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**LOCKED**

## CABINET COVERSHEET

1. **TITLE:** COMMISSIONER FOR WATER SECURITY
2. **MINISTER:** PREMIER
3. **PURPOSE** To seek Cabinet approval of the establishment of a new public office, the Commissioner for Water Security, with a view to making an appointment under section 68 of the *Constitution Act 1934*.
4. **RELEVANT GOVERNMENT POLICY &/OR SASP TARGET** Effective arrangements support the Government in its efforts to achieve sustainable water supply in line with target T3.9 and to increase environmental flows in the River Murray in line with target T3.10.
5. **ICT COMPONENT** Does the submission have a material ICT Component? No
6. **RESOURCES REQUIRED FOR IMPLEMENTATION** Nil. Treasury and Finance agrees with this assessment. A costing comment is attached.
7. **COMMUNITY AND ENVIRONMENTAL IMPACT** Does the submission have an impact on business? No
8. **RISKS** Nil.
9. **CONSULTATION** Consultation on this submission has been limited to the Premier, Deputy Premier, Minister Conlon, the Crown Solicitor's Office, DTP and the chief executives of DPC and DWLBC.
10. **COMMUNICATION STRATEGY** Consistent with the 15 October 2007 submission on related matters, any announcement regarding the Commissioner for Water Security would be on a date set by the Premier.
11. **URGENCY** It will be important to move quickly, if a suitable candidate for the role of Commissioner is to be identified before the end of the year.
12. **RECOMMENDATIONS** 4.1 Approve the establishment of a new public office, the Commissioner for Water Security, with a view to making an appointment under section 68 of the *Constitution Act 1934*.

I declare that I have no actual or potential conflict of interest in relation to the proposals contained in this submission.



MIKE RANN  
Premier

Date: 13/11/07

TO: CABINET

RE: COMMISSIONER FOR WATER SECURITY

**1. PROPOSAL**

- 1.1 To seek Cabinet approval of the establishment of a new public office, the Commissioner for Water Security, with a view to making an appointment under section 68 of the *Constitution Act 1934*.

**2. BACKGROUND**

- 2.1. On 15 October 2007, Cabinet approved new administrative arrangements for water security that will give the Minister for Water Security additional support for her key policy functions.
- 2.2. As part of the new arrangements, Cabinet noted that an Office for Water Security would be established in the Department of Water, Land and Biodiversity Conservation (DWLBC) and led by a new Deputy Chief Executive, Water Security. This is to be achieved by the transfer of water policy staff from SA Water and other parts of DWLBC to the new Office, as well as by additional funding for new water policy staff.
- 2.3. Appropriate arrangements for SA Water and DWLBC to contribute to the staffing needs of the new Office are the subject of ongoing discussions between the Minister for Water Security and the chief executives of DWLBC and SA Water.

**3. DISCUSSION**

- 3.1 Following further discussions at Ministerial level, it is proposed that a new, full-time Commissioner for Water Security ("the Commissioner") be appointed to drive the Government's water security agenda, under the direction of both the Premier and the Minister for Water Security.
- 3.2 The Commissioner would draw support from officers within the new Office for Water Security and from across government, as required. This administrative arrangement is analogous to the model successfully employed to support the Commissioner for Social Inclusion.
- 3.3 On a day-to-day basis, the Commissioner for Water Security would report directly to the Minister for Water Security and provide advice in relation to the Minister's water-related functions.

- 3.4 Importantly, the Commissioner would be charged with overall responsibility for leading policy initiatives across government in relation to the securing and provision of water supplies to support the state's long-term economic, social and environmental requirements.
- 3.5 In this capacity, the Commissioner would have the following functions, among others:
- Leading the development of policy positions and strategies on water security matters for the Government's consideration.
  - Leading and project-managing the delivery of key water projects, as directed by the Premier or the Minister.
  - Co-ordinating government agencies' efforts addressing sustainable water management and water security.
  - Serving as lead representative on behalf of the State Government in key official level negotiations.
  - Overseeing water-related communications by all State Government agencies or bodies.
  - Representing the State Government in public forums and in dealings with media, as directed by the Premier or the Minister.
- 3.6 The Commissioner would also be the Deputy Chair of the new Water Security Council, and would chair the Council in the Minister's absence.
- 3.7 It is also proposed that the Chief Executive of DWLBC would delegate to the Commissioner powers of appointment in relation to staff recruited to the new Office for Water Security.

