**IRRIGATION (CONVERSION TO PRIVATE IRRIGATION DISTRICT) AMENDMENT BILL 1996**

**Legislative Assembly, 5 November 1996, pages 393-4**

Second reading

**The Hon. J.W. OLSEN (Minister for Infrastructure)** obtained leave and introduced a Bill for an Act to amend the Irrigation Act 1994. Read a first time.

The Hon. J.W. OLSEN: I move: That this Bill be now read a second time.

 seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

This Bill makes minor amendments to the Irrigation Act 1994. One of the major objectives of the Irrigation Act 1994 was to facilitate the conversion of Government Irrigation Districts to Private Trusts. Irrigators in the Government Highland Irrigation Districts (eight in all) have grasped the nettle and applied for conversion to Private Trusts. The simultaneous conversion of the eight government districts to Trusts is being treated as a single exercise. It is intended that these Trusts commence full operations of the water supply and drainage functions from 1 July 1997.

Each of the districts will require a Board of Management to attend to a number of administrative issues before the commence full operations. It is intended that the Trusts be formed on 1 January 1997 to allow sufficient time to establish themselves before they commence full operations. To expedite the appointment of the first Boards of Management, provision is being made for these appointments to be made ministerially.

Infrastructure, in some instances, must be shared between an Irrigation Trust and SA Water. This Bill provides for sharing arrangements with security of tenure to both parties. It achieves this by providing that the interest of SA Water can be secured by lease or licence which must be noted on the title to the land transferred to the Trust. The current provision for a quorum to be constituted of one-third of the members of the Trust is impractical in a number of instances. This provision is being amended to provide some flexibility for each Trust to determine its own quorum.

The current Act provides that a number of forms be prescribed by regulations. This is administratively cumbersome. The requirement, wherever it occurs, is being removed and substituted with a provision for forms merely to be of an approved type.

The fine tuning of the Irrigation Act 1994 that this Bill represents will further facilitate the conversion of the Highland Government Irrigation Districts to Private Trusts, and the general administration of the Act.

I commend this Bill to the House.

The provisions of the Bill are as follows: Explanation of Clauses

*Clause 1: Short title*

*Clause 2: Commencement*

Clauses 1 and 2 are formal.

*Clause 3: Amendment of s. 4—Interpretation*

Clause 3 makes a consequential amendment.

*Clause 4: Amendment of s. 10—Establishment of private irrigation district*

*Clause 5: Amendment of s. 13—Abolition of private irrigation district on landowners’ application*

*Clause 6: Amendment of s. 16—Application for merger*

Clauses 4, 5 and 6 provide that the relevant form is to be approved by the Minister.

*Clause 7: Amendment of s. 21—Procedure at meeting of trust*

Clause 7 makes the quorum requirement for Irrigation Trusts more flexible.

*Clause 8: Amendment of s. 27—Application for conversion*

Clause 8 provides that the relevant form is to be approved by the Minister.

*Clause 9: Amendment of s. 29—Conversion to private irrigation district*

Clause 9 amends section 29 of the principal Act. The amendment provides for a transitional period on the conversion of a government irrigation district to a private district during which the district remains a government district. The clause provides for the transfer of land to a new trust with a lease or licence back to the Minister or SA Water. The clause also enables the Governor by proclamation to give to the Minister the power to appoint a board of management of a trust during the transitional period and to delegate powers of the trust to the board.

*Clause 10: Amendment of s. 46—Notice of resolution*

Clause 10 amends section 46 of the principal Act by requiring that 21 days notice must be given of a resolution of a trust to vary its quorum and by providing that only seven days notice of a resolution to establish a board of management or to delegate functions or powers is required during the transitional period preceding conversion to a private irrigation district.

Mr ATKINSON secured the adjournment of the debate.