

South Australia

## **Water Resources (Northern Adelaide Plains Prescribed Wells Area) Regulations 2004**

under section 8 and Schedule 2, clause 2 of the *Water Resources Act 1997*

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### **Preamble**

- 1 A proclamation was made pursuant to section 41 of the *Water Resources Act 1976* (the **1976 Act**) declaring an area of the State to be the Northern Adelaide Plains Proclaimed Region for the purposes of that Act.
  - 2 Schedule 3, clause 2 of the *Water Resources Act 1997* (the **current Act**) provides—
    - (a) that a proclamation under section 41 of the 1976 Act in force immediately before the commencement of the current Act continues in force as though the proclamation declared the existing and future wells in its Proclaimed Region to be prescribed wells; and
    - (b) that such a proclamation may be varied or revoked by regulation as though it were a regulation under section 8(1) of the current Act.
  - 3 It is now appropriate to make a regulation under section 8 of the current Act declaring a number of wells situated in a part of the State that is adjacent to the northern boundary of the Northern Adelaide Plains Proclaimed Region to be prescribed wells.
  - 4 The regulations to be made under the current Act will (among other things) have the effect—
    - (a) of varying the area of the Northern Adelaide Plains Proclaimed Region by adding an area specified in the regulations to the Proclaimed Region; and
    - (b) of re-naming the whole of that area as the Northern Adelaide Plains Prescribed Wells Area in keeping with practices under the current Act.
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## 1—Short title

These regulations may be cited as the *Water Resources (Northern Adelaide Plains Prescribed Wells Area) Regulations 2004*.

## 2—Commencement

These regulations come into operation on the day on which they are made.

## 3—Interpretation

In these regulations—

*Act* means the *Water Resources Act 1997*;

**Kangaroo Flat Area** means the area marked "Kangaroo Flat Area" bounded by the bold black line on GRO Plan No 45/2000;

**Northern Adelaide Plains Prescribed Wells Area** means—

- (a) the Northern Adelaide Plains Proclaimed Region; and
- (b) the Kangaroo Flat Area,

being the area bounded by the bold black line on GRO Plan No 429/2003;

**Northern Adelaide Plains Proclaimed Region** means that area of the State declared by proclamation under section 41 of the *Water Resources Act 1976* to be the Northern Adelaide Plains Proclaimed Region (*Gazette 13.5.1976 p2459*).

## 4—Declaration of prescribed wells and exclusion of operation of section 7(5) of Act

- (1) Pursuant to section 8 of the Act, wells situated in the Northern Adelaide Plains Prescribed Wells Area and wells drilled in that Area after the commencement of these regulations are declared to be prescribed wells.
- (2) Pursuant to section 7(6) of the Act, the operation of section 7(5) of the Act is excluded in relation to any such prescribed well.

## 5—Establishment and prescribed periods

For the purposes of section 36 of the Act—

- (a) the establishment period in relation to the Kangaroo Flat Area of the Northern Adelaide Plains Prescribed Wells Area commenced on 1 July 1998 and ended at the commencement of the prescribed period; and
- (b) the prescribed period in relation to the Kangaroo Flat Area of the Northern Adelaide Plains Prescribed Wells Area commenced on 13 June 2002 and will end on 31 December 2006.

**Note—**

Section 36 has no purpose in respect of that part of the Northern Adelaide Plains Prescribed Wells Area that is the Northern Adelaide Plains Proclaimed Region.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

on the recommendation of the Minister and with the advice and consent of the Executive Council

on 22 July 2004

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