



Hon Jay Weatherill MP
Premier of South Australia

Ms Sophie Dunstone
Acting Committee Secretary
Environment and Communications Legislation Committee
Parliament House
Email: ec.sen@aph.gov.au

Dear Ms Dunstone

Thank you for the opportunity to make a submission on the Senate Environment and Communications Legislation Committee's inquiry into the National Water Commission Amendment Bill 2012 (the Bill).

South Australia supported the role of an independent body such as the National Water Commission (NWC) to work with jurisdictions to implement complex water reforms and streamline monitoring and accountability functions.

The South Australian Government notes that the NWC may have a role within the *Water Act 2007*, to audit the effectiveness of the implementation of the Basin Plan and water resource plans. I want to ensure that the NWC fulfils this role, and I request that this function be made a mandatory requirement within the Bill as the *Water Act 2007* is unclear on the audit aspect.

Similarly, I note that the Commonwealth has publicly stated that the NWC will evaluate the Commonwealth's management of environmental water; however, the Amendment Bill has no specific provision for this, although it could be triggered at the request of the Minister. It is not appropriate in this instance for the Minister to be the sole authority to request an evaluation of a Commonwealth program that affects environmental water across several jurisdictions. Therefore, there must be specific provisions within the Bill to allow the Council of Australian Governments (COAG) to request the evaluation of the Commonwealth's management of environmental water.

To ensure that the work of the NWC is strongly engaged with the reform efforts of the Commonwealth and jurisdictions, there must be a requirement for the NWC to provide its work plan and forward schedule of activities to COAG water-related committees at least on an annual basis. This is consistent with recommendations from the NWC review and there is also reference to this in the Bill's explanatory memorandum.

There is however, no specific provision within the Bill itself or the current *National Water Commission Act 2004*.

I note that the Commonwealth has decided that the NWC will not have an ongoing role in the area of national water reform. I have been advised that the NWC has been critical in helping drive the more challenging reforms within South Australia, and the removal of this role leaves a serious gap. This role must be replaced, preferably through support for other organisations or jurisdictions to undertake this work as coordinated national initiatives.

I trust the Committee will work to ensure that the role of the NWC reflects the needs of both Commonwealth and states as the nation enters a critical period in the history of Australian water reform.

Yours sincerely,

Jay Weatherill
PREMIER

KS 14/2012