



Minister for Climate Change, Environment and Water

To Sabine Vaora
4729 8141

COPY

Y07/830

The Hon Malcolm Turnbull MP
Minister for the Environment and Water Resources
Parliament House
CANBERRA ACT 2600

Dear Minister,

Clause 25 of the *Snowy Corporatisation Act 1997* requires the environmental flows provisions of the Snowy Water Licence to be reviewed commencing from the fifth anniversary after the date of corporatisation. That anniversary was 30 May 2007.

Before I commence the review I am writing to request your advice on any additional issues you would like addressed. The environmental flows provisions relate specifically to Schedule 3 of the Licence, which I have provided at Tag A, for your information.

The public consultation process for the review will be conducted generally in accordance with Clause 27 of the *Snowy Corporatisation Act 1997*. The proposed review process is summarised as follows:

1. Obtain responses from the Environment Ministers for Victoria and the Commonwealth on issues of concern regarding the review. I will determine the scope of the review in consideration of these responses.
2. Publicly advertise (in a newspaper circulating generally throughout New South Wales) the fact that the review will be forthcoming, including locations for viewing of the relevant licence clauses and scientific material collected. A copy of the advertisement will be sent to your Department for publication.
3. The NSW Department of Water and Energy will receive public submissions. Clause 27(2)(c) of the *Snowy Corporatisation Act 1997* provides for a period of at least 30 days for public comment.
4. Convene a Review Committee. I will be seeking a Victorian and a Commonwealth representative to sit on the review panel. It would be appreciated if you would identify such a representative in your response to this letter.
5. The Review Committee will prepare a report for my consideration, including both the findings of the review and possible licence change options.
6. I will consult with the Murray Darling Basin Commission in relation to any proposed amendments, in accordance with Clause 27(3) of the *Snowy Corporatisation Act 1997*.

7. When agreement is reached on any amendments necessary, the Snowy Water Inquiry Outcomes Implementation Deed and the Snowy Water Licence will be amended concurrently.

Since the provisions of the Snowy Water Licence, in respect of the environmental flows, must not be inconsistent with the provisions of the Snowy Water Inquiry Outcomes Implementation Deed (SWIOD), I will seek your approval to amend the SWIOD prior to any proposed licence change resulting from the review.

You will note that Clause 25(3) of the *Snowy Corporatisation Act 1997* requires that best endeavours must be used to complete this first review of the Snowy Water Licence, and to give effect to the results of that review, by 30 November 2007.

I look forward to your early response.

Yours sincerely



Phil Koperberg

28 AUG 2007

cc
The Honourable Tim Holding MP
Minister for Water (Victoria)
Level 5, 1 Macarthur Street
Melbourne VIC 3002



Minister for Climate Change, Environment and Water

COPY

Y07/830

The Honourable Tim Holding MP
Minister for Water
Level 5
1 Macarthur Street
MELBOURNE VIC 3002

Dear Minister,

Please find attached for your information a copy of my recent letter to The Hon Malcolm Turnbull MP, Minister for the Environment and Water Resources, concerning Clause 25 of the *Snowy Corporatisation Act 1997*, which requires the environmental flows provisions of the Snowy Water Licence to be reviewed commencing from the fifth anniversary after the date of corporatisation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil Koperberg', written over a horizontal line.

28 AUG 2007

Phil Koperberg