**RENMARK IRRIGATION TRUST ACT AMENDMENT BILL 1950**

**Legislative Assembly, 31 October 1950, pages 1260-1**

Second reading

**The Hon. Sir GEORGE JENKINS (New­castle—Minister of Agriculture)—**This Bill has been brought down at the request of the Renmark Irrigation Trust. It contains some diverse amendments of the legislation under which the trust is operating. The Government is informed that these amendments have been submitted by the trust to its ratepayers and are approved by them. As this Bill relates to one local authority only, it is a hybrid Bill within the meaning of the Joint Standing Orders and if the second reading is carried it should be referred to a Select Committee. The first matter which I will explain in connection with the Bill is dealt with in clauses 3 and 7. These clauses empower the trust to declare land within its area to be non-ratable. The effect of declaring land non-ratable will be that the trust will not be obliged to supply water to that land, and will not be permitted to assess it for rating purposes. Under the present law all land in the trust’s area which is available for irrigation, except township allotments, is ratable and it is the trust’s duty to supply water to it. The reason for empowering the trust to declare land non-ratable is that there is a certain amount of high land in the trust’s district which cannot be irrigated without causing seepage and damage to other land. It is desirable that such land should not be irrigated in the usual way. But the fact that land is declared non-ratable will not mean that no water at all will be available for it. It merely means that water will not be available from the trust’s channels. The trust, however, is empowered by the Bill to sell water to the owner or occupier of non-ratable land on such terms as to place of delivery, price, and other matters as the trust fixes. Thus the owners of high land which may be declared non- ratable will be able to obtain water but not necessarily in the same quantities or by the same method of delivery as those 'who receive it directly from the trust’s channels.

The next subject dealt with is that of the trust’s auditors. Under existing law the trust is required to have two auditors elected by ratepayers. Every auditor must hold a local government auditor’s certificate. If at an election any vacancy in the office of auditor is not filled, the Act says that another election must be held. The difficulty which has arisen in connection with these provisions is that the necessary number of qualified candidates for the office of auditor have not nominated for election. However much virtue there may be in prescribing qualifications for candidates for an elective office, the law will be futile if its effect is to leave the office unfilled. It is proposed, therefore, to prescribe additional qualifications, the holding of any one of which will be sufficient to entitle a person to act as auditor. These qualifications are set out in clause 4. Honourable members will see, on perusing this clause, that it will permit members of practically all the recognized bodies of accountants and holders of the Adelaide University’s Diploma in Commerce to act as auditors to the trust. By clause 6 it is provided that if at the annual election of auditors any vacancy is not filled, the trust itself may appoint a person to the vacancy. Clause 7 inserts certain new sections in the principal Act in addition to that dealing with non-ratable land which I have already explained. By section 65b it is provided that before supplying water to land not included in the trust’s assessment book, i.e., land which is not rated, the trust may require the owner to pay a sum on account of the capital cost involved. This provision is required for use in cases where a supply of water cannot be given except at unusual expense. It is a common type of provision in laws and agreements dealing with the supply of public utilities like gas, electricity, and water; and it is reasonable that the trust should have the benefit of a similar provision.

Section 65c empowers the trust to make orders binding on specified owners and occu­piers of land, requiring them to use any specified method of irrigation, i.e., either by sprinkler or furrow. The main reason why the trust seeks this power is to prevent high land in the trust’s district from being watered by furrow in cases where this practice might lead to seepage and consequent damage to other land. The new section 65d empowers the trust to make orders requiring owners of ratable land to carry out works for draining or improving the drainage of their land. The object of this clause is also to prevent water from percolating from one man’s block to another and causing damage by the seepage.

Clause 8 enables the trust to control subdivisions of irrigated blocks. Its object, as the Government understands the position, is to ensure that blocks are not subdivided in such a way as to render it difficult or impossible to make a proper water supply avail­able to the subdivided areas. The clause requires every person subdividing irrigated land to obtain the consent of the trust to the proposed subdivision and prescribes a penalty of up to £100 for the offence of subdividing without consent. But failure to obtain consent will not affect the validity of any title nor the registration of any instrument in the Lands Titles Office or elsewhere. The duty of enforcing the clause will fall upon the trust and not upon the officers of the Lands Titles Office. From time to time it has been found necessary to amend the principal Act, which has worked extremely well. Experience has shown that further amendments are necessary and they are made by the Bill. I move the second reading.

Mr. O’HALLORAN secured the adjournment of the debate.