**EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT BILL 1979**

**Legislative Council, 13 February 1979, page 2526**

Second reading

**The Hon. D. H. L. BANFIELD (Minister of Health**): I move: That this Bill be now read a second time.

The object of this Bill is to expand the regulation-making power of the Act to enable, first, an advisory board to be set up and, secondly, the drains and drainage works constructed under the Act to be better maintained and protected. The powers relating to the protection of drains that this Bill seeks to provide are similar to powers contained in substantive provisions of the South-Eastern Drainage Act.

The provisions of this Bill are in accordance with the terms of the various undertakings given to the Eight Mile Creek landholders last year, and will give rise to a set of regulations that will enable this Act to be better implemented. The provisions of this Bill are as follows: clause 1 is formal. Clause 2 provides that regulations may be made for the purpose of establishing an advisory board, some members of which will be elected by the landholders.

Regulations may be made requiring landholders to fence their properties adequately. Provision may be made for the impounding of straying stock, and the collection of impounding fees. The construction of private drainage works may be regulated or prohibited where such works would affect the operation of the drains constructed by the Minister. Regulations may be made requiring obstructions and unauthorised constructions to be removed, and empowering the Minister to cause the removal of those things upon default, and to recover the cost of removal from the appropriate person. The Minister may be given the power to grant exemptions from any provisions of the regulations. Fees may be fixed in relation to any applications made under the regulations.

The Hon. M. B. CAMERON secured the adjournment of the debate.