

SOUTH AUSTRALIAN GOVERNMENT

# **Review of the Soil Conservation Act 1939-84**

**Green paper**

Prepared at the direction of the Minister of Agriculture



**DEPARTMENT OF AGRICULTURE  
SOUTH AUSTRALIA**



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REVIEW OF THE SOIL CONSERVATION ACT

1939-84

GREEN PAPER

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Department of Agriculture

February, 1989



## FORWARD

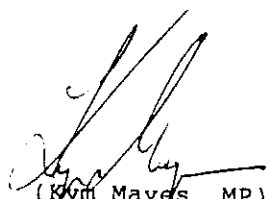
The Soil Conservation Act (1939-84) was first introduced 50 years ago and set up the framework for a successful community involvement programme in soil conservation. It also introduced regulatory powers to cope with the major land degradation problems of wind and water erosion.

Land degradation is recognised Australia-wide as the major natural resource management issue facing Australia at this time. It is appropriate that the legislation be reviewed and a new process introduced to recognise and better manage all land degradation problems facing South Australia. The Advisory Committee on Soil Conservation set up under the Act has suggested a planning approach to Soil Conservation and this concept has been used in developing the Green Paper.

I am seeking constructive comments on any aspect of the Green Paper to allow me to develop further the approach that should be taken in soil and land management in South Australia.

If required, copies of the current Soil Conservation Act are available from the State Information Centre, 25 Grenfell Street, Adelaide.

The Government in determining its policies will take into account all comments received.

  
(Kym Mayes, MP)  
MINISTER OF AGRICULTURE

Written comments should be forwarded by the 31st March 1989<sup>\*</sup> to:

Dr. J.C. Radcliffe  
Director General of Agriculture  
S.A. Department of Agriculture  
Box 1671 GPO  
ADELAIDE SA 5001

\*

Please note the public comment period has been extended till  
28th April 1989



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## OVERVIEW

This discussion paper is an important component in the review of the Soil Conservation Act (1939-84). Its prime purpose is to stimulate community participation in the review process.

The Soil Conservation Act (1939-84) replaced the Sand Drift Act (1923-35). These acts emphasised the need to manage the severe soil erosion which was causing damage to neighbouring land from wind borne soil or soil moved by water. The onus was placed on the offending land holder to make good the damage. Government realised the only group which could effectively change management practices which reduced land degradation was the landholders themselves. Accordingly the Soil Conservation Act (1939-84) introduced a system of Soil Conservation Boards and Local Committees with the aim to educate as well as regulate for improved land management.

The acceptance of the effectiveness of this approach has strengthened in recent years with the general community as well as with landholders/occupiers becoming more aware of land degradation. This has led to approximately a 40% increase in the number of Soil Conservation Boards in South Australia. While an educative approach rather than a regulatory approach has been used in recent years, there are still many instances where the Soil Conservation Boards have threatened to or applied a Soil Conservation Order to particular landholders/occupiers.

Reform of the Act centres on:

- ° clearly stating the duties of landholders/occupiers in soil and land conservation in protecting the resources for future generations;
- ° strengthening and broadening the roles of the Soil Conservation Advisory Committee and the Soil Conservation Boards;
- ° providing for a mechanism for the community groups to become more pro-active than reactive by providing a planning mechanism;
- ° retaining and reinforcing the concept that regulation should only be used where it is necessary to intervene to protect the resource after an educative, self help approach has not been successful;
- ° updating legal aspects of the Act to suit current land uses.

Submissions on this paper will be taken into account in deciding the future contents of the revised Act.

## INTRODUCTION

Over fifty years ago the need to protect the soil resources of the State was recognised and culminated in the preparation of the Soil Conservation Act. Today, evidence indicates that land degradation is still occurring from water erosion, wind erosion, salinity, soil acidification, water repellance and decline in soil structure. Each year it is estimated the loss in production in S.A. is at least \$80m annually. While these estimates have been made the scale of the whole problem is not clear and further quantitative data is required. The Department of Agriculture, together with other agencies and the CSIRO have technical programmes to develop management strategies to tackle these problems. In association with this Review and the update of the Act it is proposed to

develop a Soil and Land Conservation Strategy for South Australia. Appendix 2 provides an outline of the issues to be considered in the development of this Strategy. Comments received on the Green Paper will be used as one input into the preparation of a draft strategy to be released later in the year.

Given the potential economic as well as environmental and social implications of land degradation, the Advisory Committee on Soil Conservation in S.A. has identified the need to broaden the scope of the Soil Conservation Act (1939-84). This Act has effectively developed a community approach to soil conservation but has concentrated on specific, site related problems mainly involving water and wind erosion. The Advisory Committee on Soil Conservation has sought to expand the Act to formalise the introduction of planning for the prevention of widespread degradation of soil, land and water resources. A planning approach will provide guidelines for managing the use of the soil and land resource within its capability.

The South Australian Government has recognised the need to update and develop a new strategy to manage the State's Water Resources and Pastoral Lands. In accordance with recent initiatives it is appropriate to review and update the Soil Conservation Act (1939-84) to allow a more co-ordinated approach to the management of the State's natural resources. There are a number of related Acts which regulate the use of the natural resources of S.A. (Appendix 3). The objectives and duties of these acts will be taken into consideration in drafting the new act.

In 1983, at the request of the then Minister of Agriculture, the Advisory Committee on Soil Conservation commenced the development of guidelines to update soil conservation legislation in South Australia. This culminated in the release in 1986 of guidelines to a wide range of individuals and interested groups. They were subsequently modified and in 1987 a paper titled, 'Proposals for new Soil Conservation Legislation' was circulated. Comments and presentations to the Advisory Committee were received and the paper was amended taking into account the issues raised during this consultation phase. These guidelines have formed the basis for the preparation of this Green Paper.

#### BACKGROUND

The Soil Conservation Act was introduced in 1939 with a number of subsequent amendments, the last occurring in 1984. The principal intents of the Act is the structure of community groups to manage soil conservation, construction and execution of works for the prevention of soil erosion, for the conservation of soil, for conducting research as well as the creation, improvement and management of any soil conservation reserve.

#### Philosophy

Soil conservation is the adoption of sound land management practices and the prevention, mitigation or control of soil erosion and land degradation through the application to land of cultural, vegetative, structural and land management practices, either singly or in combination, which enable stability and productivity to be maintained or improved for future generations.

Soil conservation covers a much wider scope than preventing or controlling wind or water erosion on farming and grazing land. It covers the full range of circumstances under which land degradation occurs including salinization, pollution, acidification, compaction, siltation, coastal erosion, water logging, mining and urbanisation.

Soil conservation is not synonymous with soil preservation. It involves the use of the land for agriculture or other purposes, either intensive or extensive depending on climatic, topographic and economic factors. Accordingly soil conservation in South Australia is based on recognising the principle that the land resources including soil, water, flora and fauna are inter-dependent and must be managed in an integrated way. To this end it is considered that soil conservation should be based on ensuring the adoption of sound land management practices and engineering solutions are used when no other alternative is economically or technically feasible.

The prime responsibility for soil and land conservation rests with the landholder who is in the best position to implement the necessary measures. Education and cooperative action with landusers rather than regulation and confrontation is most likely to achieve the objective of soil conservation and responsible land management. The involvement of community groups is seen as essential to this education/co-operation process. Soil Conservation Boards and their Local Committees are a vital component of this community process, and a comprehensive network of boards across the State will enhance the objective of encouraging efficient use of the land.

While the land user has the prime responsibility for soil and land conservation, the community, through the Government has a responsibility to ensure the land is being managed within its capability. Beneficiaries include not only the immediate owner but also adjacent and distant neighbours and future generations. It is necessary for the Government to use regulation to ensure South Australia's resources are not degraded and also to ensure that technology and information is available for the community to act. This takes the form of accumulating resource information and monitoring changes as well as extension and research to directly assist land managers in utilizing the resource.