**Economic, financial and budgetary implications – required resources**

- 3.8 There are no budgetary implications associated with this proposal.
- 3.9 It is proposed that all salary and relocation costs associated with the appointment of the Commissioner for Water Security be met from the increase in appropriation to DWLBC to meet the policy staffing needs of the Office for Water Security, as approved by Cabinet on 15 October 2007.
- 3.10 Given the high-level requirements of the position of Commissioner, it is likely that the number of Office for Water Security officers funded through the (remaining) increase in appropriation to DWLBC will be smaller than was anticipated in the earlier submission.
- 3.11 This is not likely to present any major difficulties in terms of the operations of the new Office or the level of policy support

provided to the Minister for Water Security, given the arrangements being put in place for SA Water and DWLBC to contribute to the staffing needs of the new Office.

- 3.12 The appointment of the Commissioner for Water Security may negate the need for the Office for Water Security to be led by a new Deputy Chief Executive. This will be determined as part of the discussions addressing the formation of the Office between the Minister for Water Security and the Chief Executive of DWLBC.

### **South Australia's Strategic Plan (SASP)**

- 3.13 Effective arrangements support the Government in its efforts to achieve sustainable water supply in line with target T3.9 and to increase environmental flows in the River Murray in line with target T3.10.

### **Information and Communication Technology Requirements**

- 3.14 There are no ICT implications for this submission.

### **Staffing implications**

- 3.15 Employees in the Office for Water Security in DWLBC will continue to report administratively to the Chief Executive of DWLBC, as required under the *Public Sector Management Act 1995*. However, in a practical sense, overall leadership and direction on projects to which the employees are assigned would come from the new Commissioner.

### **Impact on the community and the environment**

- 3.16 Nil.

### **Consultation**

- 3.17 Consultation on this submission has been limited to the Premier, Deputy Premier, Minister Conlon, the Crown Solicitor's Office, the chief executives of DPC and DWLBC, and DTP.

### **Implementation Plan**

- 3.18 Implementation will be the responsibility of the Office of the Minister for Water Security, drawing on advice or support from DWLBC or DPC as required.
- 3.19 The Commissioner will need to be a nationally recognised expert in water policy, with a proven track record in driving reform and managing major water projects. Accordingly, the recruitment process will involve a national search for the most suitable candidate.

- 3.20 The appointment of the Commissioner would be made pursuant to section 68 of the *Constitution Act 1934*, on terms and conditions set out in an Employment Agreement between the Commissioner and the Premier and Minister for Water Security.
- 3.21 The Commissioner would be excluded from the Public Service pursuant to Schedule 1, clause 1(2) of the *Public Sector Management Act 1995*. Therefore, it will be necessary for the Employment Agreement to set out any fees payable, give an indemnity against civil liability (provided the Commissioner acts honestly) and contain undertakings about conflict of interest and confidential information.
- 3.22 The Employment Agreement would be developed by the Crown Solicitor's Office, in consultation with the Premier's Office and the Office of the Minister for Water Security.

#### Communication Strategy

- 3.23 As with other arrangements approved by Cabinet on 15 October 2007, it is proposed that the timing of any formal announcement regarding the appointment of a Commissioner be determined by the Premier, in consultation with the Minister for Water Security.
- 3.24 However, a national search for a suitable candidate would begin immediately upon approval of this submission, and is likely to involve advertisements in the national press.

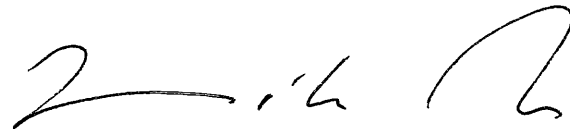
#### Executive Council

- 3.25 Executive Council approval is not required for this submission, but will be required for the appointment of the Commissioner.

#### 4. RECOMMENDATIONS

It is recommended that Cabinet:

- 4.1 Approve the establishment of a new public office, the Commissioner for Water Security, with a view to making an appointment under section 68 of the *Constitution Act 1934*.



**In Cabinet**

19 NOV 2007

MIKE RANN  
Premier

Date: 13/7/07

