

South Australia

# Coast Protection Act 1972

An Act to make provision for the conservation and protection of the beaches and coast of this State; and for other purposes.

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## Contents

### Part 1—Preliminary

- 1 Short title
- 4 Interpretation
- 5 Act to bind the Crown

### Part 2—Administration

- 6 Establishment of Board
- 7 Control and direction of Board
- 8 Membership of Board
- 9 Quorum etc
- 10 Validation of acts of Board
- 11 Allowances and expenses
- 12 Secretary
- 13 Board may use services or staff of administrative unit
- 13A Delegation by Board
- 14 General duties of Board
- 18 Advisory committees

### Part 3—Coast protection districts

- 19 Constitution of coast protection districts
- 20 Management plan

### Part 4—Powers of Board

- 21 Authorised works
- 21A Power to remove sand etc
- 22 Powers of acquisition
- 23 Powers of entry
- 24 Temporary occupation
- 25 Compensation for entry or temporary occupation

### Part 6—Financial provisions

- 29 Coast Protection Fund
- 30 Power to borrow
- 31 Accounts and audit
- 32 Contribution towards works to be performed by council
- 32A Grants to councils for acquisition of land

33 Contribution to works of the Board

## Part 7—Miscellaneous

34 Restricted area  
34A Appointment of wardens  
34B Powers of warden  
34C Evidentiary  
35 Report  
36 Inquiry  
37 Regulations

Legislative history

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**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Coast Protection Act 1972*.

### 4—Interpretation

In this Act, unless the contrary intention appears—

*Adelaide Dolphin Sanctuary* has the same meaning as in the *Adelaide Dolphin Sanctuary Act 2005*;

*appointed member* of the Board means a member of the Board appointed under paragraph (d) or paragraph (e) of subsection (1) of section 8 of this Act;

*area*, in relation to a council—

- (a) being a council within the meaning of the *Local Government Act 1934*—means the area of the council within the meaning of that Act; or
- (b) being the West Beach Trust—means the foreshore within the meaning of the *West Beach Recreation Reserve Act 1954*;

*coast* means all land that is—

- (a) within the mean high water mark and the mean low water mark on the seashore at spring tides; or
- (b) above and within one hundred metres of that mean high water mark; or
- (c) below and within three nautical miles of that mean low water mark; or
- (d) within any estuary, inlet, river, creek, bay or lake and subject to the ebb and flow of the tide; or
- (e) declared by regulation to constitute part of the coast for the purposes of this Act;

*coast facility* means any building, structure or works—

- (a) for the use or enjoyment of those who may resort to the coast; or

- (b) of a kind declared by regulation to constitute a coast facility;

**council** means—

- (a) a council within the meaning of the *Local Government Act 1934*; or  
(b) the West Beach Trust established under the *West Beach Recreation Reserve Act 1954*;

**marine park** has the same meaning as in the *Marine Parks Act 2007*;

**owner** in relation to private land, means the holder of an estate or interest in the land;

**private land** means—

- (a) land lawfully granted or contracted to be granted for an estate of freehold by or on behalf of the Crown; or  
(b) land subject to a perpetual lease lawfully granted by or on behalf of the Crown;

**relevant Act** means—

- (a) in relation to the Adelaide Dolphin Sanctuary—the *Adelaide Dolphin Sanctuary Act 2005*; or  
(b) in relation to a marine park—the *Marine Parks Act 2007*; or  
(c) in relation to the River Murray or the Murray-Darling Basin—the *River Murray Act 2003*;

**relevant Minister** means—

- (a) in relation to the Adelaide Dolphin Sanctuary—the Minister to whom the administration of the *Adelaide Dolphin Sanctuary Act 2005* is committed; or  
(b) in relation to a marine park—the Minister to whom the administration of the *Marine Parks Act 2007* is committed; or  
(c) in relation to the River Murray or the Murray-Darling Basin—the Minister to whom the administration of the *River Murray Act 2003* is committed;

**restricted area** means any part of a coast protection district declared to be a restricted area under section 34;

**specially protected area or resource** means—

- (a) the Adelaide Dolphin Sanctuary; or  
(b) a marine park; or  
(c) the River Murray;

**storm repairs** means works for the repair of damage to the coast, or a coast facility, caused by storm or pollution;

**the Board** means the Coast Protection Board constituted under Part 2 of this Act;

**the Court** means the Supreme Court;

**warden** means a person who has been appointed under section 34A to be, or who is by virtue of his office as a member of the police force, a warden for the purposes of this Act;

*works of a prescribed nature* means building, construction, mining or excavation of a kind or extent declared by regulation to constitute works of a prescribed nature for the purposes of this Act or works changing the nature, configuration or use of the coast in a manner or to an extent prescribed by regulation.