#### Costs and Benefits of Soil Conservation

As indicated earlier the costs of land degradation are significant and need to be reduced. Current expenditure on Soil Conservation by the Department of Agriculture and the Commonwealth Government in the form of funds for the National Soil Conservation Program are summarised in Table 1.

Table 1:

Source	Total (1988/89)
Department of Agriculture (Salaries and Operating)	\$ 2,660,114
Commonwealth Government (National Soil Conservation Program)	\$ 914,722
	<hr/>
	\$3,574,836

The Commonwealth Government has allocated an increase in funds to support community based programs which will increase funding for soil conservation in S A from \$370,000 in 1987/88 to a \$1.4m, forward commitment for 1989/90. This funding will support Soil Boards in South Australia by providing technical support and facilitate the development of community involvement programmes.

Some of the major benefits to the State from Departmental activities include the introduction and widespread adoption of conservation farming techniques and the protection of sloping land with soils at risk of water erosion by introducing contour banks to 260,000 ha since 1941. Management strategies have been developed to minimise wind erosion to sand dunes particularly in the Murray Mallee and Eyre Peninsula. Research is currently being undertaken into the management of acid soils, land salinisation and water repellance of soils.

Specific advice is provided to landholders by regionally based Soil Conservation Staff and the Advisory Committee and Boards are technically supported by these and other Departmental staff.

The benefits over the past 50 years are difficult to quantify but it is well recognised the changes to the landscape are very significant with rehabilitation occurring to many of the areas which were affected by wind and water erosion. The future potential benefits from addressing the expanding problems of land degradation could return over \$80m annually to the State.

#### CURRENT LEGISLATION

##### Administration

The Minister of Agriculture has overall responsibility for the Act. In order to ensure that the Minister is aware of potential or existing problems of soil conservation, the Act has established the Advisory Committee on Soil Conservation. Within Soil Conservation Districts, District Soil Conservation Boards have been established to foster local interest in soil conservation. These Boards can establish local committees to conduct inquiries, investigations and negotiations connected with the work of the board.

##### *Powers of the Minister*

The Soil Conservation Act 1939-84 is the legislative basis for all governmental soil conservation activity. Section 10 of the Act makes provision for the execution of works for soil conservation by the Minister:

"The Minister may on any land construct or execute any fences, contour banks, channels, or other work or do any act or thing which in the opinion of the Minister is necessary or expedient to construct, execute or do for the purpose of conserving the soil of any land or for the purpose of conducting research into causes and modes of prevention of soil erosion."

##### *Advisory Committee on Soil Conservation*

Section 4 of the Soil Conservation Act (1939-84) provides for the appointment of an Advisory Committee of not more than seven members to be appointed by the Governor and two should have experience in the pastoral industry.

The duties of the Committee are to advise the Minister on soil erosion and soil conservation, and to recommend to the Minister any action it believes necessary to prevent erosion or to restore eroded land.

The Committee has chiefly influenced policy by initiating new legislation commenting on draft legislation and establishing a clearer focus for soil

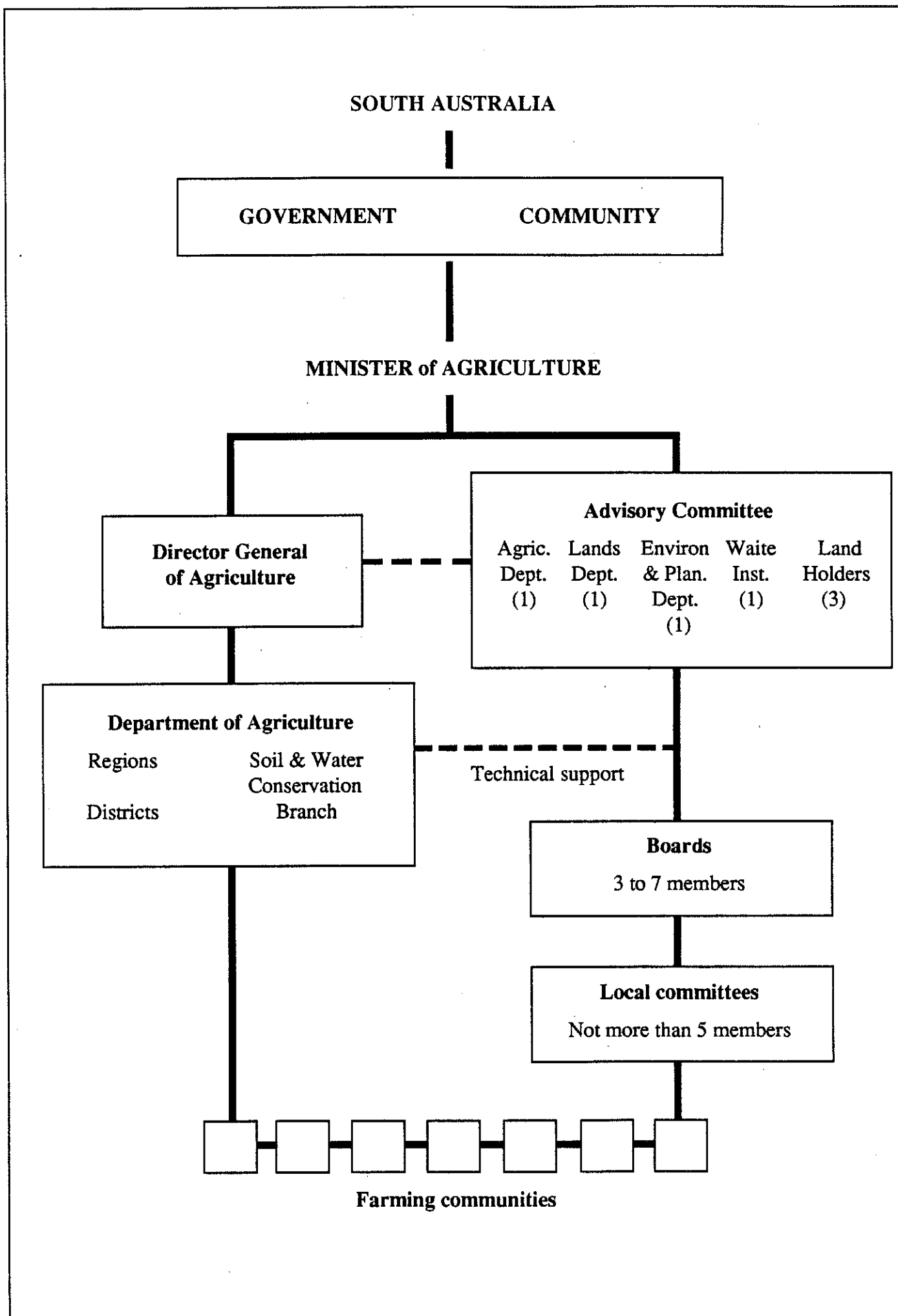


Figure 1: The Soil Conservation Act (1939-84) structure.

conservation in S.A. through a planning and reporting process. The Committee maintains active liaison with the District Soil Conservation Boards by visiting a number of districts each year and holding a workshop for Chairpersons. It must approve all nominations for board membership, and all proposals to establish new soil conservation districts.

The Committee must consider and decide the validity of all provisional soil conservation orders made by the Soil Conservation Boards or the Soil Conservator. The Committee has the power to authorize work to be done in compliance of a soil conservation order where the person bound by the order fails to do so. Any expense incurred in this way by the Committee becomes a debt due to the Crown.

