**RENMARK IRRIGATION TRUST ACT AMENDMENT BILL 1945**

**Legislative Council, 13 November 1945, pages 882-3**

Second reading

**The Hon. R. J. RUDALL (Midland—Minister of Irrigation)—**The Renmark Irrigation Trust Act, 1936, provides for the constitution and powers of the Renmark Irrigation Trust and the purpose of this Bill is to make amendments of varying degrees of' importance to that Act. Some of the proposals for amendment have been the subject of discussion in the Renmark Irrigation Trust district for some time and in July of this year a poll of the ratepayers of the trust was held to ascertain their views upon those proposals. The amendments in question give effect to proposals approved by the ratepayers at the poll. In addition, the Bill makes other amendments to the Act which are based upon recommendations of the Renmark Irrigation Trust. The trust has been consulted during the drafting of the Bill and the trust agrees with the proposals for amendment contained in the Bill.

The amendments made by the Bill are as follows:—'Section 8 of the Act defines the district of the trust. Clause 2 provides that the Governor may, by proclamation, extend the district of the trust to include any portion of the State not included in a municipality or district council district. A proclamation will not be made unless petitions requesting the making of the proclamation are presented by the trust and by owners of land within the area in question. Before a petition is presented by the trust a poll of its ratepayers must be held at which the proposal for the extension of the district is approved and the petition of owners of land must be signed by at least one-half of the number of owners in the area affected and these owners must own at least one-half of the land included in that area. For this purpose “owner-” will mean owner in fee simple, lessee under perpetual lease, or holder of a Crown agreement for sale and purchase.

Paragraphs (a) and (b) of clause 3 are inserted as a result of the poll of the rate­payers of the trust. At- present, under section 11 of the Act, for a ratepayer to be eligible for membership of the trust he must hold not less than 10 acres of ratable land in fee simple in his own right. One of the resolutions approved at the poll of the ratepayers was that a discharged soldier holding 10 acres of ratable land under agreement with covenant to purchase from the Crown should be eligible for membership of the trust. It has been pointed out to the trust that, if the provisions of section 11 are to be extended to give effect to this resolution, the section should also provide that all holders of Crown perpetual leases and agreements for sale and purchase should be eligible for membership. The trust has agreed that this should be done and paragraphs (a) and therefore provide that a holder of a Crown perpetual lease or agreement comprising at least 10 acres of ratable, land , will, if otherwise eligible under the Act, be eligible for membership of the trust.

The proposals contained in paragraph (c) of clause 3 were submitted by the trust. This paragraph provides that if a company or other body corporate holds 10 acres or more of ratable land, it may nominate a person who, for the purpose of becoming a member of the trust, will be deemed to possess the necessary property qualifications. The paragraph also provides that where joint tenants or tenants in common hold 10 acres or more of ratable land, they may nominate one of their number -who will be eligible for membership of the trust. At present, no provision is made in the Act to deal with such cases.

Section 21 of the Act provides for the remuneration of the chairman and other members of the trust. The chairman is paid by the trust such amount, not exceeding £300 a year, as is fixed by the trust. At present, the amount fixed by the trust is £200 a year. Other members receive a fee of £1 a meeting with a maximum of £25 in any financial year. It is proposed by clause 4 to provide that members, other than the chairman, will in lieu of receiving a fixed fee per meeting, be paid an annual amount to be fixed by the trust but not exceeding £50 a year. The provisions of the section relating to the chairman’s fee are not altered.

Clause 4 makes administrative amendments to section 97 of the Act. This section deals with the banking of moneys of the trust and requires all moneys in hand amounting to £5 or more to be banked. This provision is obviously impracticable and clause 4 re-drafts section 97 so as to conform with the corresponding provisions of the Local Government Act and requires monies to be banked forthwith after the receipt thereof without reference to any specific amount.

Section 154 of the Act is a very long section which deals with the conduct of elections and polls and clause 6 makes a number of amendments to that section. At present the hours of voting at elections and polls are from 8 a.m. to 7 p.m. The trust suggests that these hours should be from 9 a.m. to 6 p.m. and states that these hours will accord with the voting habits of ratepayers of the trust. The amendments making this change are contained in paragraph (a) of clause 6.

Paragraph (b) of clause 6 gives effect to one of the resolutions carried at the poll of the ratepayers. At present, a ratepayer has one vote for every acre of ratable land in respect of which he is assessed. The effect of paragraph (b) is to provide that every ratepayer shall have one vote only irrespective of his holding of ratable land. A consequential amendment is made by paragraph (f) of clause 6.

At present, the Act makes no provision for voting by representatives of companies and bodies corporate. Paragraph (c) of clause 6 enables a company or body corporate to nominate a person who may vote on behalf of the company. Paragraph (g) makes a consequential amendment.

Paragraphs (e), (f) and (h) of clause 6 give effect to another resolution carried at the poll of the ratepayers. At present, plumping is permitted at elections of the trust. The effect of these paragraphs is to require a voter to vote for the full number of candidates required to be elected.

At the poll of the ratepayers, two other matters were affirmed which have not- been included in the Bill. These were resolutions to the effect that provision be made to enable the district to be divided into wards and to give special representation on the trust of owners and occupiers of prop­erty which is not subject to water rates under the Renmark Irrigation Trust Act but upon which rates are payable to the trust, in its capacity of a local government authority, under the Local Government Act. Certain difficulties inherent in these proposals were pointed out to the trust and, after discussion with the trust, the trust has informed the Government that it does not desire to proceed with the proposals and that, in the opinion of the trust, this course would meet, with the approval of the ratepayers. Accordingly, the Bill does not deal with these matters. The Bill is a hybrid Bill within the meaning of the Joint Standing Orders on Private Bills and, after its second reading, will therefore be required to be referred to a select committee. I move the second reading.

The Hon. F. J. CONDON secured the adjournment of the debate.