

Water licence do's & don'ts

Irrigation	Maximum Daily Take (ML/day)	Period Amount (ML)	Surety Level	Start Date	End Date
Water Resource		120.000	5	1 May	30 Nov
BOYES CREEK					
Map Name (Number)					
				Offtake Easting	Offtake Northing
				522418	

Your water licence gives you the right to take water under the *Water Management Act (1999)*. With few exceptions, a person must have a water licence if they intend to take, divert or store surface water for commercial farming purposes. To be compliant with your water licence, you need to take the specified amount of water from the named water source at the right time.

You Do

need a water licence to...

- take water from a water source for agricultural or other commercial purposes
- take water directly to a farm from a water source
- take water by pumping into a dam from a water source
- take water for stock and domestic purposes if your property does not have riparian rights (riparian generally means if a stream is within or on a property title boundary)

You Don't

need a water licence to...

- take groundwater for any purpose, unless in a groundwater area or required under a Water Management Plan
- take water directly to generate small-scale hydroelectricity provided the requirements of the Act are satisfied (DPIPWE can provide advice)
- take limited volumes of water for stock and domestic purposes if you have riparian rights
- take water for firefighting

DPIPWE generally assumes most licence holders do the right thing most of the time. Education and informal warnings are often the first step taken with any licence compliance activity.

Formal action may be taken if a licence holder either intentionally or consistently breaches their licence. Formal action includes fines and a system of demerit points similar to that used for traffic offences.

If you would like to discuss your water licence, contact Water Operations Branch Field Staff by either phoning 1300 368 550 or emailing water.operations@dpipwe.tas.gov.au

Anyone who does not meet the requirements of their water licence may be subject to fines, or, if warranted, prosecution. There are a number of penalty measures available, both under the *Water Management Act (1999)* and the *Water Management Regulations*.

Penalties includes fines, and a system of demerit points similar to that used for traffic offences. In the case of repeated offences, an accumulation of demerit points, can lead to the suspension or cancellation of a water licence.

Some key offences and associated penalties related to the taking of water (for 2014 - 2015)

Offence	Maximum Penalty	Infringement Notice Penalty	Demerit Points
Taking water otherwise than under Section 48 of the Act (which is water mainly for stock, domestic and firefighting)	\$2800 plus a daily penalty of \$280	\$140	2
Taking water without a licence	\$70,000 plus a daily penalty \$7000	\$350 for 1 st offence \$700 for 2 nd offence (within 1 year) \$1400 for 3 rd offence (within 2 years)	Nil
Breaching a licence (includes taking water in excess of an allocation of limit from a source not specified on a licence or outside the take period)	\$70,000 plus a daily penalty \$7000	\$350 for 1 st offence \$700 for 2 nd offence (within 1 year) \$1400 for 3 rd offence (within 2 years)	4
Contravening a notice of water restrictions	\$70,000 plus a daily penalty \$7000	\$350 for 1 st offence \$700 for 2 nd offence (within 1 year) \$1400 for 3 rd offence (within 2 years)	4
Failure to provide details of financial interest in a water licence	\$1400	\$140	2
Failure to produce licence for inspection	\$1400	\$70	0.5
Failure to comply with the direction of an Authorised Officer	\$7000 plus a daily penalty of \$700	\$140 plus daily penalty of \$70	4
Conveying water via a watercourse without or in contravention of a watercourse authority	\$7000 plus a daily penalty of \$700	\$350 for 1 st offence \$700 for 2 nd offence (within 1 year) \$1400 for 3 rd offence (within 2 years)	Nil

The serving of infringement notices or prosecution for unauthorised taking of water is only pursued as a last resort and only where circumstances warrant it. Once an infringement has been served, any non-payment will be enforced through the Monetary Penalties Enforcement Service (MPES).

Department of Primary Industries, Parks, Water and Environment

Water and Marine Resources Division

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Visit: www.dpipwe.tas.gov.au/water

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