

**INQUIRY INTO LOCAL LAND SERVICES AMENDMENT
(CRITICALLY ENDANGERED ECOLOGICAL
COMMUNITIES) REGULATION 2019 AND LOCAL LAND
SERVICES AMENDMENT (ALLOWABLE ACTIVITIES)
REGULATION 2019**

Organisation: Jemena Gas Networks (NSW) Ltd
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Regulation Committee
Legislative Council
Parliament of New South Wales

By email to: sharon.ohnesorge@parliament.nsw.gov.au

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Inquiry into the impact and implementation of the Local Land Services Amendment (Critically Endangered Communities) Regulation 2019 and the Local Land Services Amendment (Allowable Activities) Regulation 2019 – Submission by Jemena Gas Networks (NSW) Ltd (Jemena)

Thank you for the opportunity to make this submission to the inquiry.

About Jemena

Jemena owns and operates the Jemena gas distribution network – Australia’s largest gas distribution network, which provides reticulated natural gas through more than 25,000 kilometres of pipes to more than 1.3 million customers in greater Sydney, the Hunter region, Wollongong and the Illawarra, and over 20 country centres including those within the Central Tablelands, Central West, Southern Tablelands and Riverina regions of NSW. The Jemena group was formed in 1837 to light the streets of Sydney, and has operated continuously since then as a privately owned gas distribution business.

Jemena’s related entity Jemena Networks (ACT) Pty Ltd also holds 50% of the ActewAGL Distribution Partnership (which trades as Evoenergy) (**Evoenergy**), which owns and operates gas distribution networks in NSW regional areas around Queanbeyan and Nowra (in addition to within the ACT).

Submission

Jemena wishes to express its support for Schedule 1 of the *Local Land Services (Allowable Activities) Regulation 2019 (Regulation)*, which operates to insert new clauses 27A and 35(11) to Schedule 5A of the *Local Land Services Act 2013 (NSW) (LLS Act)*. These amendments are simple and easy to understand, and ensure that Jemena is able to continue to manage its gas distribution assets safely, in accordance with law.

We provide the following additional information as part of this submission:

- (1) It is noted that these amendments specifically apply to “maintenance” of gas supply infrastructure, most of which is located underground. The framework for gas pipeline asset maintenance activities in Australia is set by Australian

Standard 2885.3 – *Pipelines: Operation and Maintenance*. Jemena is required by the *Gas Supply (Safety and Network Management) Regulation 2013* to have in place a network Safety and Operating Plan, which must reflect the requirements of AS2885.

Relevantly, under AS2885, vegetation management is required in the vicinity of gas assets in order to:

- ensure access can be maintained for the periodic pipeline corridor inspections that are required for safety and integrity reasons;
 - for high pressure pipelines, maintain line of sight between pipeline location markers, and
 - ensure vegetation roots do not establish around the pipeline. This may damage the anti-corrosion coating of the pipeline, which could result in gas leaks and therefore the risk of explosion.
- (2) Jemena’s gas network is primarily located in and around urban areas (cities and regional towns), and therefore is unlikely to extend far into many of the regulated rural areas to which the LLS Act applies. That is, gas infrastructure-related vegetation management should not be an issue in many regulated rural areas.

To the extent that gas infrastructure is present in rural areas, gas mains tend to be laid in the road reserve, where technically feasible (relying on rights in section 47 of the *Gas Supply Act 1996* (NSW)) – rather than in areas well covered by native vegetation. That is, whilst this Regulation is helpful in clarifying our right to undertake vegetation management, we would not expect it to result in extensive new vegetation management activities in regulated rural areas to which the LLS Act applies.

- (3) In the event that the Regulation Committee is able to make further changes to the Regulation before it commences, we note that the term “public utilities” is slightly misleading in the context of gas supply infrastructure. While gas networks in NSW are publicly regulated and operated to provide a service to the public, the vast majority of gas supply infrastructure in this State is privately owned, mostly by Jemena (a private company). This issue could easily be addressed in the Regulation by replacing “public utilities” with “utilities”, or referring to maintenance of “gas works” (as that term defined in the *Gas Supply Act 1996*).

If you have any queries about any aspect of this submission, please contact me on

Yours faithfully

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