## 5—Act to bind the Crown

This Act binds the Crown.

## Part 2—Administration

### 6—Establishment of Board

- (1) There shall be a Board entitled the *Coast Protection Board*.
- (2) The Board—
  - (a) shall be a body corporate with perpetual succession and a common seal; and
  - (b) shall be capable of acquiring, holding, selling and otherwise disposing of real and personal property; and
  - (c) shall be capable of acquiring or incurring any other legal rights and liabilities, and of suing and being sued; and
  - (d) shall hold its property on behalf of the Crown.
- (3) Where an apparently genuine document purports to bear the common seal of the Board, it shall be presumed, in the absence of evidence to the contrary, that the common seal of the Board was duly affixed to that document.

### 7—Control and direction of Board

The Board shall be subject to the control and direction of the Minister.

### 8—Membership of Board

- (1) The Board will consist of six members of whom—
  - (a) 1 will be the chief executive, or the nominee of the chief executive, of the administrative unit of the Public Service that is, under the Minister, responsible for the administration of this Act; and
  - (b) 1 will be the chief executive, or the nominee of the chief executive, of the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Harbors and Navigation Act 1993*; and
  - (c) 1 will be the Chief Executive Officer, or the nominee of the Chief Executive Officer, of the South Australian Tourism Commission; and
  - (d) three will be persons appointed by the Minister—
    - (i) one being a person who is qualified for membership of the Board by reason of extensive knowledge of, and experience in, local government; and
    - (ii) one being a person who is qualified for membership of the Board by reason of extensive knowledge of, and experience in, the technical problems of coast protection; and

- (iii) one being a person who is qualified for membership of the Board by reason of extensive knowledge of, and experience in, biological sciences and environmental protection.
- (2) One of the members of the Board must be appointed by the Minister to be the presiding member of the Board.
- (3) Subject to this Act, an appointed member of the Board shall be appointed for such term of office, not exceeding four years, as the Minister may determine and specifies in the instrument of his appointment and, upon the expiration of his term of office, shall be eligible for re-appointment.
- (4) If any member of the Board is unable, or fails for any reason, to act in his capacity as a member of the Board, the Minister may appoint a suitable person to be a deputy of the member, and such a person, while so acting, shall be deemed to be a member of the Board, and shall have all the powers, authorities, duties and obligations of the member of whom he has been appointed a deputy.
- (5) The Minister may remove an appointed member of the Board from office for—
  - (a) mental or physical incapacity; or
  - (b) neglect of duty; or
  - (c) dishonourable conduct; or
  - (d) any other cause considered sufficient by the Minister.
- (6) The office of an appointed member of the Board shall become vacant if—
  - (a) he dies; or
  - (b) his term of office expires; or
  - (c) he resigns his office by written notice addressed to the Minister; or
  - (d) he is removed from office by the Minister pursuant to subsection (5) of this section.
- (7) Upon the office of an appointed member of the Board becoming vacant, a person shall be appointed in accordance with this Act, to the vacant office, but where the office of a member of the Board becomes vacant before the expiration of the term for which he was appointed, a person appointed in his place shall be appointed only for the balance of the term of his predecessor.

## **9—Quorum etc**

- (1) Three members of the Board shall constitute a quorum of the Board, and no business shall be transacted unless a quorum is present.
- (2) A decision carried by a majority of the votes cast by the members present at a meeting of the Board, shall be a decision of the Board.
- (3) The presiding member shall preside at a meeting of the Board, and in the event of an equality of votes, shall have a second or casting vote.
- (4) In the absence of the presiding member or a deputy of the presiding member from a meeting of the Board, the members present may elect one of their number to be the presiding member for that meeting, and a member so elected may perform and discharge the functions and obligations of the presiding member for that meeting.

- (5) Subject to this Act, the business of the Board shall be conducted in such manner as the Board determines.

### **10—Validation of acts of Board**

- (1) An act or proceeding of the Board shall not be invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the appointment of a member, any such act or proceeding shall be as valid and effectual as if the member had been duly appointed.

### **11—Allowances and expenses**

An appointed member of the Board shall be entitled to receive such allowances and expenses as may be determined by the Minister.

### **12—Secretary**

- (1) There is to be a Secretary to the Board.
- (2) The Secretary is to be a Public Service employee.

### **13—Board may use services or staff of administrative unit**

The Board may, under an arrangement established by the Minister administering an administrative unit of the Public Service, make use of the services or staff of that administrative unit.

### **13A—Delegation by Board**

- (1) The Board may, with the approval of the Minister, delegate any of its powers or functions.
- (2) A delegation under this section—
- (a) may be made to—
    - (i) the presiding member or any other member of the Board; or
    - (ii) the secretary to the Board or any other officer engaged in the administration of this Act; and
  - (b) may be made subject to such conditions as the Board thinks fit; and
  - (c) is revocable at will and does not derogate from the power of the Board to act itself in any matter.

### **14—General duties of Board**

- (1) The functions of the Board are as follows:
- (a) to protect the coast from erosion, damage, deterioration, pollution and misuse; and
  - (b) to restore any part of the coast that has been subjected to erosion, damage, deterioration, pollution or misuse; and
  - (c) to develop any part of the coast for the purpose of aesthetic improvement, or for the purpose of rendering that part of the coast more appropriate for the use or enjoyment of those who may resort thereto; and

- (ca) to manage, maintain and, where appropriate, develop and improve coast facilities that are vested in, or are under the care, control and management of, the Board; and
  - (d) to report to the Minister upon any matters that the Minister may refer to the Board for advice; and
  - (e) to carry out research, to cause research to be carried out, or to contribute towards research, into matters relating to the protection, restoration or development of the coast; and
  - (f) to perform such other functions assigned to the Board by or under this or any other Act.
- (2) The Board may prepare and issue bulletins, memoranda, maps and plans for the information of the public.
- (3) The Board must, if—
- (a) taking any action within or in relation to a specially protected area or resource or the Murray-Darling Basin; or
  - (b) taking any action under this or any other Act that is likely to have a direct impact on a specially protected area or resource,
- take into account, and seek to further, the objects and objectives of the relevant Act.

## **18—Advisory committees**

- (1) The Board may appoint such advisory committees as the Board considers necessary for the purpose of providing the Board with expert advice on matters pertinent to the protection, restoration or development of the coast.
- (2) A member of an advisory committee shall hold office upon such terms and conditions as may be determined by the Minister.
- (3) The Board must, in acting under this section, comply with any guidelines issued by the Minister for the purposes of this section (which may include a requirement for the approval of the Minister before a Committee, or Committee of a specified class, may be established under subsection (1)).

## **Part 3—Coast protection districts**

### **19—Constitution of coast protection districts**

- (1) Subject to subsection (2) of this section, the Governor may, by proclamation—
  - (a) constitute any part of the coast defined or described in the proclamation as a coast protection district; or
  - (b) assign a name to a coast protection district so constituted; or
  - (c) amalgamate any two or more coast protection districts: or
  - (d) vary or revoke a previous proclamation under this section.
- (2) A proclamation shall not be made under this section except upon the recommendation of the Board.

- (3) The Board shall not make a recommendation under this section until it has invited representations from the councils (if any) for the areas comprising any portion of the proposed coast protection district, and has forwarded to the Minister a report upon any representations made by, any such council in respect of the proposals to constitute the coast protection district.