The relationship between the Advisory Committee and the Department of Agriculture, the district Soil Conservation Boards and farmers is illustrated in Figure 1. Technical, administrative and clerical support for the Advisory Committee is provided by the Department of Agriculture.

#### *Soil Conservation Districts*

The Soil Conservation Act Section 6(a) provides for the establishment of soil conservation districts, for the altering of boundaries of soil conservation districts, and for the abolition of soil conservation districts.

In practice the initiative usually comes from local government councils or from groups of land occupiers where local government does not exist. When all councils concerned are in agreement, the Minister may recommend to the Governor the formation of a Soil Conservation District. Alternatively, the Minister may conduct a poll of owners and occupiers within the proposed District and recommend to the Governor the establishment of a District on a majority vote. This alternative is used in those parts of the State where there is no local government.

#### *Soil Conservation Boards*

Section 6(d) of the Soil Conservation Act provides for the establishment of a District Soil Conservation Board for each district.

The boards consist of from three to seven members, one of whom is elected by members of all district councils wholly or partly within the Soil Conservation District. The remaining Board members are appointed on the recommendation of the Advisory Committee. The Advisory Committee obtains names from a general advertisement calling for nominations and by consultation with the local community and local government. The process is managed by the Department of Agriculture. Members serve three year terms.

The duties of a Board (defined in section 6(e) of the Act), are to foster local interest in soil conservation, undertake investigations required by the Minister or Advisory Committee, make reports and recommendations on soil erosion and conservation and make orders as defined in the Act.

#### *Local Committees*

Boards may appoint local committees to help them with their activities.

### *Soil Conservator*

The Soil Conservator is the Chief of the Soil and Water Conservation Branch and fulfills administratively the role of a Soil Conservation Board where there is not a properly constituted Board in existence.

### *Soil Conservation Orders*

The Boards have the power under Section 6e(e) to make soil conservation orders. Where a Board does not exist Soil Conservation Orders are managed directly by the Soil Conservator. Orders can be sought by owners of land, the Minister or a Local Committee.

Sections 13(b) to 13(n) describe the procedures for making soil conservation orders. The order include instructions to the landholder to use specific land management methods to overcome land degradation, preserve existing vegetation, to prevent drift and erosion and to make good any damage to neighbouring properties. The orders are not effective until they are endorsed by the Advisory Committee. Section 13(a) requires the owner/occupier of the land to take reasonable precautions to prevent occurrence of soil erosion on the land.

The Board is required to monitor progress with soil conservation orders. This includes ensuring that respondents comply with the conditions of the order and negotiating any problems which occur subsequently. Where a respondent does not comply with a soil conservation order within a reasonable time, the matter is referred to the Advisory Committee for action. If appropriate, the Advisory Committee will authorize contractors to do any work required, bill the landholder and, if necessary, register the debt on the title. Soil conservation orders can be discharged on application to the Board which must first satisfy itself that all conditions have been complied with.

### WHY LEGISLATE

It was recognised earlier in this paper that the primary responsibility for soil care and land management lies with the land-owner or occupier but the ultimate responsibility lies with the Government to ensure that the land is used appropriately. If the Government is to ensure land is managed effectively to prevent its degradation for future South Australians, it is necessary to educate people in improved practices and also to be able to deal effectively with individuals or groups who will not recognise the wider community requirement of all land holders to conserve the resource. Ownership of land does not give an individual the right to allow the land to degrade.

The current legislation was introduced simply with the objective of preventing soil erosion. Salinity, water logging, soil acidification and soil structure decline and other forms of degradation are not specifically covered. Further the current Act is considered too reactive. Soil conservation orders can only be raised once a soil erosion problem has been identified and is degrading the land or affecting a neighbour. It does not recognise nor emphasise the need for management and planning to prevent land degradation. Offenders are penalised once a problem has occurred rather than the emphasis being on corrective measures and prevention.

The current legislation was written with the primary objective of minimising water and wind erosion. Land degradation is widespread and has a variety of forms throughout South Australia. There is a need to widen the scope of the legislation to allow for a more proactive approach and to include all forms of land degradation.

#### PROPOSED OUTLINE OF THE SOIL AND LAND CONSERVATION BILL

This paper deals with a review of the major components of the Act and its principles. It critically examines the practicability and economic justification for their continuation, amendment or additions.

No attempt has been made to resolve matters of drafting detail or clarity of language in the Act. These matters will be addressed by the Parliamentary Counsel when the Bill is being drafted.

#### Objectives of the Act

The proposed Soil and Land Conservation Act should include the following objectives:

- . the recognition of soil and land as one of the State's most important natural resources and the requirement to conserve soil to continue to provide growth and maintenance of plants.
- . the use of all land to be appropriate to the capability of that land to sustain that use indefinitely.
- . the integration of soil and land care into overall land management practice. Land management practices include the adoption of technology to ameliorate soil erosion and land degradation such as contour cultivation, stubble-mulching, fertilizer use and grazing control.
- . the prevention of the development of soil and land degradation and correction of existing soil and land degradation on all land in South Australia. Soil and land degradation can occur as a result of wind and water erosion, salinization, water logging, siltation, soil compaction, soil acidification, water repellance, loss of structure and fertility, mass movement and pollution.
- . to form the basis of management and conservation of crown lands and pastoral lands as well as complementing legislation on vegetation retention, water management and pest plant and animal control.

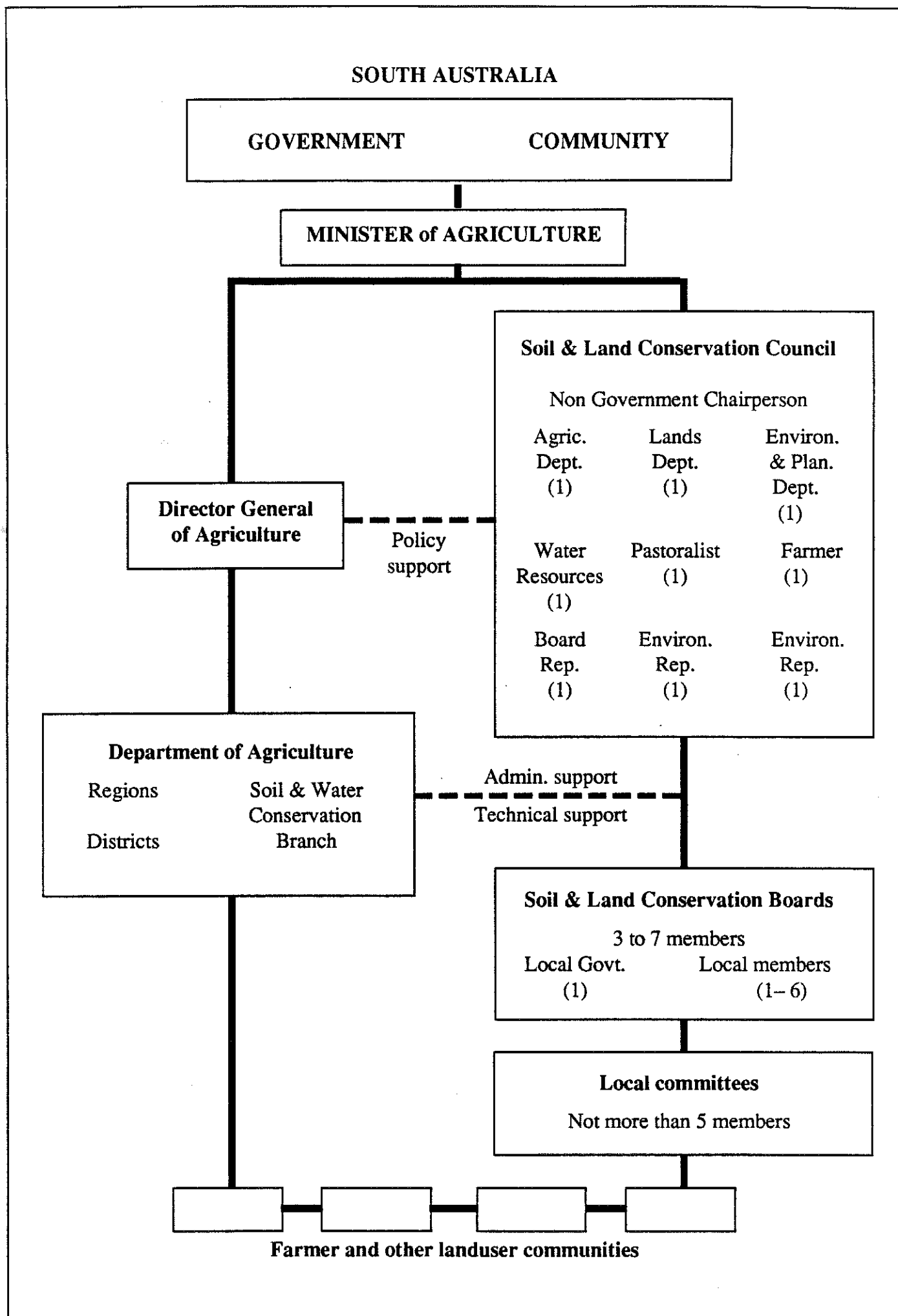
#### Administration

##### *Powers and Function of the Minister*

The current Act does not clearly indicate the powers and functions of the Minister. There is merit in the Act doing so. Currently the Advisory Committee on Soil Conservation and Soil Conservation Boards are appointed by the Governor which is administratively cumbersome. It is suggested that:

- . the Minister will administer the Act





**Figure 2: Proposed Soil and Land Conservation structure for South Australia.**

- . the Minister will manage the soil and land resources of the State in keeping with sound land management practices.
- . the Minister will, to the extent allowed by available resources:
  - carry out investigations and surveys to determine land capability for various land use activities throughout the State.
  - cause works to be carried out for the conservation, improvement, protection or development of land resources including the implementation of the principle of conjunctive land and water resource management.
  - take appropriate action to facilitate the development and implementation of district and property planning throughout the State and monitor compliance with Soil and Land Conservation Orders.
- . the Minister will, after appropriate public consultation develop and keep under review strategies for the management of use or conservation of soil and land resources.
- . the Minister will promote public awareness of the importance of soil to the State and endeavour to secure, through the auspices of the Soil and Land Conservation Council, Soil and Land Conservation Boards, Local Committees and any other groups or the general public, cooperation towards achieving the objects of the Act.

#### *Administration*

It is proposed to continue with the three tiered system which has successfully provided community involvement in soil and land conservation. The duties of these groups needs to be strengthened to increase their role in soil conservation particularly the current Committee. It is also important that these groups not only concern themselves with the soil but also with the management of the land, particularly that not used for cultivated agriculture (e.g. rangelands, forests, pastures), to ensure it is managed in a sustainable form and does not degrade. Consequently it is proposed to form a Soil and Land Conservation Council, Soil and Land Conservation Boards and Local Committees. These groups will be supported by the Department of Agriculture staff and other community groups where practical (see figure 2).

#### *Soil and Land Conservation Council*

The Soil and Land Conservation Council will advise the Minister on any land management action required to ensure all land is used within its capability. The Council will:

1. Provide advice to the Minister on the development of land use and soil conservation policy.
2. Provide advice to the Minister on the level of soil and land degradation in the State.
3. Foster the development of a soil and land conservation strategy in S.A. which may include programs recommending research, extension and regulatory work.

4. Promote land capability planning as the basis for sound land management over catchment areas and on individual farms.
5. Take steps to alter unsound land management practices by encouraging land management plans to be adopted.
6. Facilitate the proclamation of soil conservation boards throughout the State, and define their boundaries.
7. Co-ordinate, maintain, and monitor the effectiveness of soil conservation boards.
8. Work with other Government agencies, local government, landholders organisations, and the community to achieve better land care.
9. Report annually to Parliament on the progress of the Council in meeting the objectives of this Act.
10. Take legal action on behalf of boards to enforce the legislation if necessary.
11. Fulfil its commitments under the legislation within the period to the year 2000.

#### Composition

1. A non government chairperson who has experience and knowledge in soil conservation and land management issues to be appointed by the Minister of Agriculture.
2. A person with pastoral management experience to be appointed by the Minister of Agriculture from a panel of three nominees submitted by an appropriate farming organisation in S.A.
3. A person with practical farming or grazing management skills, to be appointed by the Minister of Agriculture from a panel of three nominees submitted by an appropriate farming organisation in S.A.
4. A person with experience in the conservation of the biophysical environment to be appointed by the Minister of Agriculture from a panel of three nominees submitted by an appropriate Conservation Group in South Australia.
5. A person with experience in the conservation of the environment to be appointed by the Minister of Agriculture from a panel of three nominees submitted by an appropriate Conservation group in South Australia.
6. A person with experience in the soil conservation board systems to be appointed by the Minister of Agriculture from a panel of three submitted by established boards.
7. A person nominated from the Department of Agriculture with professional experience in land management and with administrative experience in implementing soil conservation and land management strategies.
8. A person from the Public Service with relevant experience in public administration of environmental matters.

9. A person from the Public Service with relevant experience in public land management.
10. A person from the Public Service with relevant experience in water resource management.

The Department of Agriculture will provide the executive support to the Council.

#### *Soil and Land Conservation Districts*

Districts should continue to be formed with the aim to cover the State by the year 2000. It is anticipated that by 1990 nearly 75% of State will be included in Soil and Land Conservation Districts. The main regions of the State not covered are the South East and Aboriginal lands of the north west of the State. The proposals to form a district should continue to be negotiated by the local community with a recommendation from Local Government or a majority of landholders/occupiers in the area. The boundary of soil conservation districts are expected to adjust over time and allowance for this should be included in the Act.

#### *Soil and Land Conservation Boards*

A Board should be formed for each of the Soil and Land Conservation Districts with the intention of developing a soil and land conservation ethic in its district and assisting land-owners to self-regulate and meet soil and land use management standards negotiated through land capability plans. Boards will require financial and workforce resources to enable them to achieve these ends.

Membership of the Soil and Land Conservation Boards should be approved by the Minister of Agriculture on the advice of the Council and proclaimed under specific names. The members should be drawn from the local community through a public call for membership and selection made on criteria established from time to time by the Minister. The skills of the members should reflect the variety of land uses and conservation issues of the district.

#### *Duties*

The duties of the Board will be to:

1. Foster a land care ethic in the soil and land conservation district and promote Community participation in working jointly towards soil and land conservation.
2. With authority from the Minister, administer the requirements of the Act.
3. Prepare a district soil conservation plan by 1995, and three yearly district programme for the implementation of these plans.
4. Promote the development of soil and land use capability plans for each property as measures to improve land management and stop soil degradation. If land is being used beyond its capability and the occupier will not implement an effective property management plan, refer the matter to the Council for further action.
5. Administer finances necessary to achieve the duties outlined in 1. and 2. above.

6. Report annually to the Council on land conditions and its management in the district, and make appropriate recommendations.
7. District plans should be reviewed and updated at least at 10 yearly intervals or at the request of the Minister.
8. Make any investigations required by the Council.
9. Set up local committees when necessary to foster interest in soil and land conservation or address local soil and land conservation issues.
10. Assist and advise other agencies in solving other land management issues.

#### Composition

The membership shall be appointed by the Minister of Agriculture after seeking a recommendation from the Council and shall consist of:

1. A nominee of the Local Government in the District appointed according to the regulations. Where there is no Local Government within the District an additional member may be appointed by the Minister.
- 4-6 Members drawn from the local community with an interest and commitment to land care and active land management and represent a diverse range of land users.

