



ANNO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1959

No. 25 of 1959

An Act to amend the South-Eastern Drainage Act, 1931-1948, and for other purposes.

[Assented to 26th November, 1959.]

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, 1959". Short titles.

(2) The South-Eastern Drainage Act, 1931-1948, as amended by this Act, may be cited as the "South-Eastern Drainage Act, 1931-1959".

(3) The South-Eastern Drainage Act, 1931-1948, is hereinafter called "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 3 of the principal Act is amended by inserting after the fourteenth line thereof the following— Amendment of principal Act, s. 3—
Division of Act.

PART IV A.—

DRAINAGE OF EASTERN AND WESTERN DIVISIONS
OF THE SOUTH-EAST.

Amendment of
principal Act,
s. 6—
Definitions.

4. The definition of "South-East" in subsection (1) of section 6 of the principal Act is amended—

- (a) by inserting therein before the word "Duffield" the words "Santo, Messent, Neville, Wells, Petherick ;" and
- (b) by striking out the words "the county of Cardwell and of" therein ; and
- (c) by inserting therein, before the words "Rivoli Bay" therein the words "McNamara, Hynam, Joanna,".

Extension of
Act to
Eastern
Division.

5. The heading to Part IVA of the principal Act is amended by inserting after the words "DRAINAGE OF" the words "EASTERN AND" and by substituting the word "DIVISIONS" for the word "DIVISION".

Amendment of
principal Act,
s. 103a—
Definition of
Eastern
Division.

6. Section 103a of the principal Act is amended by adding after the first line thereof the following :—

"The eastern division of the South-East" means the whole of the hundreds of Petherick, Marcollat, Woolumbool, Glen Roy, Lochaber, Spence, Naracoorte, Robertson, Killanoola, Comaum, Monbulla, Penola, Grey, Nangwarry, Young and Mingbool and portions of the Hundreds of Messent, McNamara, Wells, Peacock, Minecrow, Hynam, Joyce, Joanna, Coles, Short and Riddoch as set forth in the fifth schedule.

Amendment of
principal Act,
s. 103b—
Drainage of
Eastern
Division.

7. Section 103b of the principal Act is amended by inserting in the second line of subsection (1) thereof before the words "western division" the words "eastern and" and by substituting the word "divisions" for the word "division" in that subsection.

Amendment of
principal Act,
s. 103c—
Assessment of
value of
benefit.

8. Subsection (1) of section 103c of the principal Act is amended—

- (a) by striking out the word "completed" therein and inserting in lieu thereof the word "constructed" ;
- (b) by inserting therein before the words "those drains" the words "the construction of" ;
- (c) by inserting therein after the words "any land" the words "within the South-East".

9. Subsection (1) of section 103g of the principal Act is amended by inserting at the end thereof the following words :—

Amendment of
principal Act,
s. 103g—

Payment of
rates of final
assessments.

“in respect of any drains or drainage works constructed for the drainage of the western division of the South-East and equivalent to six per centum of the value of the betterment as so assessed in respect of any drains or drainage works constructed for the drainage of the eastern division of the South-East.”

10. The First Schedule to the principal Act is struck out and the following Schedule inserted in lieu thereof :—

Alteration of
First Schedule

THE FIRST SCHEDULE.

“SOUTH EASTERN DRAINAGE ACT, 1931-1959”.

Portion of the Hundred of McNamara south of the northern boundaries of sections 9, 1, 2 and 34 of the said hundred.

Portion of the Hundred of Hynam west and south-west of the following boundary :—

Commencing at the intersection of the eastern boundary of the Border Town and Port MacDonnell Main Road with the southern boundary of section 200, Hundred of Hynam; thence generally south-south-easterly along the eastern and north-eastern boundary of the said Main Road to the southern boundary of the said Hundred.

Portion of the Hundred of Joanna west and south-west of the following boundary :—

Commencing at the intersection of the north-eastern boundary of the Border Town and Port MacDonnell Main Road and the western boundary of the Hundred of Joanna; thence generally south-south-easterly along the said boundary of said Main Road to the southern boundary of the said Hundred.

Portion of the Hundred of Rivoli Bay bounded as follows :—

Commencing at the north-western corner of the Hundred of Rivoli Bay thence easterly along the northern boundary of the said Hundred to its north-eastern corner; southerly along portion of the eastern boundary of the said Hundred to the northern corner

of Section 17N; south-westerly along the north-western boundaries of Section 17N aforesaid and sections 17s, 18, 19, 20, 21, 41 and portion of Section 117 to a point being its intersection with a line 50 links east of and parallel to the western boundaries of the said section 117 and Sections 112 and 109; generally southerly along the latter line and production to the north-western edge of Hatherleigh Drain; south-westerly along the said edge of drain for 800 links; thence north-westerly at right angles to the south-eastern boundary of section 124; north-easterly along portion of the latter boundary; generally northerly along the eastern boundaries of section 124 aforesaid and sections 123 and 118 to the northern corner of the latter section; south-westerly along the north-western boundaries of the said section 118 and sections 125 and 126 to Mount Pisgah Trigonometrical Station (at the north-western corner of the latter section) and production by a straight line to the northern boundary of the three chain road south of Lake Frome; generally westerly along the latter boundary and its continuation as the north-western boundary of a one chain road to the north-eastern boundary of section 4001; north-westerly along portion of the latter boundary; generally westerly and north-westerly along the southern and south-western boundary of Drainage Land intersecting the said section 4001 and production to the sea-coast; thence generally north-easterly, north-westerly, southerly and north-westerly following the said sea-coast to the point of commencement.

