethical and informed decisions
- demonstrate a culture of accountability and professionalism

You can make a complaint if you believe a Melbourne Water officer's actions have not been consistent with these requirements or have not been fair or reasonable.

Complaints can be made to Melbourne Water via <https://www.melbournewater.com.au/complaints-compliments-and-suggestions> or via the Energy and Water Ombudsman Victoria, which is an independent dispute resolution service at: <https://www.ewov.com.au/start-a-complaint>.

## More information

This factsheet is one in a series explaining compliance and enforcement at Melbourne Water.

You can find this series and further information about water use compliance on the Melbourne Water website at: [www.melbournewater.com.au/water-data-and-education/waterway-diversions/water-use-compliance](http://www.melbournewater.com.au/water-data-and-education/waterway-diversions/water-use-compliance). 



### FURTHER INFORMATION

If you have any further enquiries, please call Melbourne Water on 131 722 or email us via [diversions@melbournewater.com.au](mailto:diversions@melbournewater.com.au) 

## ZERO tolerance on water theft

So there is an even playing field for everyone.  
[melbournewater.com.au/watertheft](http://melbournewater.com.au/watertheft)

VICTORIA  
State  
Government

Melbourne Water is owned by the Victorian Government. We manage Melbourne's water supply catchments, remove and treat most of Melbourne's sewage, and manage rivers and creeks and major drainage systems throughout the Port Phillip and Westernport region.