The board will be given technical support by a member of the Department of Agriculture or other relevant agency.

In order to promote their autonomy, the Boards should be able to manage and be accountable for their own finances, seek grants from industry and government, and run income producing activities and generally seek other forms of sponsorship for their activities. The finance should be managed according to regulations produced under the Soil and Land Conservation Act.

#### *Local Committees*

A board may:

- . appoint local committees to conduct enquiries, investigations and negotiations connected with the work of the board.

The committees should have the ability to act for the Board and may be structured to focus on either geographical areas or special soil or land management issues in the district e.g. catchment committee, salinity committee or treeplanting committee.

#### Soil and Land Management Plans

The future actions of landholders should be based on soil and land management plans which define the suitability for various uses of the land in South Australia, and the management needed to sustain the land for those purposes. The Council should develop and thereafter keep under review guidelines for the preparation of plans and then seek the production of plans for each soil conservation district throughout S.A. and encourage the adoption of plans at a property level in order to promote soil and land management. In the pastoral area, district and property plans produced for the management of

pastoral leases should follow in the same format and guidelines required under the Soil and Land Conservation Act, with the plan fulfilling the requirements of both the proposed Pastoral Land Management Act and the proposed Soil and Land Conservation Act.

#### *District Soil and Land Conservation Plans*

These plans are broad scale, aimed at helping the members and community understand their whole district. They should classify land types in the district and determine the land degradation problems associated with each land type and its cause, extent and severity. These plans should include the development of criteria for managing each land type within their capability and set minimum standards for land management in the district.

The District plans should be produced and provided for public inspection and comment prior to forwarding through the Council to the Minister of Agriculture. The Minister, if satisfied, should endorse the plan.

#### *Three Year Programmes*

These programmes, based on information contained in a district plan, should be developed by each board to highlight the soil conservation priorities for the district and entail demonstrations, investigations and research. They will state the Board's aims and describe the activities to be undertaken to achieve these aims.

#### *Property Plans*

These plans, covering individual properties, would be based on land capability and reflect district standards. Boards would encourage development of property plans throughout their areas on a voluntary basis. Where significant land degradation problems exist or could occur or where as a last resort legal action is required, then a compulsory property plan can be obtained as a Soil and Land Conservation Order. Where a plan has been required due to the application of an order the landowner or occupier should have the ability to appeal to the Council who shall consider the appeal after seeking the advice of the Soil and Land Conservator.

#### Soil and Land Conservation Orders

Currently Boards have the ability to make a Soil Conservation Order where land within the District of that Board is likely to be damaged by any actual or potential agricultural or pastoral practice, clearing or failure to take reasonable precautions to prevent erosion or drift on that land or any other land. The duty of the owner or occupier of the land is to take reasonable care to prevent the occurrence of land degradation which includes vegetation decline and soil loss.

It is proposed there be two types of orders. The first would operate where an immediate problem occurs which requires quick action (eg. a short term solution may be required such as in the case of sand drift or water erosion which is degrading the land and may be damaging a neighbouring property). This order would require the undertaking of an immediate remedy. The second type would operate where a property is degrading over time and a longer term solution is required. This type of order would require the production and implementation

of a property plan. This plan may be requested by the Minister or a Board. Other land users/occupiers in the district may request a Board to initiate an investigation into the need for either form of order.

#### Powers

Where a soil and land management problem is deemed to exist, then a Soil and Land Conservation Order requiring the implementation of a soil and land management plan should be the vehicle to redress the problem. Where a landholder/occupier is affected by drift, water erosion, or other land management problems caused by mis-management of a neighbouring property which have immediate effects, then an application for a Soil and Land Conservation Order may be made and heard by the Soil and Land Conservation Board and an interim Order applied with a recommendation made to the Council seeking endorsement of the Order. An appeal by the landholder/occupier can be heard by the Council.

The powers required to undertake and enforce this activity shall be:

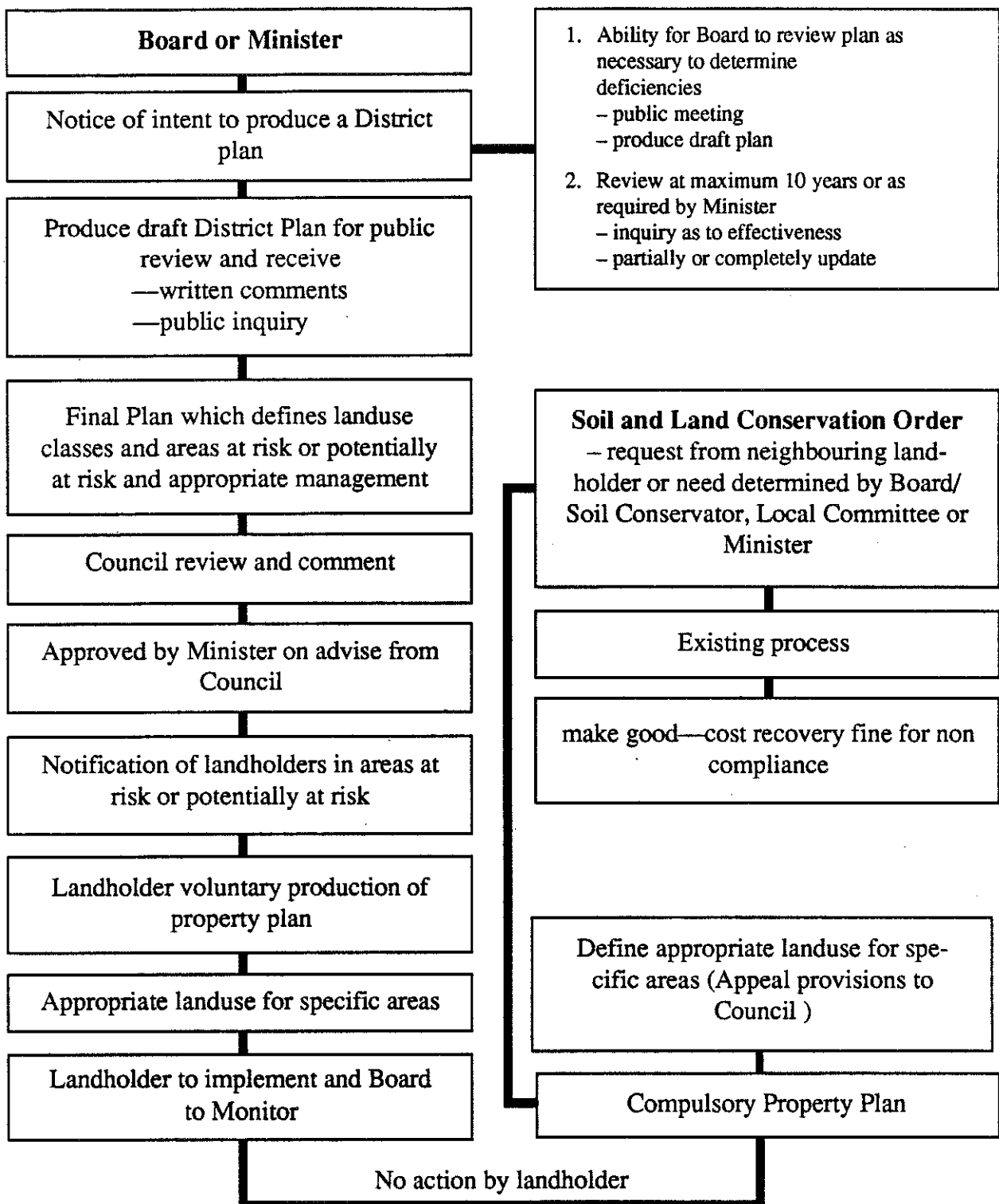
- (i) powers to enter onto land to make an assessment with penalties for obstructing.
- (ii) powers to make orders against land holders for corrective action and to make good any land, roadway, or other property affected by drift, erosion or land degradation and penalties for non-compliance.
- (iii) powers to require the implementation of a compulsory property plan and penalties for non-compliance.
- (iv) powers to make corrective work a first charge against the land and be a debt on sale of the land
- (v) powers of acquisition or conveyancing of the property
- (vi) powers for the proclamation of Soil Conservation Reserves and penalties for damage to a reserve
- (vii) powers to stop removal of trees where it may have the potential to cause a land degradation problem or require the planting of trees or other vegetation if it is required to reduce a problem and penalties for non-compliance.

