



# Tasmanian Irrigation

Community Management of Publicly Owned  
Irrigation Schemes

May 2024

# Contents

## *The Water Miscellaneous Amendments (Delegation and Industrial Water Supply) Act 2023*

- Purpose and overview of the Act
- Consultation Process and Draft Documents
- Requirements of the Act for
  - Applicants
  - Tasmanian Irrigation
- Application Process
- Model for Delegation
- How to provide feedback and key dates

# What is the Water Miscellaneous Amendments Act?



Two fundamental purposes:

- Allow Tasmanian Irrigation to supply industrial water for hydrogen production.
- Facilitate delegation of powers and functions to irrigator groups where feasible and appropriate.

# Why is the Act needed?

- State Government policy is to allow community management where feasible and appropriate.
- Original legislation restricted options to delegate powers and functions to other bodies.



# Overview of WMA Act

The Act allows groups to **apply** to have powers and functions delegated to them, except:

- The power to make bylaws
- The power of delegation

The Act **does not** facilitate:

- The sale of assets
- Transfer of the RWE status

Tasmanian Irrigation remains the RWE and Asset Owner.



# Overview of WMA Act

The Act requires that in making a delegation, the interests of the Government, Tasmanian Irrigation, irrigation scheme participants, local communities and the environment are safeguarded.



# Consultation

Tasmanian Irrigation is:

- required to develop processes and systems to implement the WMA Act
- undertaking consultation on approach and draft documents:
  - Guideline for Applicants
  - Application Form
  - Application process flow chart



# Consultation

## Stage 1: May – June

- Inform
  - What the Act is
  - What it does and does not allow
- Seek feedback
  - Are the draft documents understandable?
  - Is the content appropriate?
  - Are the processes outlined clear and appropriate?
  - Is the information requested clear and appropriate?
  - Has anything been missed?





# Consultation

## Stage 2: August - September

- Summary of Stage 1 feedback provided
- Seek feedback
  - Feedback from Stage 1 will inform drafting of final documents
  - Feedback sought in Stage 2 on the final drafts, material issues only

**At conclusion of Stage 2, documents submitted to Tasmanian Irrigation Board for approval.**



# Consultation process

- Publicly launch consultation 3 May
- Promote in media and social media
- Write to entitlement holders and key stakeholders
- Series of irrigator meetings in May
- Series of stakeholder meetings
  - TasFarmers
  - NRE Tas
- Provide information on website
- Seek written and other forms of feedback



# What is Community Management?

Enables local groups of irrigators to take over responsibility for:

- Operations and maintenance
- Administration of schemes



# What is Community Management?

This can include:

- Use, maintenance, upgrade, refurbishment or renewal of assets
- Setting annual fixed and variable prices
- Transfer of a water licence
- Customer interaction including metering, trading and billing
- Water extraction, storage and delivery
- Reporting, including:
  - Annual reporting
  - Environmental audits
  - Audits of asset condition
- Maintenance of maps and registers



# Requirements of the Applicant

## The Applicant:

- Must be a body corporate under the Corporations Act, or a prescribed body
- Must provide as a minimum:
  - Governance model
  - Statement of capacity to perform the functions requested
  - Statement of estimated and quantified costs / benefits of delegation
  - Dispute settling process
- Must prove 80% support of scheme participants.



# Requirements on Tas Irrigation



TI is required to:

- Develop systems, applications processes and forms
- Publish information to assist applicants including:
  - Guidelines
  - Application Form
  - Information on the application process
- Assess application and determine if there is a positive case for delegation.
- Implement and monitor the delegation to ensure assets are managed, services provided to standard, benefits are achieved and ongoing.



# Requirements on Tas Irrigation

Tasmanian Irrigation must make a delegation unless it would:

- Substantially reduce the viability or capacity of Tasmanian Irrigation.
- Expose Tasmanian Irrigation or the Crown to significant liabilities.
- Result in a substantial increase in costs to Tasmanian Irrigation in relation to another Irrigation District/s it manages.
- Result in a substantial increase in costs to:
  - Another irrigation entity;
  - A Responsible Water Entity; or
  - A regulated entity within the meaning of the *Water and Sewerage Industry Act 2008*.



# Other Controls in the WMA Act

Other reasons why Tasmanian Irrigation may not make a delegation:

- The proposed governance model is not sufficient and/or practicable.
- The delegation would constitute a substantial risk to the interests of one or more Irrigation District participants.
- The delegation would constitute a substantial risk to:
  - The safety of a person;
  - Property; or
  - The environment.





# Proposed application process

Delegation is an Application and Acceptance process.

1. Applicant reviews guidelines, completes application
  - Complete checklist and sign attestations
  - Supply required supporting information
  - Pay Application fee
  - Tasmanian Irrigation forms Evaluation Committee
  - Assess application
  - Seek additional information (if required)
  - Develop recommendation for review and endorsement by CEO
  - Submit analysis and recommendation to Tasmanian Irrigation Board
2. Tasmanian Irrigation Board can:
  - Approve
  - Approve with conditions
  - Not approve
3. Applicant can appeal the decision (with justification) to:
  - Tasmanian Irrigation Board
  - Minister for Primary Industries and Water
  - Tasmanian Civil and Administrative Tribunal



# Model For Delegation

Approved Applicant enters contract with Tasmanian Irrigation:

- Operations and Maintenance; or
- Asset Lease.

Form of contract will depend on scope of delegations sought.



# How to provide feedback

1. In person during information and consultation sessions
2. Using the form on our website
3. By mail [consultation@tasirrigation.com.au](mailto:consultation@tasirrigation.com.au)
4. By post to PO Box 84, Evandale, Tasmania, 7212

**Feedback Closes 21 June 2024**



# Key dates (subject to change...)

**May:** Irrigator information and consultation sessions

**June/July:** Feedback incorporated into Guidelines and Application Form documents.

**August:** Consultation on final draft documents; development of contractual documents.

**September:** Final documents submitted to the Tasmanian Irrigation Board for approval.

**October:** Launch of application process.



# Questions



# Thank You

Tasmanian  
Irrigation



Tasmanian Irrigation

GROWING THE WEALTH OF TASMANIA