## 20—Management plan

- (1) The Board shall in respect of any coast protection district constituted under this Part, make an investigation, or cause an investigation to be made, in order to determine the most appropriate measures to be taken to protect, restore or develop the coast comprised in the coast protection district in the best interests of the public.
- (2) In preparing a management plan, the Board shall consult with, and take into account the interests of, any council whose area comprises the whole or any part of the coast protection district.
- (3) Upon completion of an investigation, the Board shall prepare a management plan setting forth in general terms the measures that the Board considers necessary or expedient for the protection, restoration or development of the coast comprised in the coast protection district.
- (4) The Board shall, upon completion of a management plan—
  - (a) send, or cause to be sent, to each council whose area comprises any portion of the coast protection district, a copy of the management plan; and
  - (b) arrange for the display of the management plan in an office or offices readily accessible to members of the public; and
  - (c) cause an advertisement to be published in a newspaper circulating generally throughout the State stating that the management plan may be inspected at the office or offices specified in the advertisement and that representations may be made to the Board in respect of the proposals contained in the plan at any time within a period specified in the advertisement, being a period expiring not less than two months after the date of the advertisement.
- (5) Any council to which a notice is sent under subsection (4) of this section, and any other person, may within the period specified in the advertisement published under that subsection, make written representations to the Board in respect of the proposals contained in the management plan.
- (6) The Board shall consider the representations and may alter the management plan in such manner as it thinks fit.
- (7) The Board shall, after consideration of the representations (if any) made in respect of the management plan, refer the statement with a summary of the representations, and the amendments (if any) made to the plan, to the Minister.
- (8) The Minister may submit the management plan to the Governor.
- (9) The Governor may, by proclamation, declare a management plan submitted to him under this section to be an approved management plan.
- (10) An approved management plan may be varied or revoked by a subsequent management plan prepared and approved in accordance with this section.

- (11) The Board shall supply each council whose area comprises any portion of a coast protection district with a copy of the management plan relating to that district, and shall at the request of any other person, and upon payment of the prescribed fee, supply him with a copy of a management plan.
- (12) In preparing or reviewing a management plan that could affect a specially protected area or resource, the Board must consult with, and have regard to the views of, the relevant Minister.

## **Part 4—Powers of Board**

### **21—Authorised works**

- (1) The Board is hereby authorised to execute all works in relation to land constituting or forming part of a coast protection district, as may be necessary or expedient for the purpose of implementing an approved management plan.
- (2) The Board is hereby authorised to execute any works that are in the opinion of the Board necessary or expedient for the purpose of repairing or restoring any damage to any portion of the coast resulting from a storm, or from pollution.

### **21A—Power to remove sand etc**

The Board is authorised (and shall be deemed always to have been authorised) to remove sand and other material from one part of the coast (not being private land) to another part of the coast for the purpose of protecting, restoring and developing the coast or any part of the coast.

### **22—Powers of acquisition**

- (1) Where the Board is satisfied that it is necessary or expedient to acquire any part of the coast—
  - (a) for the purpose of executing works authorised by this Act; or
  - (b) for any other purpose consistent with the functions and duties assigned to, or imposed upon, the Board under this Act,the Board may, with the approval of the Minister, acquire any land constituting or forming part of, that part of the coast.
- (2) The *Land Acquisition Act 1969* shall apply in respect of the acquisition of land under subsection (1) of this section.
- (3) The Board may, with the approval of the Minister—
  - (a) sell, lease or otherwise dispose of land acquired under this section; or
  - (b) by agreement with the council for the area in which the land is situated, place the land under the care, control and management of that council.

### **23—Powers of entry**

- (1) For the purposes of this Act, any member of the Board, or any person authorised by the Board may—
  - (a) enter and remain on any land with any assistants, vehicles, machinery or equipment; and

- (b) make any inspection necessary for the purposes of this Act; and
  - (c) affix or establish any trigonometrical stations, survey pegs, marks or poles and from time to time alter, remove or re-instate them; and
  - (d) dig or bore into the land.
- (2) At least seven days before any private land is entered pursuant to subsection (1) of this section, the Board must serve on the occupier of the land, or where there is no occupier, the owner of the land, a notice of intention to enter the land.
- (3) A person who—
- (a) wilfully and without authorisation from the Board, interferes with any trigonometrical stations, survey pegs, marks or poles; or
  - (b) wilfully obstructs any person acting in accordance with this section,
- shall be guilty of an offence and liable to a penalty not exceeding \$200.

#### **24—Temporary occupation**

- (1) For the purposes of this Act, a person authorised in writing by the Board may occupy and use any land constituting or forming part of the coast and may carry out upon that land any works authorised by this Act.
- (2) The Board shall, at least seven days before private land is occupied pursuant to subsection (1) of this section, serve upon the occupier of the land, or if there is no occupier, upon the owner of the land, notice of its intention to exercise its powers of temporary occupation in relation to the land.
- (3) A person interested in the land may apply to the Court for an order that the authority acquire his interest in the land.
- (4) The Court, if satisfied that it is just to do so, may order the Board to acquire the interest upon such terms and conditions as may be determined by the Court, and may make such incidental or consequential orders as the Court thinks fit.
- (5) An authorisation of the Board under subsection (1) is not transferable.

#### **25—Compensation for entry or temporary occupation**

- (1) A person interested in land that is entered or temporarily occupied pursuant to this Part may, at any time before the expiration of three months from the day on which the Board, or any person authorised by the Board, was last in occupation of, or upon, the land, by notice in writing served upon the Board, claim compensation.
- (2) If after the expiration of three months from the day on which a notice was served under subsection (1) of this section, the Board and the claimant are not agreed upon the amount of compensation that should be paid, either the Board or the claimant may refer the matter to the Court for determination.
- (3) The Court shall, upon the reference of any such matter, determine the amount of compensation that should be paid by the Board, and order the payment of that amount to the claimant.
- (4) The compensation shall be determined in accordance with the appropriate provisions of the *Land Acquisition Act 1969*.

## **Part 6—Financial provisions**

### **29—Coast Protection Fund**

- (1) There shall be a fund entitled the "Coast Protection Fund".
- (2) The fund shall be established and maintained at the Treasury.
- (3) The following moneys shall be paid into the fund:
  - (a) all moneys appropriated by Parliament for the purposes of the fund; and
  - (b) all moneys received or recovered by the Board in pursuance of the provisions of this Act.
- (4) The fund shall be applied by the Board towards the costs incurred by the Board in the administration of this Act.

### **30—Power to borrow**

- (1) The Board may borrow moneys—
  - (a) from the Treasurer; or
  - (b) with the consent of the Treasurer, from any other person.
- (2) The Treasurer may guarantee the repayment of any moneys borrowed by the Board under paragraph (b) of subsection (1) of this section, and any interest thereon.
- (3) The Treasurer is hereby authorised, without further appropriation, to satisfy any liability arising under any such guarantee out of the General Revenue of the State.

### **31—Accounts and audit**

- (1) The Board shall cause proper accounts to be kept of its financial affairs.
- (2) The Auditor-General may at any time, and shall at least once in each year, audit the accounts of the Board.

### **32—Contribution towards works to be performed by council**

- (1) Where a council proposes to carry out works for the protection, restoration or development of any part of the coast and seeks a grant from the Board under this section, it shall apply to the Board for its approval of the proposed works.
- (2) Where the Board approves the proposed works it may make a grant to the council under this section.
- (3) The amount of the grant shall be determined by the Board subject to the following provisions:
  - (a) where the works consist in storm repairs, the grant may cover the whole or any portion of the cost to be incurred by the council; and
  - (b) in any other case, the grant may cover up to four-fifths of the costs to be incurred by the council.

### **32A—Grants to councils for acquisition of land**

- (1) Where a council proposes to acquire land forming part of the coast with a view to protecting, restoring or developing that land, the council may apply to the Board for a grant under this section.
- (2) If the Board determines to make a grant to a council in pursuance of an application under subsection (1) of this section, the Board may make a grant to the council of an amount covering up to one-half of the cost incurred by the council in acquiring the land.

### **33—Contribution to works of the Board**

- (1) Where the Board carries out works within the area of a council or the areas of two or more councils, or benefiting that area or those areas, for the protection, restoration or development of any part of the coast within a coast protection district the Board may recover, as a debt, from the council or councils contribution towards the expense incurred in carrying out those works.
- (2) The amount of the contribution shall be determined by the Board subject to the following provisions:
  - (a) where the works consist in the provision of a coast facility, the contribution may be an amount of up to one-half of the expense incurred by the Board; and
  - (b) in any other case the contribution may be an amount of up to one-fifth of the expense incurred by the Board.
- (3) Where the works are carried out in the areas of two or more councils, or benefit the areas of two or more councils, the contribution to which the Board is entitled under this section may be apportioned between the councils in such manner as the Board may determine.
- (4) Where the Board, acting with the approval of a council and in pursuance of its powers under this Act, acquires land within the area of the council, the Board may recover from the council, as a debt, a contribution, determined by the Board, not exceeding one-half of the cost incurred by the Board in acquiring the land.

