

AUSTRALIAN CAPITAL TERRITORY

LAKE BURLEY GRIFFIN ORDINANCE 1968

EXPLANATORY MEMORANDUM

No. 17 of 1968

The Lake Burley Griffin Ordinance 1965-1966 vests in the Commonwealth the right to the use, flow and control of the waters of the Lake and the rivers, streams and creeks flowing into the Lake subject to the proviso that the rights of people through whose land these waters flow are not affected. At present however, whilst any person, other than a riparian owner, who takes water from either source would be contravening the Ordinance, the only remedy available to the Commonwealth would be a civil one, in the nature of an injunction. This remedy is rather cumbersome and in any event is inappropriate to deal with an individual who takes a small quantity of water from the Lake.

The Lake Burley Griffin Ordinance 1968 provides for the Minister to exercise control over the removal of water from either the Lake or its supplying rivers, streams and creeks by the granting of permits subject to such conditions and requirements as he considers necessary. A penalty is provided for the unauthorised removal of water and the Minister is further empowered in some circumstances by notice in the Gazette to restrict the rights of riparian owners to the use of waters passing through their land. These measures are considered necessary in view of the recent drought conditions and as a safeguard for the future.

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Minister's Initials