



ANNO TRICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1985

No. 38 of 1985

An Act to amend the South-Eastern Drainage Act, 1931.

[Assented to 18 April 1985]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the “South-Eastern Drainage Act Amendment Act, 1985”. Short title.

(2) The South-Eastern Drainage Act, 1931, is in this Act referred to as “the principal Act”.

2. Section 76 of the principal Act is repealed and the following section is substituted: Repeal of s. 76 and substitution of new section.

76. (1) A person shall not, without the approval of the authority—

- (a) place an obstruction in a drain or drainage works;
- (b) plant any seed, runner, cutting or plant in a drain or drainage works;
- (c) place the carcass, or part of the carcass, of an animal in a drain or drainage works;
- (d) place rubbish in a drain or drainage works;
- (e) discharge into a drain or drainage works solid, liquid or gaseous material that is likely—

(i) to damage or be detrimental to the drain or drainage works;

or

(ii) to pollute water in the drain or drainage works;

or

(f) permit another person to contravene this subsection.

Penalty: One thousand dollars.

(2) The authority may, by notice in writing given to a person who has contravened subsection (1), require him to remedy the con-

Obstruction, etc., of drains.

travention and if he fails to comply with the notice he shall be guilty of an offence and liable to a penalty of one hundred dollars for every day for which the failure continues.

(3) A person who contravenes subsection (1) is liable to the authority for its costs (if any) in remedying the contravention and those costs may be recovered as a debt or summarily.

(4) The authority may—

(a) attach such conditions as it thinks fit to its approval of an action or permission referred to in subsection (1);

and

(b) revoke such an approval at any time.

(5) The board or the Council shall not approve an action or permission referred to in subsection (1) without the consent of the Minister.

(6) In this section—

“the authority” means the authority in which the relevant drain or drainage works are vested:

“drain” means a drain vested in an authority:

“drainage works” means drainage works vested in an authority.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor