



Government Gazette

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Attachment G – Notice of reasons for making s20P Direction for publication in the NSW Government Gazette

STATE OWNED CORPORATIONS ACT 1989

Direction to the Board of Water NSW under section 20P

Notice of Reasons for giving the direction and why it was in the public interest

In my view it was necessary, on 22 /2 /2023, to give a direction to Water NSW in the public interest, under section 20P of the *State Owned Corporations Act 1989*, requiring Water NSW to, in certain circumstances, make a joint application to trade water allocation to specified (water access licence holder) mining companies in the Woronora and Metropolitan Special Areas of the Sydney Drinking Water Catchment, enabling those companies to account for their incidental surface water take.

Companies operating underground coal mines in these Special Areas are unable to secure enough water allocation through the water market to authorise their incidental surface water take. These companies cannot stop their incidental surface water take, and surface water losses would continue irrespective of whether the mines continue to operate. If Water NSW does not trade allocation there is no current option for these mines to bring their incidental surface water take within the framework of the *Water Management Act 2000*.

It is in the public interest for these mining companies to account for their surface water take under the *Water Management Act 2000* and pay water management charges for that water. If this water take is brought into the framework of the *Water Management Act 2000* it provides greater transparency and equity amongst water users, in line with what other mining companies and water users within the region and across the state are required to do.

The Southern Coalfield is the only source of hard coking coal used for steelmaking in NSW. There are significant economic and employment benefits to enabling these long-established mines to continue operating, and to do so under a clear and consistent framework. Coal from these Special Areas and broader Southern Coalfield supports local industry, such as BlueScope Steel at Port Kembla which contributes approximately \$1.9 billion per annum to the economy. Coal from the Southern Coalfield also supports the ongoing viability of coal transport and shipping operations at Port Kembla Coal Terminal. The mines, Port Kembla Coal Terminal and Bluescope at Port Kembla support thousands of jobs in the Illawarra region.

The Hon Kevin Anderson MP
Minister for Lands and Water
Minister for Hospitality and Racing