



ANNO QUADRAGESIMO QUINTO ET QUADRAGESIMO
SEXTO

VICTORIÆ REGINÆ.

A.D. 1882.

No. 270.

An Act to authorise the Leasing of portion of the Waste
Lands of the Crown forming the foreshore at
Port Augusta, for the construction of Wharves.

[*Assented to, November 17th, 1882.*]

WHEREAS the Township of Port Augusta and the district adjacent thereto would be greatly improved by the construction of a continuous line of wharves on the foreshore situate at Port Augusta aforesaid—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows :

1. This Act may be cited as “The Port Augusta Wharves Act, 1882.” Title of Act.

2. The Governor may demise to the owner of the land adjoining, for the purposes of the erection and construction thereon and thereto of a continuous line of wharves along the whole of the water-frontages referred to in the Schedule, any portions of the waste lands of the Crown situate at and adjacent to Port Augusta, and described in the Schedule hereto, for any term of years not exceeding fifty years, at an annual rental of Five Shillings per foot frontage to the stream during the first ten years of the term of any such lease, at an annual rental of Ten Shillings per foot frontage for the second twenty years of the term of any such lease, and at an annual rental of One Pound per foot frontage for the remainder of the term of any such lease, on such terms and conditions and with such powers as the Governor may think fit. Governor may lease lands at Port Augusta for wharves.

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Tenancy may be determined at any time on giving notice and paying for improvements.

3. It shall be lawful for the Governor, at any time during the continuance of any lease, to determine the same, and to resume possession of the lands comprised therein, by giving to the lessee for the time being of the lands proposed to be resumed twelve months' notice of his intention so to do: Provided, however, that in case of such determination or resumption the lessee for the time being of such resumed land shall be entitled to receive compensation from the Treasurer of the said province (who is hereby authorised to pay the same), out of any moneys that may hereafter be appropriated by Parliament for the purpose, the amount of such compensation to be ascertained, in case of a disagreement, by a reference to two arbitrators, one to be appointed by the Governor and the other by the lessee, with power to appoint an umpire: Provided also, that the Governor may, at any time and from time to time, resume any portion of the said land for roads or railways without payment of any compensation.

Not to prevent construction of other wharves.

4. Nothing in this Act shall entitle any lessee hereunder to any compensation by reason of the Government at any time hereafter erecting, or permitting to be erected, any wharves on any other lands of the Crown at or near Port Augusta, or by reason of such lessees being deprived at the end, or, except as hereinbefore provided, at the sooner determination of their term, or by virtue of this Act, of the water frontages to which they were previously entitled; and after the end or sooner determination of the said term, no person shall have any interest in or right in respect of any waste lands hereby authorised to be demised.

Governor may make regulations as to charges.

5. The Governor may from time to time make and publish regulations fixing the amounts to be charged for wharfage rates and tonnage dues at any wharf to be constructed on any portion of the land described in the Schedule; and until such regulations are made and published, the rates and dues to be charged shall not exceed by more than one-fourth those payable for similar services at Port Adelaide.

Time within which lease to be applied for.

6. No lease of any of the waste lands of the Crown adjoining the allotments referred to in the Schedule, numbered 1 to 8, both inclusive, shall be granted unless the owners of all the said allotments shall make application for leases on or before the first day of January, one thousand eight hundred and eighty-four: And no lease of any of the waste lands of the Crown adjoining the allotments referred to in the Schedule, and numbered 9 to 16, both inclusive, shall be granted unless the owners of all the said allotments shall make application for leases on or before the first day of January, one thousand eight hundred and eighty-five: And no lease of any of the waste lands of the Crown adjoining the allotments referred to in the Schedule, and numbered 116 to 119, both inclusive, and 120 to 123, both inclusive, shall be granted unless the owners of all the said allotments shall make application for leases

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leases on or before the first day of January, one thousand eight hundred and eighty-six.

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

WM. F. DRUMMOND JERVOIS, Governor.

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THE SCHEDULE REFERRED TO.

Comprising all that portion of the water frontage north-west of the town of Port Augusta, Hundred of Davenport, bounded as follows:—Commencing at the west corner of allotment 1, township of Port Augusta; thence north-easterly along the north-western boundaries of allotments 1, 2, 3, and 4, across Commercial Road to the west corner of allotment 5; thence north-easterly along the north-western boundaries of allotments 5, 6, 7, and 8, to the north corner of the latter allotment; thence north-north-easterly across Marryatt-street, and along the north-western boundaries of allotments 9, 10, 11, and 12, across the road to the west corner of allotment 13, and along the north-western boundary of said allotment to its north-west corner; thence north-easterly along the north-western boundaries of allotments 14, 15, and 16, to the north corner of the latter allotment; thence north-north-easterly across the road and along the north-western boundaries of sections 123, 122, 121, and 120, across the road and along the north-western boundaries of sections 119, 118, 117, and 116, to the north corner of the latter section; thence north-westerly, by the production of the north-eastern boundary of section 116, for about 367 links; thence south-westerly, by a line 350 links north-west of, and parallel to, the north-western boundaries of sections 116 and 120, for 25 chains; thence south-westerly, by a straight line to a point on the north-eastern boundary of the railway reserve, 350 links, north-westerly from the west corner of allotment 1; thence south-easterly, along said railway reserve boundary, to the west corner of allotment 1, the point of commencement.