



ANNO VICESIMO QUARTO

**ELIZABETHAE II REGINAE**

A.D. 1975

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**No. 27 of 1975**

An Act to amend the Control of Waters Act, 1919-1925.

[Assented to 27th March, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Control of Waters Act Amendment Act, 1975".

(2) The Control of Waters Act, 1919-1925, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Control of Waters Act, 1919-1975".

Amendment of  
principal Act  
s. 2—  
Interpretation.

2. Section 2 of the principal Act is amended—

(a) by striking out from the definition of "domestic purposes" the passage "one acre" and inserting in lieu thereof the passage "0.5 hectare";

and

(b) by striking out from the definition of "the Minister" the passage "Commissioner of Public" and inserting in lieu thereof the passage "Minister of".

Amendment of  
principal Act,  
s. 8—  
Diversions from  
watercourse,  
etc., prohibited  
except under  
legal sanction.

3. Section 8 of the principal Act is amended by striking out from paragraph (b) of subsection (3) the passage "one acre" and inserting in lieu thereof the passage "0.5 hectare".

Enactment of  
heading and  
s. 14a of  
principal Act—

4. The following heading and section are enacted and inserted in the principal Act immediately after section 14 thereof:—

*Environmental Factors*

14a. (1) Notwithstanding the provisions of section 11 or 14 of this Act, the Minister may refuse his permission under either of those sections, if he is of the opinion that, having regard to any factors affecting—

Minister may have regard to certain matters in relation to permissions.

- (a) the preservation of the amenity of the locality in which the land and watercourse are situated;
  - (b) the conservation of fauna and flora in the locality;
  - (c) the preservation of structures, relics or sites of historic or anthropological interest;
  - (d) the preservation of the watercourse from pollution;
- or
- (e) the preservation of the nature, features and general character of the locality,

he should refuse the permission.

(2) Subject to this Act, the Minister may grant his permission under section 11 or 14 of this Act, subject to such conditions relating to the factors referred to in subsection (1) of this section as he thinks fit.

(3) Any person who fails to comply with a condition referred to in subsection (2) of this section shall be guilty of an offence against this Act.

5. Section 22 of the principal Act is amended—

Amendment of principal Act, s. 22—  
Penalties.

- (a) by striking out from paragraph (a) the passage “one pound” and inserting in lieu thereof the passage “fifty dollars”;
  - (b) by striking out from paragraph (a) the passage “twenty pounds” and inserting in lieu thereof the passage “two hundred dollars”;
  - (c) by striking out from paragraph (b) the passage “ten pounds” and inserting in lieu thereof the passage “one hundred dollars”;
- and
- (d) by striking out from paragraph (b) the passage “one hundred pounds” and inserting in lieu thereof the passage “five hundred dollars”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor