

c2025-185D
GRNS--The Greens

LEGISLATIVE COUNCIL

Water Management Legislation Amendment (Stronger Enforcement and Penalties) Bill 2025

First print

Proposed amendments

No. 1 **Minister may charge for water illegally taken**

Page 8, Schedule 3. Insert after line 12—

[19A] Section 60G(2)(b)

Omit the paragraph. Insert instead—

- (b) has given the person 28 days, or the longer period determined by the Minister, to make submissions, and

No. 2 **Minister may charge for water taken without approval**

Page 15, Schedule 3[61], proposed section 91O(3)(a)(ii), line 32. Insert “, within 28 days after the notice is given, or the longer period determined by the Minister,” after “may”.

No. 3 **Penalty levels**

Page 29, Schedule 3. Insert after line 18—

[125A] Section 363B Penalties

Omit section 363B(a)(i). Insert instead—

- (i) in the case of a corporation—
 - (A) the greater of 45,500 penalty units or 30% of the corporation’s adjusted turnover during the breach turnover period for the offence, and
 - (B) for a continuing offence—a further penalty of 2,400 penalty units for each day the offence continues, or

[125B] Section 363B(b)(i)

Omit the subparagraph. Insert instead—

- (i) in the case of a corporation—
 - (A) the greater of 18,200 penalty units or 12% of the corporation’s adjusted turnover during the breach turnover period for the offence, and
 - (B) for a continuing offence—a further penalty of 1,200 penalty units for each day the offence continues, or

[125C] Section 363B(2)

Insert at the end of section 363B—

(2) In this section—

adjusted turnover has the same meaning as in the *Competition and Consumer Act 2010* of the Commonwealth.

breach turnover period has the same meaning as in the *Competition and Consumer Act 2010* of the Commonwealth.

No. 4

Civil penalty levels

Page 33, Schedule 3[137], proposed section 370F, lines 23–27. Omit all words on the lines. Insert instead—

370F Civil penalty levels

(1) The following table sets out the maximum civil penalties under this Act—

Tier	Penalty for individuals		Penalty for corporations	
	Penalty	Additional penalty for each day contravention continues	Penalty	Additional penalty for each day contravention continues
Tier A	the greater of 45,450 penalty units or 5 times the value of the water taken	2,200 penalty units	the greater of 90,900 penalty units, 5 times the value of the water taken or 30% of the corporation's adjusted turnover during the breach turnover period for the offence	4,500 penalty units
Tier B	45,450 penalty units	2,200 penalty units	the greater of 90,900 penalty units or 30% of the corporation's adjusted turnover during the breach turnover period for the offence	4,500 penalty units
Tier C	23,000 penalty units	1,100 penalty units	the greater of 46,000 penalty units or 15% of the corporation's adjusted turnover during the breach turnover period for the offence	2,200 penalty units

(2) In this section—

adjusted turnover has the same meaning as in the *Competition and Consumer Act 2010* of the Commonwealth.

breach turnover period has the same meaning as in the *Competition and Consumer Act 2010* of the Commonwealth.

value of the water taken means the value of the water taken determined using a prescribed methodology.