The primary intent under the Act is that all landholders should take a major part in land management. The principle action is the preparation of property plans. It is recognised that a number of land owners/occupiers have already recognised the advantages of this form of planning like the adoption of any good farming technology. Having the need accepted by all land occupiers and users is the challenge.

#### Implementation of the Act

A flow chart (figure 3) shows how the components of the Act will be implemented. Wherever a properly constituted Board does not exist, the role of the board should be undertaken administratively by the Soil and Land Conservator. Briefly it is proposed the district plan would be produced by the Board (or where an effective Board is not in existence the Soil and Land

## DISTRICT AND PROPERTY PLANNING PROCESS



Note: The Soil and Land Conservator has responsibility of a Soil and Land Conservation Board only where a properly constituted Soil and Land Conservation Board does not exist.

**Figure 3: Implementation of the Soil and Land Conservation Act.**



Conservator). The district plans should be produced, offered for public inquiry and written comment in the district and then submitted to the Soil and Land Conservation Council for comment and recommendation to the Minister. The Minister, if satisfied should approve the plan. The plan should be updated regularly, at least every 10 years or at the request of the Minister.

The Board should produce a three year programme which is endorsed by Council. The programme would include not only research and extension activities, but an action plan where significant land degradation problems are tackled utilising group catchment schemes or other land holder based activities. The land holder/occupiers should be encouraged by the Soil and Land Conservation Board to produce and implement complementary property plans. If the issue in the opinion of the Board is serious and no voluntary action has been taken, then a compulsory plan can be requested from each land holder with the requirement the plan be implemented. Where there is failure to do so, then the powers of the Act can be used. Where compulsory plans are required, the plans should be endorsed by the Board but the land holder/occupier should be given the ability to appeal to the Council about the terms and conditions of the plan.

The current provisions in the Act allow for immediate remedies to be implemented to stop drift or water erosion onto neighbouring land and make the offending land holder responsible to make good damages caused by the drift or erosion. This power to take immediate action should be retained but with the ability to integrate it with a longer term property planning exercise.

#### *Encumbrance*

Where a property plan has been produced and implemented the ability for that plan to become an encumbrance or the title of the property should be adopted. This encumbrance would only be placed on the title at the request of the current landholder. In order to modify such a plan a future owner would require the approval of the Board to modify the plan to suit their future programme of works.

#### *Incentives*

Two main incentives can be identified,

- (i) Soil conservation works can be recouped as a taxation deduction
- (ii) the provision of a Soil Conservation Loan to undertake works associated with an approved property plan. This is included under the current act and is managed by the Rural Assistance Branch.

#### *Protection from Liability*

It is appropriate that all persons engaged in the administration of the Act, whether they be members of Council, Board or Committees or officers of any agency of Government, should incur no liability for an honest act or omission in the exercise or discharge of a power, function or duty under the proposed Soil and Land Conservation Act.

It is also appropriate that since each Board should have the ability to manage finance, each Board should be incorporated to protect members against financial liability.

In a similar view, the Department produces material including maps, reports and other data. It is appropriate that there be protection in the situation where incomplete or incorrect data has been used in the preparation of this material.

#### *Payment of Members*

It is usual to provide travel costs and a sitting fee for private members of the Advisory Committee and Boards it is considered appropriate that the Act make similar provisions for the proposed Council and Boards.

Current budget allocation for the operation of the Advisory Committee and Boards is \$44,000 for 1988/89. This allocation primarily relates to the provision of sitting fees (\$50 per member for a 4 hr session) and meeting travel costs for formal Board meetings. The allocation for the Advisory Committee amounted to \$24,000 to provide for workshops, travel and sitting fees. Although it is proposed to increase the membership to 10, no significant increase in funding requirements is anticipated.

The total allocation for the operation of the Boards in 1988/89 was \$20,000 with nominally \$2,500 being provided for the operation of each Board. Depending on the number of meetings and other costs a number of Boards have used some of their allocation for demonstration days and the like.

It is estimated that by the year 1991 when it is expected that the majority of the State will be covered by the Soil and Land Conservation Districts the budget requirement for the Council and Boards will be in the order of \$100,000.

#### Regulations

It is proposed regulations will be required for:

- (1) The administration of the Act ie (a) election of Local Government representative to the Board, (b) poll of landholders/occupiers or Local Councils to form or vary soil conservation district and (c) financial management and operations of the Boards.
- (2) Guidelines for the preparation of district and property plans.
- (3) Ability to produce any regulation which may facilitate the administration of the act.

#### Sunset Clause

It is proposed the legislation should be established to provide a framework for improving soil and land conservation in Australia. It is expected by the year 2000 that much of the activities put in place such as District and Property Plans should have been adopted. The system at this stage should be evaluated and consequently it is proposed a sunset clause be placed in the act which requires the Act to be evaluated at that time. The sunset clause does not mean that legislation will not be required.

Penalties

The penalties for soil conservation and land management have not been upgraded since 1978. Some of the penalties are still appropriate for managing the land. The penalty for non-compliance with a compulsory Property Plan or Soil and Land Conservation order should be increased significantly to ensure the effective implementation of this methodology. Penalties related to a soil order on a stock route is not necessary since stock are now mainly shifted by road and rail transport.

TABLE 2

Current and proposed penalties in the proposed Soil and Land Conservation Act

	<u>Max Current Penalty</u>		<u>Max Revised</u>
	<u>Amount</u>	<u>Date Set</u>	<u>Penalty</u>
Drift to other land causing damage	\$1000	1978	\$2000
Preventing an authorised person entering onto land	\$ 500	1978	\$1000
Damaging a soil conservation reserve	\$ 500	1978	\$1000
Driving stock when soil notice on-route	\$1000	1978	-
Removing trees which prevent degradation	\$1000	1978	\$2000
Contravening an order to retain trees	\$1000	1978	\$2000
Failing to replant trees required in an order	\$1000	1978	\$2000
Failing to abide by Soil and Land Conservation Order (annual charge)	\$1000	1978	\$5000
Fines prescribed in regulations	\$ 500	1978	\$1000
Fails to implement a compulsory property plan (annual charge)	-		\$5000

APPENDIX 1

PROPOSED SOIL AND LAND CONSERVATION ACT

INTERPRETATIONS

(Derived where possible from the "Glossary of Terms used in Soil Conservation", P.D. Houghton and P.E.V. Charman. 1986.)

