**MURRAY-DARLING BASIN BILL 2008**

**Legislative Assembly, 23 September 2008, pages 117-8**

*Second reading*

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security):** I move:

That this bill be now read a second time.

The second bill I introduce today is a complementary piece of legislation required to bring about reform in the governance of the Murray-Darling Basin water resources. It complements the Water (Commonwealth Powers) Bill, which I have just introduced and which proposes that the state refer powers to the commonwealth to allow it to amend the Water Act 2007 to reform the management of the Murray-Darling Basin.

South Australia has committed, under the Agreement on Murray-Darling Basin Reform—Referral, to use our best endeavours to pass referral legislation and amend existing state acts in time for the reforms to commence on 1 November 2008. This bill is for a new act to replace the state Murray-Darling Basin Act 1993. It removes provisions that will now be obsolete under the new arrangements. The Murray-Darling Basin Commission is to be abolished with:

river operation functions formerly undertaken by the commission being transferred to the Murray-Darling Basin Authority;

matters affecting state water-sharing arrangements, outcomes and objectives on major policy issues or high-level financial decisions being transferred to the ministerial council; and

those matters relating to high-level decision-making for river operations now being the responsibility of the Basin Officials Committee.

New provisions relate to the appointment of members to the Basin Officials Committee. The new framework does not affect the current ownership or control of River Murray operation assets, with ownership remaining with the basin states.

Assets currently managed by the Murray-Darling Basin Commission will be managed by the authority in accordance with management agreements between the authority and each basin state. The bill therefore continues the operation of certain existing provisions (with minor amendment) that have been transitioned across from the current Murray-Darling Basin Act, particularly those relating to the construction and management of works and authorisations to enter and occupy land. These provisions are necessary to ensure the continuation of their proper management.

The Murray-Darling Basin Agreement will now sit as a schedule to the commonwealth Water Act, rather than in each state's Murray-Darling Basin Act. Amendments to the Murray-Darling Basin Agreement must first be approved by the ministerial council and the schedule then updated by regulation.

Consequential amendments to the relevant state legislation as set out in the bill provide for replacement of references to the Murray-Darling Basin Act 1993 with appropriate references to an amended Murray-Darling Basin Agreement and for references to the Murray-Darling Basin Commission and ministerial council to be replaced with the authority, the Basin Officials Committee and the new ministerial council, as appropriate.

The bill makes essential amendments to South Australian legislation to ensure that the proposed new governance arrangements for the Murray-Darling Basin can take effect on 1 November 2008. These new governance arrangements will provide significant benefits to South Australia and the management of the Murray-Darling Basin. Delays in passing this legislation could prevent the commencement of the authority's functions over River Murray operations on 1 November 2008.

At the appropriate time, I will ensure that a communication process is in place to inform key stakeholders of the changes and the implications for water resources management. I commend the bill to members and seek leave to have a detailed explanation of clauses, prepared by parliamentary counsel, inserted in *Hansard* without my reading it.

Leave granted.