



NORTHERN TERRITORY OF AUSTRALIA

No. 11 of 1985

AN ACT

To amend the *Control of Waters Act*

[Assented to 1 April 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Control of Waters Amendment Act 1985*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Control of Waters Act* is in this Act referred to as the Principal Act.

4. CERTAIN THINGS NOT TO BE DONE IN WATER CONTROL DISTRICT WITHOUT PERMISSION

Section 16B(1) of the Principal Act is amended by omitting paragraph (i) and substituting the following:

"(i) sinking, constructing or using a well or water bore, including using a well or water bore which was in existence before the water control district was constituted under section 16A(1) or only using such an existing well or water bore subject to such conditions, including conditions relating to the construction of the well or water bore, as are specified in the notice;"

Control of Waters Amendment

5. CONTROLLER MAY REQUIRE CERTAIN MATTER TO BE RECTIFIED

Section 16C of the Principal Act is amended by omitting sub-section (1) and substituting the following:

"(1) The Controller may, by notice in writing, require a person who has, in a water control district, and notwithstanding a permit, if any, granted and in force under section 16B, held by the person -

- (a) constructed, altered or removed a drain or water channel;
- (b) constructed, altered or removed an embankment;
- (c) sunk, constructed or used a well or water bore;
or
- (d) caused any of the things referred to in paragraphs (a), (b) and (c) to be done,

to -

- (e) fill in or restore the drain or water channel;
- (f) pull down or restore the embankment; or
- (g) fill in, restore, seal or cap, repair or carry out specified work on, the well or water bore,

as the case may be, within the period specified in the notice or, in the case of a person who has sunk, constructed or used a well or water bore in a water control district, to cease to use the well or water bore on and from the date specified in that notice."
