



ANNO QUADRAGESIMO

ELIZABETHAE II REGINAE

A.D. 1991

No. 7 of 1991

An Act to amend the Irrigation Act 1930; the Local Government Act 1934; the Pollution of Waters by Oil and Noxious Substances Act 1987; the Public and Environmental Health Act 1987; and the Waterworks Act 1932.

[Assented to 28 March 1991]

The Parliament of South Australia enacts as follows:

Short title

1. This Act may be cited as the *Statutes Amendment (Water Resources) Act 1991*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of Irrigation Act 1930

3. The *Irrigation Act 1930* is amended by inserting after “the Minister may” in subsection (2) of section 55 “, subject to the *Water Resources Act 1990*,”.

Amendment of Local Government Act 1934

4. The *Local Government Act 1934* is amended by striking out paragraph (a) of section 633 and substituting the following paragraph:

(a) a watercourse or lake to which Part VI of the *Water Resources Act 1990* applies;

Amendment of Pollution of Waters by Oil and Noxious Substances Act 1987

5. The *Pollution of Waters by Oil and Noxious Substances Act 1987* is amended by striking out paragraph (c) of the definition of “State waters” in subsection (1) of section 3 and substituting the following paragraph:

(c) waters within the limits of the State that are subject to the ebb and flow of the tide..

Amendment of Public and Environmental Health Act 1987**6. The *Public and Environmental Health Act 1987* is amended—**

(a) by inserting after subsection (4) of section 21 the following subsection:

(5) This section does not apply to, or in relation to—

- (a) the pollution of a water supply that is authorized by or under the *Water Resources Act 1990*;
- (b) a person in relation to the pollution of a water supply if that person is exempted by or under the *Water Resources Act 1990* from the operation of Division II of Part V of that Act in relation to the pollution of that water supply;
- (c) the pollution of a water supply if the pollution does not constitute an offence under the *Water Resources Act 1990* because of a regulation under that Act declaring that the Act, or a particular provision of the Act, does not apply to, or in relation to, the water supply.;

and

(b) by striking out subsection (1) of section 22 and substituting the following subsection:

(1) If the authority is of the opinion that a water supply is polluted and that action is necessary under this subsection to prevent human consumption of the water, it may, by notice published in the *Gazette*, restrict or prohibit the taking of water from that water supply, or the use of water taken from that water supply, for human consumption.

Amendment of the Waterworks Act 1932**7. The *Waterworks Act 1932* is amended—**

- (a) by striking out from subsection (1) of section 4 the definitions of “watershed” and “watershed zone”;
- (b) by striking out section 9a;
- (c) by striking out from paragraph XX of subsection (1) of section 10 “a watershed, watershed zone or” and substituting “the”;

and

(d) by striking out from subsection (1) of section 10 paragraphs XXI, XXII, XXIII and XXIV.

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

ROMA MITCHELL Governor