## **Part 7—Miscellaneous**

### **34—Restricted area**

- (1) The Minister may, by notice published in the Gazette, declare any part of a coast protection district to be a restricted area.
- (2) No declaration shall be made under subsection (1) of this section in respect of private land, or land constituting a public road.
- (3) The notice may contain such prohibitions and restrictions upon access to the area as the Minister thinks fit.
- (4) The Board shall cause notices to be erected upon or in the vicinity of a restricted area informing the public of the prohibitions or restrictions upon access to the area.
- (5) A person who enters or remains upon a restricted area in contravention of any such prohibition or restriction shall be guilty of an offence and liable to a penalty not exceeding \$200.

### **34A—Appointment of wardens**

- (1) The Minister may, by instrument in writing, appoint—
  - (a) a person appointed for the purposes of the administration of this Act; or
  - (b) an officer or employee of a council; or
  - (c) any other person,to be a warden for the purposes of this Act.
- (2) The Minister may, in the instrument of appointment, limit the powers of a warden appointed under subsection (1) so that the powers are exercisable only in relation to an area specified by the Minister and any such limitation shall have effect according to its terms.
- (3) The Minister shall issue to a warden appointed under subsection (1) an identity card in the prescribed form identifying the person and stating that he is a warden for the purposes of this Act.
- (4) Where the powers of a warden have been limited pursuant to subsection (2), the identity card issued to the warden shall contain a statement of the limitation upon his powers.
- (5) Every member of the police force is, by virtue of his office, a warden for the purposes of this Act.
- (6) A warden shall, upon demand by any person in relation to whom he is exercising or proposing to exercise any of his powers under this Act, produce his identity card, or, in the case of a warden who is a member of the police force not in uniform, his certificate of authority, for inspection by that person.

### **34B—Powers of warden**

- (1) A warden may—
  - (a) require a person whom he finds committing, or whom he suspects on reasonable grounds of having committed, an offence against this Act to state his full name and usual place of residence; or
  - (b) require a person to leave a restricted area.
- (2) A person shall not fail to comply with a requirement made of him by a warden under subsection (1).  
Maximum penalty: \$200.
- (3) A person shall not hinder a warden in the exercise of his powers under subsection (1).  
Maximum penalty: \$500.
- (4) A person shall not use abusive, threatening or insulting language to a warden acting in the exercise of his powers under subsection (1).  
Maximum penalty: \$300.
- (5) A person shall not assault a warden acting in the exercise of his powers under subsection (1).  
Maximum penalty: \$1 000 or imprisonment for three months.

### **34C—Evidentiary**

In any proceedings for an offence against this Act, an allegation in the complaint—

- (a) that any act or omission subject to the charge related to or took place in any specified restricted area; or
- (b) that a person named in the complaint was at a time specified in the complaint a warden,

shall be accepted as proved in the absence of proof to the contrary.

### **35—Report**

- (1) The Board shall on or before the thirty-first day of October in each year submit a report to the Minister upon the administration of this Act during the year ended on the preceding thirtieth day of June in that year.
- (2) The Minister shall cause a copy of a report under this section to be laid before each House of Parliament within six sitting days if Parliament is then in session, or if not, within six sitting days after the commencement of the next session of Parliament.

### **36—Inquiry**

- (1) The Minister may require the Board to make such inquiries pertinent to the administration of this Act as he considers necessary or expedient.
- (2) The Board shall comply with any requirement under this section.

### **37—Regulations**

- (1) The Governor may make such regulations as are contemplated by this Act, or as he considers necessary or expedient for the purposes of this Act.
- (2) Without limiting the generality of subsection (1) of this section, those regulations may—
  - (a) regulate the meetings and procedure of the Board; and
  - (c) prescribe and provide for the recovery of fees for the purposes of this Act; and
  - (d) prescribe penalties not exceeding one hundred dollars for breach of, or non-compliance with, any regulation.

