



Ref: SMA 2007/03

The Hon Ian Hunter MLC
Minister for Water and the River Murray
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Action Officers	/
Response due	

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Dear Minister

I refer to a letter I recently received from the Premier, advising of the Government's decision to abolish all Government boards and committees, and to give effect to this decision in relation to statutory boards through special legislation.

The Premier has advised that Cabinet will, however, take advice from Ministers as to which Boards should be exempt from this process, and has invited the Stormwater Management Authority to consider alternatives to its current form and to advise you accordingly.

The Authority considered this matter at its last meeting, and I write to advise you of its views.

The Stormwater Management Authority was established by the Local Government (Stormwater Management) Amendment Act 2007 as the result of an Agreement between the Government and the Local Government Association in 2006 (an Agreement that has recently been updated and renewed). That agreement and the Act that it spawned recognises the dual responsibilities of State and Local Government in the management and treatment of stormwater, and was supported by an indexed allocation of funds from the State Government to achieve, jointly with local government, the objects of the Act.

While the Authority has to date been largely responsive to local government initiatives in relation to stormwater planning and construction, the Act provides considerable power for it to be more proactive and strategic in its work than it has been – a matter that has been the subject of a good deal of recent work. It is excellent legislation in that respect, but its cornerstone is an Authority that is created from both State and LGA nominations that is required to make decisions on the key issues involved.

Should the Authority be abolished, those decisions could rest with the Minister, but with a number of potential implications:

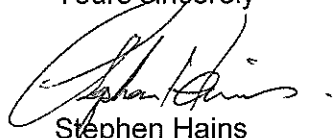
- The loss of a forum wherein State and local government interests could be resolved in an integrated, impartial manner
- The Minister would be drawn into potential disputes with local government, especially in dealing with the enforcement roles of the Authority under the Act, and would lack the "arms-length" management available under present arrangements

- The management of the Fund through Departmental processes would lack the transparency of present arrangements, and would open the potential for undue influence to occur
- Similarly, such a form of management may not be as accessible to local government, or provide the opportunity that presently exists for integration of policy in this area, not only of State and local government, but also for agencies within the State Government

Finally, I would draw your attention to the fact that the direct costs of this Authority are minimal. As Chair, I am the only member that is remunerated, and the Authority is supported by a single officer who is paid from the Fund – the administration of which would require such a resource whether or not the Authority existed.

In conclusion, the Authority advises that it believes it would be a retrograde and undesirable step to amend the Act to remove the need for an Authority as presently constituted, and urges you to support its retention.

Yours sincerely



Stephen Hains
Presiding Member
Stormwater Management Authority

Date: 6 August 2014

