



Premier of New South Wales
Australia

TCO/19310 - LB

Mr David Crawford
President
National Competition Council
Level 9
128 Exhibition Street
MELBOURNE VIC 3000

17 DEC 2008

Dear Mr Crawford

I am writing to request, in accordance with section 44M of the *Trade Practices Act 1974* (Cth), that the National Competition Council recommend to the Commonwealth Treasurer that the NSW water industry infrastructure access regime be declared to be an effective access regime.

The NSW water industry infrastructure access regime has been established under Part 3 of the *Water Industry Competition Act 2006* (NSW), which commenced on Monday 8 August 2008.

I have enclosed a copy of the Act, together with a copy of the Water Industry Competition (Access to Infrastructure Services) Regulation 2007, which has been made under it.

The access regime applies in respect of the areas listed in Schedule 1 of the Act. Currently, these comprise the areas of operations of the Sydney Water Corporation and the Hunter Water Corporation. These scheduled areas may be expanded in future by regulation under section 22 of the Act.

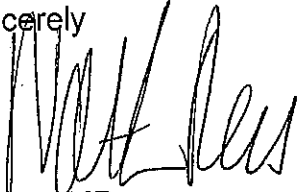
Since commencement, the services listed in Part 2 of Schedule 4 of the Act have been deemed to be the subject of a coverage declaration under the access regime. Briefly, these services comprise the Sydney Water Corporation's Bondi, Malabar and North Head sewerage reticulation networks.

Further information about the access regime is set out on the website of the NSW Independent Pricing and Regulatory Tribunal (IPART), at www.ipart.nsw.gov.au/water/network-access/network-access.asp

To assist in your consideration of this matter, I have enclosed a schedule setting out the information required by regulation 6B of the Trade Practices Regulations 1974 (Cth).

Should you have any questions in relation to this request, the contact officer in the Department of Premier and Cabinet is Mr Paul Miller, Senior Principal Legal Officer, Legal Branch (02 9228 4393).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nathan Rees', written over the typed name.

Nathan Rees MP
Premier