



ANNO DUODECIMO

ELIZABETHAE II REGINAE

A.D. 1963

No. 39 of 1963

An Act to amend the Local Government Act,
1934-1961.

[Assented to 28th November, 1963.]

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 "Local Government Act Amendment Act, 1963". Short titles.
- (2) The Local Government Act, 1934-1961, as amended by this Act, may be cited as the "Local Government Act, 1934-1963".
- (3) The Local Government Act, 1934-1961, is hereinafter referred to as "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. This Act shall commence on a day to be fixed by the Governor by proclamation. Commencement.
4. The definition of "ratable property" in subsection (1) of section 5 of the principal Act is amended— Amendment of principal Act, s. 5.
 - (a) by inserting at the end of paragraph (1) of the said definition the following paragraphs—
 - (j) machinery, plant, mains, poles, wires, pipes and other things used by The Electricity Trust of South Australia for the purposes

of generating transforming transmitting
distributing controlling or measuring
electricity ;

(k) easements rights of way or other similar rights
of property or of licence whereby or where-
under the said The Electricity Trust of
South Australia may transmit or distribute
electricity across through or under or
transform electricity upon any land ;

and

(b) by inserting at the end of paragraph (2) of the said
definition the following paragraph :—

(h) easements rights of way or other similar rights
of property or of licence whereby or where-
under The Electricity Trust of South
Australia may transmit or distribute
electricity across through or under or
transform electricity upon any land.

Enactment of
s. 363a of
principal Act—

5. The following section is inserted in the principal Act
after section 363 thereof :—

Obligation of
Electricity
Trust to
remove poles,
etc.

363a. (1) Notwithstanding any other provisions of this
or any other Act The Electricity Trust of South Australia
shall, upon being requested so to do by a council, remove
any pole or post supporting any cable or wire or any cable
or wire supported by any pole or post the property of the
said Trust in upon or over any street or road within the
area of the council (other than a street or road for the
maintenance of which the Commissioner of Highways is
responsible) and may after submitting plans to and con-
sulting with the council erect the same or any other pole
post cable or wire in upon or over the same or any other
street or road in place of or in consequence of such removal ;
provided that the Trust shall be under no obligation to
effect any such removal in any case unless the Com-
missioner of Highways certifies that in his opinion a suffi-
cient reason exists for the removal of any such pole post
cable or wire.

(2) Notwithstanding the provisions of subsection (1) of
this section or the provisions of section 871g a council
and the said Trust may enter into any agreement, relating
to the removal and erection of any pole post cable or wire
of the Trust, containing such terms and conditions as are
agreed upon.

6. Section 871g of the principal Act is amended—

Amendment of
principal Act,
s. 871g.

- (a) by inserting at the beginning of subsection (1) thereof the words "Subject to subsection (3) of this section";
- (b) by inserting at the end thereof the following subsection :—

(3) The provisions of subsection (1) of this section shall not apply to any pole post cable or wire of The Electricity Trust of South Australia in respect of which the Commissioner of Highways has given a certificate under the provisions of section 363a of this Act.

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

EDRIC BASTYAN, Governor.