



Tabled, ~~by leave,~~  
Ms Jackson  
Clerk of the Parliaments  
20/5/23

**CONSTITUTION AMENDMENT (SYDNEY WATER AND HUNTER WATER) BILL 2023**  
**STATEMENT OF PUBLIC INTEREST**

**Need: Why is the policy needed based on factual evidence and stakeholder input?**

The **Constitution Amendment (Sydney Water and Hunter Water) Bill 2023** proposes amendments to the *Constitution Act 1902* to safeguard the public ownership of Sydney Water and Hunter Water. Public ownership of essential utilities ensures public accountability and continued high quality service delivery. However, privatisation has continued over the past decade. For example:


- Sydney Desalination Plant in 2012
- Port Botany in 2013
- Port Kembla in 2013
- Eraring Energy in 2013
- Mt Piper and Wallerawang Power Stations in 2014
- Port of Newcastle in 2014
- Green State Power in 2014
- Bayswater and Liddell Power Stations in 2014
- Colongra Power Station in 2014
- M7 rental payments in 2015
- Vales Point Power Station in 2015
- Transgrid in 2015
- Kooragang Island Advances Water Treatment Plant in 2015
- Brown Mountain Hydro Power Station and Cochrane Dam in 2016
- AusGrid in 2016
- Construction Services Group, NSW Public Works in 2016
- Pillar Superannuation Administration in 2016
- Titling and registry business of Land and Property Information in 2017
- Endeavour Energy in 2017
- 51% of WestConnex in 2018, and the remainder in 2019
- Route 6 buses in 2018
- Northern Beaches Hospital in 2018
- All Sydney Bus Routes in 2019
- NSW Lotteries in 2020
- TAFE Campuses in 2020.

**Objectives: What is the policy's objective couched in terms of the public interest?**

The Government is committed to ensuring that water assets are protected from privatisation. Under existing laws, the Executive Government has the power to sell Sydney Water or Hunter Water. The Government is committed to ensuring that Sydney Water and Hunter Water remain publicly owned and cannot be sold by a future Government unless authorised by an Act of Parliament. It is in the public interest to ensure that essential utilities remain in public ownership, to protect consumers from higher prices and declining customer service.

**Options: What alternative policies and mechanisms were considered in advance of the bill?**

Legislative change is required in order to give effect to this policy and, therefore, no other mechanisms were able to be considered.

  
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**Analysis: What were the pros/cons and benefits/costs of each option considered?**


Because legislative change is required to carry out this policy, the pros/cons of other options did not need to be considered. The Bill does not impose any appreciable cost or burden on the public or any group of the public.

**Pathway: What are the timetable and steps for the policy's rollout and who will administer it?**

If passed, the Bill will commence on assent.

**Consultation: Were the views of affected stakeholders sought and considered in making the policy?**

The Department of Planning and Environment and Treasury were consulted. The Sydney Water Corporation and Hunter Water Corporation were also consulted on the Bill.



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