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1972	49	<i>Coast Protection Act 1972</i>	27.4.1972	3.7.1972 ( <i>Gazette</i> 29.6.1972 p2689)
1975	114	<i>Coast Protection Act Amendment Act 1975</i>	4.12.1975	4.12.1975
1978	109	<i>Harbors Act Amendment Act 1978</i>	7.12.1978	21.12.1978 ( <i>Gazette</i> 21.12.1978 p2303)
1982	62	<i>Statutes Amendment (Planning) Act 1982</i>	1.7.1982	4.11.1982 ( <i>Gazette</i> 4.11.1982 p1304)
1985	22	<i>Coast Protection Act Amendment Act 1985</i>	28.3.1985	23.5.1985 ( <i>Gazette</i> 23.5.1985 p1690)
1988	19	<i>Statutes Amendment (Coast Protection and Native Vegetation Management) Act 1988</i>	14.4.1988	28.4.1988 ( <i>Gazette</i> 28.4.1988 p1066)
1993	54	<i>Statutes Repeal and Amendment (Development) Act 1993</i>	27.5.1993	15.1.1994 ( <i>Gazette</i> 27.10.1993 p1889)
2003	35	<i>River Murray Act 2003</i>	31.7.2003	Sch (cl 3)—24.11.2003 ( <i>Gazette</i> 20.11.2003 p4203)
2003	44	<i>Statute Law Revision Act 2003</i>	23.10.2003	Sch 1—24.11.2003 ( <i>Gazette</i> 13.11.2003 p4048)
2005	5	<i>Adelaide Dolphin Sanctuary Act 2005</i>	14.4.2005	Sch 2 (cll 5—7)—1.7.2005 ( <i>Gazette</i> 2.6.2005 p1684)
2007	60	<i>Marine Parks Act 2007</i>	29.11.2007	Sch 1 (cll 5—7)—6.11.2008 ( <i>Gazette</i> 6.11.2008 p5055)
2009	84	<i>Statutes Amendment (Public Sector Consequential Amendments) Act 2009</i>	10.12.2009	Pt 33 (ss 60—62)—1.2.2010 ( <i>Gazette</i> 28.1.2010 p320)
2011	11	<i>Statutes Amendment (Personal Property Securities) Act 2011</i>	14.4.2011	Pt 4 (s 18)—16.6.2011 ( <i>Gazette</i> 16.6.2011 p2610)
2015	8	<i>Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015</i>	18.6.2015	Pt 8 (ss 53—58)—1.7.2015 ( <i>Gazette</i> 25.6.2015 p3076)
<b>2019</b>	<b>45</b>	<b><i>Supreme Court (Court of Appeal) Amendment Act 2019</i></b>	<b>19.12.2019</b>	<b>Sch 1 (cl 7)—1.1.2021 (<i>Gazette</i> 10.12.2020 p5638)</b>

## Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 2 of The Public General Acts of South Australia 1837-1975 at page 188.

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
s 2	<i>deleted by 44/2003 s 3(1) (Sch 1)</i>	24.11.2003
s 3	<i>omitted under Legislation Revision and Publication Act 2002</i>	24.11.2003
s 4		
Adelaide Dolphin Sanctuary	inserted by 5/2005 Sch 2 (cl 5)	1.7.2005
appointed member	amended by 8/2015 s 53(1)	1.7.2015
area	inserted by 22/1985 s 3(a)	23.5.1985
<i>consultative committee</i>	<i>deleted by 8/2015 s 53(2)</i>	<i>1.7.2015</i>
council	inserted by 22/1985 s 3(b)	23.5.1985
marine park	inserted by 60/2007 Sch 1 cl 5(1)	6.11.2008
relevant Act	inserted by 60/2007 Sch 1 cl 5(2)	6.11.2008
relevant Minister	inserted by 60/2007 Sch 1 cl 5(2)	6.11.2008
restricted area	inserted by 22/1985 s 3(c)	23.5.1985
specialty protected area or resource	inserted by 60/2007 Sch 1 cl 5(3)	6.11.2008
<b>the Court</b>	<b>amended by 45/2019 Sch 1 cl 7</b>	<b>1.1.2021</b>
<i>the Planning Appeal Board</i>	<i>deleted by 62/1982 s 3(3) (Sch Pt 3)</i>	<i>4.11.1982</i>
<i>the Planning Appeal Tribunal</i>	<i>inserted by 62/1982 s 3(3) (Sch Pt 3)</i>	<i>4.11.1982</i>
	<i>deleted by 54/1993 s 7(a)</i>	<i>15.1.1994</i>
warden	inserted by 22/1985 s 3(d)	23.5.1985
Pt 2		
s 8		
s 8(1)	amended by 62/1982 s 3(3) (Sch Pt 3)	4.11.1982
	substituted by 19/1988 s 3(a)	28.4.1988
	amended by 84/2009 s 60	1.2.2010
	amended by 8/2015 s 54	1.7.2015
s 8(2)	substituted by 62/1982 s 3(3) (Sch Pt 3)	4.11.1982
	substituted by 19/1988 s 3(a)	28.4.1988
	amended by 8/2015 s 54	1.7.2015
s 8(3)—(6)	amended by 8/2015 s 54	1.7.2015
s 9		
s 9(3)	amended by 19/1988 s 3(b)	28.4.1988