Portion of the Hundred of Mount Muirhead bounded as follows :—

Commencing at the north-eastern corner of the Hundred of Mount Muirhead; thence southerly along portion of the eastern boundary of the said hundred to its intersection with the production south-easterly of the south-western boundary of section 209; generally north-westerly along the latter production and boundary and the south-western boundaries of sections 211, 212, Stone Reserve, and sections 218 and 292 to the northern boundary of the Hundred; thence easterly along portion of the latter boundary to the point of commencement.

Addition of
Fifth Schedule.

11. The following Schedule is inserted at the end of the principal Act :—

THE FIFTH SCHEDULE.

Land comprised in the Eastern Division of the South-East.

“SOUTH-EASTERN DRAINAGE ACT, 1931-1959”.

Portion of the Hundred of Messent north-east of a straight line extending from the north-western corner of the Hundred to the western corner of section 15 of the said Hundred.

Portion of the Hundred of McNamara south of the northern boundaries of sections 9, 1, 2 and 34 of the said hundred.

Portion of the Hundred of Wells north-east of a straight line extending from the southern corner of section 16 Hundred of Wells to the south-eastern corner of the said Hundred.

Portion of the Hundred of Peacock north-east of a straight line extending from the southern corner of section 9, Hundred of Peacock to the western corner of section 47, of the said Hundred.

Portion of the Hundred of Minecrow north-east of a straight line extending from the eastern corner of section 202, Hundred of Minecrow to the south-eastern corner of section 137 of the said Hundred.

Portion of the Hundred of Hynam west and south-west of the following boundary :—

Commencing at the intersection of the eastern boundary of the Border Town and Port MacDonnell Main Road with the southern boundary of section 200, Hundred of Hynam ; thence generally south-south-easterly along the eastern and north-eastern boundary of the said Main Road to the southern boundary of the said Hundred.

Portion of the Hundred of Joyce east of the eastern boundary of road west of sections 456, 458, 1A, 410, 411, 425, 448, 395, 393 and 415 of the said hundred.

Portion of the Hundred of Joanna west and south-west of the following boundary :—

Commencing at the intersection of the north-eastern boundary of the Border Town and Port MacDonnell Main Road and the western boundary of the Hundred of Joanna ; thence generally south-south-easterly along the said boundary of said Main Road to the southern boundary of the said Hundred.

Portion of the Hundred of Coles east of the following boundary :—

Commencing at the south-western corner of section 415, Hundred of Joyce ; thence southerly by a straight line to the north-western corner of section 92, Hundred of Coles ; generally southerly along the eastern boundary of road west of sections 92 and 91 and generally south-easterly along the north-eastern boundary of road south-west of sections 86, 63, 62, 52, 39 and portion of section 36 to its intersection with the production east-north-easterly of the north-western boundary of section 37 ; west-south-westerly along said production and boundary ; south-south-easterly and easterly along the south-western and portion of the southern boundaries respectively of the latter section to the north-eastern corner of section 131 ; southerly and westerly along the eastern and portion of the southern boundaries respectively of the latter section to its intersection with the production northerly of the western boundary of section 13 ; southerly along the latter production and boundary and easterly along portion of the southern boundary of the latter section to the north-western corner of section 4 ; thence southerly along the western boundary of said section 4 and production to the southern boundary of the said Hundred.

Portion of the Hundred of Short east of the following boundary :—

Commencing at the north-western corner of section 123 (Drainage Reserve) Hundred of Short ; thence generally south-south-easterly along the western boundaries of section 123 aforesaid and sections 124 and 125 to the south-western corner of the latter section ; westerly along portion of the northern boundary of section 16 to the north-western corner of the said section ; thence southerly along the western boundary of section 16 aforesaid and section 127 to the southern boundary of the said Hundred.

Portion of the Hundred of Riddoch east of the following boundary :—

Commencing at a point on the northern boundary of the Hundred of Riddoch being its intersection with the production north-north-easterly of the western boundary of Drainage Land intersecting section 58 of the said Hundred ; generally south-south-westerly along the latter production and boundary, the western boundary of section 187 (Drain Reserve) and the

western boundary of Drain Reserve intersecting Part Section 48 and production across road to the northern boundary of Part section 40; generally north-westerly along portion of the northern boundary of the latter section and south-westerly along the north-western boundaries of sections 41E and 41W; south-easterly along the south-western boundary of the latter section; south-westerly and south-easterly along portion of the north-western and the south-western boundaries respectively of section 34 and south-easterly along the south-western boundaries of section 31, Block 29 and portion of the south-western boundary of section 22 to its intersection with the production north-easterly of the north-western boundary of Section 25; south-westerly along the latter production and boundary; south-easterly along the south-western boundary of said section 25 and production to its intersection with the production north-easterly of a north-western boundary of Part section 10; generally south-westerly along the latter production and boundary and the north-western boundaries of sections 6, 139, 128, 127E, 127W and 133; thence generally southerly along the western boundaries of the latter section and section 134 to the southern boundary of the said Hundred.

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

J. M. NAPIER, Governor's Deputy.