The Council	-	the Soil and Land Conservation Council appointed under this Act.
Minister	-	the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor.
Board	-	a District Soil Conservation Board appointed under this Act.
catchment	-	That area determined by topographic features within which rainfall will contribute to runoff at a particular point under consideration.
Council	-	A municipal or district council.
Crown Lands	-	any land vested in or controlled by any public authority.
damage	-	includes harm whether actionable apart from this act or not.
District	-	a Soil Conservation District constituted under this Act.
local government area	-	the whole or part of a council's administrative area.
land capability	-	The ability of land to accept a type and intensity of use permanently, or for specified periods under specific management, without permanent damage.
land degradation	-	The decline in the quality of natural land resources, commonly caused through improved use of the land by humans.
land management	-	the application of cultural, structural, vegetative or any other types of measures, either singly or in combination, in order to achieve a desired land use.
land management plan	-	a structured plan to put the above into operation.
approved land management plan	-	a land management plan approved by the Council.

land management practices	-	practices adopted to ameliorate soil erosion and land degradation such as contour cultivation, stubble-mulching, fertilizing, rotational grazing, destocking and vegetation management and other engineering works as contour banks and channel improvement.
occupier	-	the person in actual occupation of the land including public authorities or if there is no person in actual occupation, the person entitled to possession of the land.
region	-	a tract of country with clearly defined boundaries.
owner	-	(a) a person including a public authority holding an estate in fee simple in the land, or who is a mortgagagee in possession of the land. (b) a lessee holding a Crown Land lease
public authority	-	a Minister of the Crown or any statutory authority representing or acting on behalf of the Crown, any council or any other local authority.
soil erosion	-	the natural or accelerated removal or deposition of soil which may be detrimental to agricultural, pastoral, horticultural, conservation or forestry activities, or to public utilities.
soil conservation	-	the prevention, mitigation or control of soil erosion and land degradation through the application to land of cultural, vegetative, structural and land management measures, either singly or in combination, which enable stability and productivity to be maintained for future generations.
soil conservation works	-	structures necessary for soil conservation and operations incidental thereto, and includes works required to be done by or pursuant to this Act.
soil and land conservator	-	A senior public servant appointed by the Minister to administer the powers under the Act in the absence of an effective Soil Conservation Board.
salinization	-	the deterioration of soil quality or water quality resulting from the accumulation of or a variation in the amount of any salt in soil or water.
capability	-	the utility of a landscape for the production of a specific product.
sustainability	-	the continued production at a particular level, and the ability to continue to produce a particular yield over an extended period without the degradation of the resources.

## APPENDIX 2

### OUTLINE OF PROPOSED SOIL AND LAND CONSERVATION STRATEGY FOR SOUTH AUSTRALIA

#### BACKGROUND

The proposal to introduce the Soil and Land Conservation act will create considerable interest in mitigating the effects of land degradation in South Australia. In order to co-ordinate and focus this interest it is proposed to develop a Soil and Land Conservation Strategy for the State.

This Strategy will compliment the recently adopted National Soil Conservation Strategy which encourages the production of State strategies. On a National basis it is recognised that Australia's soils are a limited resource. Soils are formed slowly and must therefore be regarded for practical purposes as non-renewable in the context of current use and management decisions. They are basic to the maintenance of essential ecological processes and the production of food, fibre and shelter. The nation's long term economic wellbeing depends on the management of soils for sustainable use. With proper use and management, land degradation can be reduced or contained; environmental damage can be minimised; and productivity sustained or improved.

There is competition for the use of our soils. Careful land use planning is essential if soil resources are to be conserved. Such planning requires thorough assessment of land capability.

#### OBJECTIVES

Recognising the National approach it is considered appropriate for South Australia to develop its own Strategy recognising the following objectives:

- (a) To ensure that all soil and land resources in South Australia are used within their capability.
- (b) To develop and promote viable management systems for the sustainable use of the soil and land resource of South Australia
- (c) To ensure that land use decisions are based on whole catchment/regional land management planning concepts.
- (d) To ensure the effective co-operation and co-ordination between all disciplines, agencies and sectors of the community involved in the use and management of soil and land.

#### COMPONENTS

In order to satisfy these objectives several components have been identified and include:

##### Public Awareness and Education

AIM: To foster community involvement in programs for soil and land conservation and generate a community ethic for the management of the State's land resources.

It has been identified that there is a need to instill a land care ethic into rural and urban populations using a number of different but complimentary approaches. Initially this will focus on 1990 the Year of Soil Conservation to be followed by the Decade of Soil Conservation. There are many groups in the community with an interest in soil conservation and the Year of Soil Conservation will provide an ideal opportunity to get these groups together and working with the same objectives. It also provides a focus for targetting the urban community which should be aware of and support the need for South Australia to protect its soil resources and for informing land managers of their responsibilities in land management and training them to carry out these responsibilities effectively.

This will involve the establishment of a media campaign to highlight soil conservation activities, the production of teaching packages for schools and development of training programs for land managers which includes demonstrations, videos and other training material.

#### Land Resource Evaluation and District and Property Planning

AIM: To provide the methodology and resource evaluation material required to allow District and Property planning to occur.

The conservation of soil resources is fundamental to the long-term viability of our society and in particular agricultural production. In order to address the various issues there is a need to provide a framework for the implementation of management strategies.

Any management program requires a plan and a fundamental component of the plan is information about the land itself and the capacity (or capability) of the land to support various land uses on a sustained basis. Only when this information is available can decisions be made about the priorities and ensure the appropriate resources are made available.

The proposed Soil and Land Conservation legislation places emphasis on the need for District and Property planning as the focus for increasing community and land-holder involvement in soil conservation. In order to facilitate this program there is a need for a land classification coverage of all the agricultural regions of the state as well as the development of a methodology for integrating this information into the planning process. This will involve the development of a resource pool of expertise and equipment to support this process.

#### Development and Adoption of Land Management Practices

AIM: To ensure the most appropriate land management practices are developed and adopted by land managers.

Land degradation comes in many forms and is widespread throughout the State and includes water and wind erosion, land salinisation, soil acidity, soil structure decline, waterlogging etc. There is a need to develop specific management strategies for each form of degradation.

In each case there is a need to identify areas which are at risk from inappropriate land practices and produce guidelines for future use. Initial research as well as information transfer of improved management practices are essential to ensure that the land resources are used within their capability. Both wind and water erosion are widespread throughout the State including the



pastoral regions where some form of degradation is evident over 360,000 square kilometres of land. Many solutions can be identified, the major problem is how to implement them in a cost effective manner.

Soil acidity is widely reported. The rate of acidification is generally slow but is most severe in the poorly buffered soils located in high rainfall areas. The adverse effects are complex and range from toxicities of aluminium and manganese, deficiencies in molybdenum and calcium to defective nodulation and increased root disease. Research is required to define areas affected and at risk as well as developing treatments and plant breeding to overcome the problem.

The extent of land salinisation is increasing from the initial estimate of 55,000 hectares in 1982 to about 220,000 hectares in 1988. A great deal of work has occurred in the field of salt land agronomy but there is little information available which provide landholders with an approach to ensure the problem does not develop further. Research into the processes of land salinisation is required.

Soil structure decline is probably the most serious problem in economic terms with lost production nearly \$60m annually. Considerable research has occurred since the early 1970's into this problem and a number of techniques have been developed. The principle requirement is for an overall assessment and transfer of information on conservation land management practices derived from research, extension and farmer experience during the last decade.

#### Land Use Change

AIM: To encourage viable agricultural production and to ensure land use changes do not adversely affect agricultural practices throughout the State.

The urban expansion of Adelaide has removed from productive use large areas of agricultural land and replaced it with houses, roads etc. There is a need to evaluate the potential and existing use of all land to ensure that it is put to the most suitable use. Similarly the current debate about continued cereal production in northern Eyre Peninsula needs to focus on the long-term viability of this form of agricultural production in the region. This component requires an evaluation of the importance of agricultural production to the State and to various regions. The determination of the most appropriate form of land use for a particular area needs to be integrated into the normal planning process.

#### Trees in the Rural Landscape

AIM: To recognise the value of trees in the rural landscape from both an aesthetic and production perspective.

Trees are increasingly being identified as having a major role in animal production (shade), crop production (wind protection) and in various catchments as important factors in reducing the potential for salinisation. Considerable community focus on trees has occurred in recent years and there is now a need to direct this effort in a coordinated manner towards achieving maximum effort for soil conservation.

## Economics of Land Management

AIM: To demonstrate the economic advantages of employing land management practices for soil conservation and the need for economic information as a component of land management planning.

Economics form a major factor influencing landholder acceptance of management practices which improve or exacerbate soil conservation problems. There is a need to produce detailed economic evaluation of the costs and advantages of undertaking soil conservation practices. The transfer of the findings of this research to landholders will form a further component of this program.

### FUTURE DEVELOPMENT OF STRATEGY

It is proposed to develop for public comment a Strategy paper which develops the objectives for each of these components recognising the National Soil Conservation Strategy and the National Conservation Strategy. This paper will identify the resource requirements and priority for addressing each component. Initial comment on the concept of developing such a strategy are sought at this stage in order to facilitate the production of the draft South Australian Soil and Land Conservation Strategy to compliment the proposed Soil and Land Conservation Act.

APPENDIX 3: Legislation which relates to Soil and Land Management Activities

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Agricultural Chemicals Act, 1955-78	Minister of Agriculture	Department of Agriculture	Regulates the sale of agricultural chemicals Currently under revision	Fee for label, and labels must specify properties of the chemical constituents  Specifies standards for certain agricultural chemicals  Penalties if substance does not comply with label
Animal and Plant Control (Agricultural Protection and Other Purposes Act, 1986)	Minister of Agriculture	Department of Agriculture	Provision of funding to Pest Control Boards for control of proclaimed species of pest plants and animals. Research on pest animals and plant is also funded under this Act.	Control the keeping and breeding of rabbits Control import of prescribed and other species Landholders required to control pest plants and animals.
Coast Protection Act 1972-85	Minister for Environment and Planning	Coast Protection Board Department of Environment and Planning Coastal Management Branch	Provides for the conservation, protection, restoration and use of the foreshore and beaches in South Australia	Coast Protection Board  Regulations to control 'prescribed works'  'Restricted areas' provided  Funding of coastal preservation

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Country Fires Act, 1976-84	Minister of Environment and Planning	Country Fire Services Board	Provides for the prevention and suppression of bushfires	Restricts lighting of fires in the open during the restricted periods.  Requires the removal of flammable debris from roadsides  Penalties for non-compliance
Crown Lands Act, 1929-85	Minister of Lands	Department of Lands Land Board	Provides for the administration and management of reserved unoccupied lands and tenures held from the Crown	Empowers certain stocking limitations and use of lands of the Crown  Prohibits deposition of materials
Marginal Lands Act, 1940-1974	Minister of Lands	Department of Lands Land Resource Management Division	Provides for regulations to facilitate and improve the development of marginal lands	Prohibits exploitation of these fragile lands

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Mines and Works Inspection Act, 1920-78	Minister of Mines and Energy	Department of Mines and Energy Mining Branch	Provides for the regulation and inspection of mines and works and preservation of the amenity of any area or place from impairment by mining operations or practices	Regulates: <ul style="list-style-type: none"> <li>. operations interfering with the surface of the land</li> <li>. treatment and disposal of waste</li> <li>. restoration of the surface of the land</li> </ul>
Native Vegetation Management Act, 1985	Minister for Environment and Planning	The Native Vegetation Authority Department of Environment and Planning Native Vegetation Management Branch	Controls clearance and facilitates the management of native vegetation	Native Vegetation Authority <ul style="list-style-type: none"> <li>Assesses applications to clear native vegetation</li> <li>Provides financial assistance to farmers refused clearance approval (in certain circumstances)</li> <li>Provides Heritage Agreements for the long term protection of native vegetation</li> <li>Provides fines to a maximum of \$10,000 for clearance undertaken contrary to the terms of the Act</li> </ul>

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Pastoral Act, 1936-80	Minister of Lands	Department of Lands Pastoral Board	Provides for the resource management of arid zone lands and renewable resources. Consolidates Acts relating to pastoral lands	Grants leases for pastoral purposes and restricts number of stock permitted on leased land
				Penalty for overstocking
Planning Act, 1982-85	Minister for Environment and Planning	South Australian Planning Commission Department of Environment and Planning Planning Division	Repeals the Planning and Development Act 1966-81 and the Control of Advertisements Act, 1916-35. Establishes a system for the planning and control of development throughout the State (except the City of Adelaide) and vests this control primarily in Councils	South Australian Planning Commission Development Control Regulations which contain procedures for dealing with development proposals

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Mining Act, 1971-83	Minister of Mines and Energy	Department of Mines and Energy Mining Branch	Regulates and controls mining operations. Sets up an 'extractive areas rehabilitation fund'	Regulates exploration licences, mining land leases and the drainage of mines  Protects and requires restoration of land upon which mining operations are conducted  Regulations mining operations that may result in the pollution of any water course  Penalty of non-compliance
National Parks and Wildlife Act, 1972-81	Minister for Environment and Planning	Department of Environment and Planning National Parks and Wildlife Service	Provides for the establishment and management of reserves for public benefit and enjoyment; the conservation of wildlife in a natural environment; the control of fauna outside reserve areas	Reserves Advisory Committee  Establishes permit system for fauna kept privately  Prohibits taking of animal and wildlife (without permits) from reserves, and the sale of these species, or the taking of eggs  Prohibits the use of firearms without permits

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
South Australian Heritage Act, 1978-85	Minister for Environment and Planning	South Australian Heritage Committee Department of Environment and Planning State Heritage Branch	Acts to preserve, protect and enhance the physical, social and cultural heritage of the State. provides for the establishment of a Register of State Heritage Items	Controls the sale, alteration, addition to or demolition of land, building or structures present on the Register.  Provides for Heritage Agreements and incentives to encourage the retention and management of areas of native vegetation on private land
Underground Waters Preservation Act, 1969-75	Minister of Water Resources	Underground Waters Advisory Committee	Provides for conserving and preventing the contamination of underground waters	



LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Water Conservation Act, 1936-75	Minister of Water Resources	Engineering and Water Supply Department Water Resources Branch	Deals with conservation, pollution, control and use of water within those areas proclaimed as water districts	Penalties for: <ul style="list-style-type: none"> <li>. polluting or bathing in waterworks</li> <li>. allowing liquid from a sewer or drain to run into waterworks</li> <li>. trespassing</li> <li>. taking timber from a public water reserve</li> </ul>
Water Resources Act, 1976-83	Minister of Water Resources	Engineering and Water Supply Department Water Resources Branch	Provides for the assessment, conservation and development of the State's water resources that is the control and management of the utilisation and quality of surface and underground waters. Provision is made for the control of the discharge of wastes into water throughout the whole State	South Australian Water Resources Council Regional Advisory Committees Water Resources Appeal Tribunal Licences to withdraw water from wells Permits to drill wells Penalties for interference with or unlawful diversion of a watercourse

LEGISLATION	MINISTERIAL RESPONSIBILITY	RESPONSIBLE DEPARTMENT (OR BODY)	ENVIRONMENT FUNCTION (Description of Act or Relevant Section)	REGULATIONS (Fines, Licences or Permits Appeal Systems, Committees)
Waterworks Act, 1932-84	Minister of Water Resources	Engineering and Water Supply Department Revenue Branch Consumer Services Branch	Deals with the collection, conservation and reticulation of water	Controls human activity within a watershed  Can restrict supply under drought conditions  Reward offered for information of water wastage  Penalties for: <ul style="list-style-type: none"> <li>. unlawfully taking water</li> <li>. bathing in, rubbing or polluting a watercourse</li> <li>. allowing foul water to flow into streams</li> </ul>







