UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL 1970

**House of Assembly, 22 October 1970, page 2007**

Second reading

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Underground Waters Preservation Act, 1969. Read a first time.

The Hon. D. A. DUNSTAN: I move:

*That this Bill be now read a second time.*

Its purpose is to make an urgent amendment to the Underground Waters Preservation Act. As honourable members are aware, water quotas have had to be imposed under this Act in respect of the underground water reserves of the Northern Adelaide Plains. As a result of these restrictions many appeals were lodged. Under section 51 of the principal Act, the institution of an appeal suspends the operation of the direction subject to appeal. The Underground Waters Appeal Board has unfortunately not been able to dispose of the appeals with any real degree of expedition. In fact, appeals are being determined at the rate of about two a week. The effect is twofold. First, the frustration of the quotas by the institution of appeals has resulted in increasing danger to the underground water supply and, secondly, inequity has been caused between those to whom the directives have been given. It is clear that some of these have been able to obtain extensive respite from the quotas by the mere fact of appealing.

The Bill seeks to remedy this situation by providing that the institution of an appeal does not affect a direction subject to appeal. The Bill is to be retrospective, applying to directions given before and after the amending legislation. Its provisions are as follows: Clause 1 is formal. Clause 2 repeals and re-enacts section 51 of the principal Act, which at present provides that the institution of an appeal suspends a decision or direction subject to appeal. The new section reverses this position. New subsection (1) provides that the institution of an appeal shall not suspend or otherwise affect the operation of a decision or direction subject to appeal. New subsection (2) provides that the new section is to operate in respect of decisions and directions made before or after the commencement of the amending Act.

Mr. FERGUSON secured the adjournment of the debate.