s 9(4)	substituted by 19/1988 s 3(c)	28.4.1988
s 10		
s 10(2)	<i>deleted by 84/2009 s 61</i>	1.2.2010
s 11	amended by 8/2015 s 55	1.7.2015
<i>s 12 before substitution by 84/2009</i>		
s 12(1) and (2)	<i>amended by 44/2003 s 3(1) (Sch 1)</i>	24.11.2003
s 12	substituted by 84/2009 s 62	1.2.2010
<i>s 13 before substitution by 84/2009</i>		
s 13(1) and (2)	<i>amended by 44/2003 s 3(1) (Sch 1)</i>	24.11.2003
s 13	substituted by 84/2009 s 62	1.2.2010
s 13A	inserted by 22/1985 s 4	23.5.1985
s 13A(2)	amended by 19/1988 s 3(d)	28.4.1988
s 14		
s 14(1)	amended by 109/1978 s 39(1)	21.12.1978
	amended by 35/2003 Sch cl 3(a), (b)	24.11.2003
s 14(3)	inserted by 35/2003 Sch cl 3(c)	24.11.2003
	substituted by 60/2007 Sch 1 cl 6	6.11.2008
s 14(4)	<i>inserted by 5/2005 Sch 2 (cl 6)</i>	1.7.2005
	<i>deleted by 60/2007 Sch 1 cl 6</i>	6.11.2008
<i>heading preceding s 15</i>	<i>deleted by 44/2003 s 3(1) (Sch 1)</i>	24.11.2003
<i>s 15—17</i>	<i>deleted by 8/2015 s 56</i>	1.7.2015
<i>heading preceding s 18</i>	<i>deleted by 44/2003 s 3(1) (Sch 1)</i>	24.11.2003
s 18		
s 18(3)	inserted by 8/2015 s 57	1.7.2015
Pt 3		
s 20		
s 20(4)	amended by 22/1985 s 5(a)	23.5.1985
s 20(5)	amended by 22/1985 s 5(b)	23.5.1985
s 20(12)	inserted by 35/2003 Sch cl 3(d)	24.11.2003
	substituted by 60/2007 Sch 1 cl 7	6.11.2008
s 20(13)	<i>inserted by 5/2005 Sch 2 (cl 7)</i>	1.7.2005
	<i>deleted by 60/2007 Sch 1 cl 7</i>	6.11.2008
Pt 4		
s 21A	inserted by 22/1985 s 6	23.5.1985
s 22		
s 22(2)	amended by 44/2003 s 3(1) (Sch 1)	24.11.2003
s 24		
s 24(5)	inserted by 11/2011 s 18	16.6.2011

## Coast Protection Act 1972—1.1.2021

### Legislative history

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s 25		
s 25(4)	amended by 44/2003 s 3(1) (Sch 1)	24.11.2003
Pt 5	<i>amended by 62/1982 s 3(3) (Sch Pt 3)</i>	<i>4.11.1982</i>
	<i>amended by 22/1985 s 7</i>	<i>23.5.1985</i>
	<i>deleted by 54/1993 s 7(b)</i>	<i>15.1.1994</i>
Pt 7		
s 34		
s 34(5)	amended by 22/1985 s 8	23.5.1985
ss 34A—34C	inserted by 22/1985 s 9	23.5.1985
s 34D	<i>inserted by 22/1985 s 9</i>	<i>23.5.1985</i>
	<i>deleted by 44/2003 s 3(1) (Sch 1)</i>	<i>24.11.2003</i>
s 37		
s 37(2)	amended by 62/1982 s 3(3) (Sch Pt 3)	4.11.1982
	(b) deleted by 54/1993 s 7(c)	15.1.1994
	amended by 8/2015 s 58	1.7.2015

## Historical versions

Reprint No 1—1.7.1991

Reprint No 2—15.1.1994

Reprint No 3—24.11.2003

1.7.2005

6.11.2008

1.2.2010

16.6.2011

1.7.2015