SOUTH EASTERN WATER CONSERVATION AND DRAINAGE (CONTRIBUTIONS) AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. DIANA LAIDLAW (Minister for Transport): I move:

That this Bill be now read a second time.

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

Leave granted.

The Upper South East Dryland Salinity and Flood Management Program is to be funded by contributions from the Commonwealth Government (37.5 per cent), the State Government (37.5 per cent), and the local community (25 per cent). In 1995, amendments were made to the South Eastern Water Conservation and Drainage Act
1992 ("the Act") to provide a mechanism for collection of the community contribution. That mechanism is contained in section 34A of the Act.

Following the 1995 amendment, negotiations with the community continued regarding collection of the levy. The basic proposal is for collection of an annual amount (calculated on a per hectare basis) over a period of six years. Following negotiations, however, it was determined that a number of different payment options should be offered to landholders liable to pay the levy. These options would include early payment of amounts due, with a discount and payment over a longer period with an interest component.

In addition it is considered desirable that there be a mechanism for reimbursement of a levy paid in relation to land that has an effective management plan in place for conservation of wetlands or vegetation or reforestation in the event of the project being completed under budget.

Under the Bill the Board may prepare a scheme, with Ministerial approval, providing for the above matters.

It was also considered that there should be some penalty for non-payment of the levy in terms similar to that contained in the Local Government Act for late payment of council rates.

The Bill replaces section 34A of the Act to provide for these more complex levy collection arrangements.

It is also proposed to amend section 50 of the Act, which deals with waiver and deferral of payments, to allow conditions to be imposed. This would increase flexibility by allowing the Board to grant, for example, deferral of payment on the condition that interest is paid for the period of the deferral.

The other provision in the Bill deals with the validity of Ministerial notices fixing the rate of the levy. Because negotiations regarding collection of the levy were still being finalised at the commencement of the current financial year, it was not possible to publish the necessary notice in the Gazette (formally fixing the rate of the levy) before that date. There is, however, legal authority that it is not invalid to fix a rate during the financial year that the rate is to be applied.

The time taken to negotiate the new collection arrangements has not delayed the design work for the first stage of the project, but the funding is required this financial year if construction is to commence this summer. If the project is to remain on schedule it is therefore essential that collection of the levy commence during the 1996/1997 financial year and clause 4 of the Bill has been included to provide for this.

I commend the Bill to the House.

**Clause 1: Short title**

This clause is formal.

**Clause 2: Substitution of s. 34A**

This clause substitutes a new section 34A into the principal Act, dealing with contributions by landholders to the cost of works undertaken by the South Eastern Water Conservation and Drainage Board.

Proposed subsections (1) and (2) correspond to current subsections (1), (2) and (3).

Proposed subsection (3) provides for backdating of an exemption granted under subsection (2) so that, for example, a landowner

准备工作一个管理计划来保护湿地或植被，如果需要，生蚝可以被征税直到计划开始运作。一旦满足条件，部长可以授予一个有效的免税从实际开始日期的计划开始操作在土地上。它是设想的，如果在方案准备下提交第(10)条，董事会将不再支付土地在方案开始时的贡献。根据第四至七条、(5)、(6)、(7)和(8)提出的条文目前与提交第(4)、(5)、(6)、(7)和(8)条相关的方案进行交易。根据第八条，确保如果部长变更有变化，这种变化可能只能影响支付在继续遵循下一财年发表的方案后的支付。这意味着即，例如，一个人可以选择在接近的激励款下支付一个以新的方式支付方下的方案的款，第(10)条，而一个人不会对额外的支付对支付在该支付在可能的支付情况下，第(9)和(10)条提供给董事会的必要权力来支付的款，第(10)条允许董事会准备一个方案（其中的方案可能由部长批准），就支付的款，该方案可能还适用于支付的款，对支付的款，这样的支付方，为了支付一个确定的支付在某些特定情况下，第(11)条提供一个支付为支付的款，包括一个支付在某些情况下，能够被提供在第(12)条。

第(13)和(14)条分别对应第(10)条和(11)条。

**Clause 3: Amendment of s. 50—Power to waive or defer payments**

This clause amends section 50 of the principal Act to allow conditions to be imposed on the waiver or deferral of payments under the Act.

**Clause 4: Validation of notices relating to 1996/1997 financial year**

This clause provides that a notice fixing a rate of contribution in respect of the 1996/1997 financial year will not be invalidated on the ground that it was published in the Gazette after the commencement of that financial year.

**The Hon. R.R. ROBERTS** secured the adjournment of the debate.