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GEORGI V REGIS.  
A.D. 1933.

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**No. 2129.**

An Act to amend the Renmark Irrigation Trusts Acts,  
1893 to 1931.

[*Assented to, November 23rd, 1933.*]

**B**E 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 "Renmark Irrigation Trusts Act, 1933". Short titles.

(2) The Renmark Irrigation Trusts Acts, 1893 to 1931, and this Act may be cited together as the "Renmark Irrigation Trusts Acts, 1893 to 1933".

(3) The Renmark Irrigation Trusts Act, 1893, is hereinafter referred to as "the principal Act". No. 578 of 1893.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. The land described in the Schedule is hereby vested in the Renmark Irrigation Trust No. 1 for an estate in fee simple. Vesting of certain land in Renmark Irrigation Trust No. 1.

4. The Trust may expend its revenue in contributing to any sick, accident, or pension fund for its officers or employees, or in providing retiring benefits, pension benefits, or any similar benefits for its officers or employees, and for any such purpose may enter into any contract of assurance with any assurance company. Power to establish superannuation funds, &c.

5. If any ratable land is supplied with water, and by reason of any change in ownership in the land any part of the said land Procedure on subdivision of land.

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ceases to be capable of being supplied with water from the existing irrigation works of the Trust, the Trust shall not be obliged to supply water to such part of the said land unless the owner thereof pays to the Trust the amount of the cost to the Trust of constructing any irrigation works necessary in the opinion of the Trust for the purpose of supplying such part with water.

Power of Trust to construct drains and drainage works. Cf. 1989, 1930, s. 60.

6. (1) The Trust may from time to time construct drains or drainage works for the prevention or removal of seepage conditions in the district, or any part thereof and generally for the drainage and improvement thereof.

(2) The Trust shall before constructing any drains or drainage works give notice in writing by post to the owners of ratable land within the part of the district in respect of which the Trust proposes to carry out the work. If within the time specified in the notice (which shall be not less than one month after the giving thereof) the owners of one-third or more of the ratable land within the said part give notice in writing to the Trust requesting the Trust not to carry out the work, the Trust shall not carry out the work.

Notice of cost of drains and lands benefited thereby. Cf. *ibid.*, s. 61.

7. (1) Upon the completion of the construction under the last preceding section of any drains or drainage works in the district, the Trust shall publish a notice in the *Gazette* stating the date of completion and cost of construction of such drains or works, and what ratable land will be benefited by such drains or works and may give any other notice thereof it thinks fit.

(2) The notice shall be conclusive as to the date of completion and the cost of construction of the drains or works, and as to what ratable lands will be benefited by the drains or works.

Declaration of drainage rate. Cf. *ibid.*, s. 62.

8. (1) The Trust may, after the publication in the *Gazette* of the certificate mentioned in the last preceding section, declare on all or any of the ratable lands which will be benefited by the drains or works a general drainage rate to defray the cost thereof.

(2) The drainage rate may be declared according to the assessment of such lands for rates for the time being in force under this Act, or according to such other assessment or on such other basis as the Trust from time to time determines.

(3) The rate shall be a half-yearly rate, and shall be of such amount as will be sufficient, in the opinion of the Trust, to pay out of the proceeds thereof—

(a) the cost of cleansing, repairing, and maintaining the drains or works ;

(b) the expenses connected with the care, control, and management of the drains or works ;

(c) interest

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(c) interest at a rate to be fixed by the Trust on the cost of construction of the drains or works, or on the balance of such cost for the time being remaining unpaid ; and

(d) such amount as is sufficient to repay to the Trust the capital cost of the construction of the drains or works in such equal half-yearly instalments (being not more than forty) as the Trust thinks fit.

9. (1) If any ratable land benefited by any drain constructed under section 6 is separated from such drain by the land of any other owner the owner of such first mentioned land may—

Connection of private drains with Trust drain.  
Cf. *ibid.*, s. 63.

(a) subject to the approval of the Trust and under the supervision of the Trust, construct private drains and channels of a type to be approved by the Trust in each case across such second mentioned land for the purpose of connecting his private drain or channels with the drain of the Trust :

(b) in any case in which the Trust directs in writing and subject to any direction of the Trust, construct private drains or channels across such second mentioned land in manner provided by and subject to paragraph (a) hereof, and may connect any such private drain or channel with any other private drain or channel on such land connected with the drain of the Trust.

(2) Any owner who constructs any private drain or channel across the land of any other owner or connects any private drain or channel with any private drain or channel of any other owner shall be liable to pay to such other owner as compensation for any matters arising out of such construction or connection, such sum as the Trust thinks reasonable.

10. (1) Upon the completion of the construction under section 6 of any drains or works in the district, all owners of ratable land benefited by the construction of such drains or works shall take such measures, by the construction and connection of private drains or channels with the said completed drains or otherwise, as the Trust considers necessary to drain their land effectively.

Owners to drain their blocks.  
Cf. *ibid.*, s. 64.

(2) If any owner fails to comply with the provisions of this section, and such default continues for one month after service upon him of a notice in writing by the Trust requiring him to so comply, any person authorised for the purpose by the Trust may—

(a) enter upon the said land ;

(b) do all such things as are necessary to carry out the requirements of the said notice ; and

(c) remain on the land for so long as is necessary to enable the work to be completed.

(3) The

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(3) The cost incurred by the Trust in doing the said work shall be a debt due by the owner to the Trust, and may be recovered by the Trust in any court of competent jurisdiction.

Power of Trust to drain surface and storm water.  
Cf. *ibid.*, s. 65.

11. (1) If any ratable land within the district is not, as to the drainage of surface and storm water, drained by some efficient drain communicating with some watercourse, or some drain used under the authority of this Act, or any Act incorporated with this Act, the Trust may construct through any land lying between the first-mentioned lands and the nearest such watercourse or drain an efficient drain suited for draining therefrom and from the intermediate lands such surface and storm water as aforesaid, but so that such drain shall not pass through or under any house, building, or other like structure.

(2) All costs and expenses incurred in constructing such drain shall be apportioned by the Trust among the owners of land deriving any benefit therefrom, so far as possible in proportion to such benefit and the amount so apportioned to each owner shall be paid by such owner after notice in that behalf by the Trust.

(3) If the amount so apportioned to any owner is not paid, the same may be sued for and recovered as a debt due to the Trust in any court of competent jurisdiction.

Recovery of amounts due to Trust.

12. Any amount due to the Trust pursuant to section 10 or section 11 shall (without limiting the operation of the said sections) be payable to and recoverable by the Trust in the same manner as rates are payable to and recoverable by the Trust, and the Trust shall have the same remedies for non-payment of any such amount, or any portion thereof, as the Trust has for non-payment of rates.

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

A. HORE-RUTHVEN, Governor.

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THE SCHEDULE.

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Comprising the whole of Block B, out of hundreds, County of Hamley.