

Authority no.

/

Name of Holder:

# Annual report to the Regulator under the *Gas Supply Act 2003*

For the period 1 July 2017 to 30 June 2018

Regulation, Governance and Analytics  
Energy Division  
Department of Natural Resources Mines and Energy  
1 William St, Brisbane, Queensland 4000  
PO Box 15456, City East, Queensland 4002, Australia

**Website:** [dnrme.qld.gov.au](http://dnrme.qld.gov.au)

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## Annual report to the Regulator 2017–18

Under the *Gas Supply Act 2003* (the Act), the Regulator issues authorities (licences) for the distribution of reticulated processed natural gas in Queensland.

It is a condition of an authority that the holder must submit an annual report on its operations, as directed by the Regulator. This information enables the Regulator to assess the authority holder's compliance with statutory requirements, and its continued suitability to hold an authority. It also assists the Regulator to perform other functions under the Act.

A further condition of a distribution authority is that the holder of a distribution authority must, in the approved form and manner, submit reports to the Regulator on the exercise of entry powers under section 139 of the Act (Power to enter to make gas infrastructure safe) and section 140 of the Act (Power to enter for emergency). The annual reports on exercise of entry powers are included in the annual report.

Subject to the provisions of the *Right to Information Act 2009*, the Department of Natural Resources Mines and Energy (DNRME) undertakes to:

- (a) keep confidential all commercial information provided in this report;\* and
- (b) not disclose or allow to be disclosed this information to any person, except officers of DNRME, to the extent that those persons need to know the information for regulatory purposes.\*\*

\* While DNRME encourages suppliers of information to clearly identify any information they consider confidential, it is important to note that all information collected through this process is subject to the *Right to Information Act 2009* and will be retained as required by the *Public Records Act 2002* and other relevant acts and regulations.

\*\* 'Regulatory purposes' means the performance of the Regulator's functions under the Act, and maintenance of the security of the natural gas supply to Queensland customers.

### Privacy Statement

DNRME is collecting the information on this form for the purpose of performing its functions as the Regulator under the *Gas Supply Act 2003*, specifically to ensure that only suitable persons are gas distribution entities, and to monitor compliance with the conditions of authorities.

DNRME may provide all or some of the information provided in this form to other state and Commonwealth entities, including the Electrical Safety Office, Workplace Health and Safety Queensland, and the Department of Environment and Heritage Protection, for the purpose of verifying this information and obtaining other relevant information to determine whether grounds for disciplinary action exist under section 57 or 58 of the Act.

By completing this form, you agree to the use and disclosure of personal information held about you by the above listed entities, where reasonably required, to enable the Regulator to perform its functions. Your personal information will otherwise not be disclosed to any other parties unless authorised or required by law. Further information on DNRME's collection, storage, use and disclosure of personal information can be accessed at:  
[www.dnrme.qld.gov.au/home/legal/privacy](http://www.dnrme.qld.gov.au/home/legal/privacy).

The annual report must be completed and returned via email.

Download the form and complete electronically (including the declaration) then send your data via email to: [ewsenergyregulation@dnrme.qld.gov.au](mailto:ewsenergyregulation@dnrme.qld.gov.au).

No later than: 31 October 2018

For enquiries contact: Email: [ewsenergyregulation@dnrme.qld.gov.au](mailto:ewsenergyregulation@dnrme.qld.gov.au)

This form is also available from the DNRME website at: <https://www.business.qld.gov.au/industries/mining-energy-water/energy/gas/regulation/distribution-retail-licences>.

## Part A: General Information

### 1. Contact information

Company name (if different to authority holder)\*

ACN/ABN number of authority holder

Name of Chief Executive Officer (CEO)  
(or officer holding an equivalent position)

Job title of CEO or equivalent officer

Address of registered office

Postal address

Name of regulatory contact person for licensing  
matters\*

Job title of contact person

Contact telephone number

Contact email address

\* If the name of the holder of the authority has changed but the ACN remains the same, please attach a copy of the Certificate of Registration of Change of Name or other documentary evidence of the change.

## Part B: Prudential and business information

Please answer **Yes** or **No** or **N/A (not applicable)** to the following questions by placing a cross in the appropriate field, and provide details where necessary.

**Note: Definition of HOLDER of an authority** – The holder of a distribution authority (licence) is the entity which is ultimately responsible for the operation of the gas assets, but is not necessarily the entity which owns the assets.

### 2. Is the authority HOLDER still the entity undertaking the activities described in the authority?

Yes

No – Please specify below the name and address of the entity now undertaking these activities.

Name:

Address:

### 3. Has there been any major change\* in the shareholders of the authority HOLDER and/or the owner of the relevant gas assets during the report period? (Please tick both sets of boxes as required).\*\*

\* Ownership change is greater than 10% by way of sale or transfer of shares to a single entity.

\*\* If you are the owner and operator of the assets please tick both boxes for 'owner and operator'. If you are operating the assets on behalf of the owner, you need to indicate if there has been any change in ownership of the assets, changes to the operator, or no change, i.e. **both sets of boxes need to be ticked**.

Owner

Operator

Yes – Give details below

No

Yes – Give details below

No

Full names of new shareholders (Attach additional page if necessary)

Address:

Date of sale/transfer:

### 4. Has the authority HOLDER and/or OWNER of any relevant assets been placed into bankruptcy, receivership, administration or liquidation, or has action been taken to wind up the company?

Yes – Give details below

No

HOLDER:

OWNER:

## Part C: Regulatory information

**5. Has the authority HOLDER or owner of any relevant gas assets had any criminal convictions or civil judgements (where the civil judgement involves compensation or a fine in excess of \$10,000) awarded against it during the reporting period, EXCLUDING actions taken by the Petroleum and Gas Inspectorate or Workplace Health and Safety Queensland? (Please tick both if you are an owner-operator)**

**Owner**

**Operator**

Yes – Give details below

No

Yes – Give details below

No

**6. If registered with the Australian Energy Market Operator, was any enforcement action\* taken during the reporting period against the registered party in relation to the activities authorised by the authority, by the Australian Energy Regulator (AER) or a court, for any breaches of the National Gas Law or the National Gas Rules?**

\* 'Enforcement action' includes investigations, imposition of sanctions, directions, civil penalties, suspension and fines based on enforcement powers under the National Gas Law or the National Gas Rules.

Yes – Give full details of breaches and outcomes

No

**7. Was any enforcement action\* taken against the authority HOLDER during the reporting period by an environmental regulator\*\* under any state or Commonwealth environmental legislation?**

\* 'Enforcement action' includes the issue of an infringement notice, an environmental protection order, a program notice, a notice requiring the preparation and submission of a draft environmental management program, or the institution of any court proceedings. Environmental Impact Assessment processes are excluded from this definition.

\*\* 'Environmental regulator' means any local government agency, state government agency or Commonwealth government agency with regulatory responsibilities in regard to environmental matters.

Yes – Give full details of the action and outcome

No

**8. Was any enforcement action\* taken against the authority HOLDER during the reporting period by the Queensland Competition Authority (QCA) for a contravention of a distribution network code under Chapter 5A, Part 5 of the *Gas Supply Act 2003*?**

\* 'Enforcement action' includes issue of a warning notice, issue of a code contravention notice, civil penalty, court injunction or other court action.

Yes – Give full details of the action and outcome       No       N/A

**9. If the authority HOLDER holds a gas authority or similar licence under the law of another state or territory, was any action taken during the reporting period for a material breach of any interstate licences held by the authority HOLDER?**

Yes – Give details below       No       N/A

Date	Licence No.	State/Territory	Brief description of breach	Outcomes
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**10. Did the authority HOLDER report any events to the Petroleum and Gas Inspectorate or Workplace Health and Safety Queensland?\***

Yes – Please provide information below about events reported       No

\* If no action taken, please enter Nil Action in the 'Details of Action and Outcome' section.

Total number of Prescribed Incidents as defined in Schedule 2 of the Petroleum and Gas (Production and Safety) Regulation 2004 reported to the Petroleum and Gas Inspectorate during the reporting period.

Total number of incidents reported to Workplace Health and Safety Queensland during the reporting period in relation to activities authorised by this authority.

Full details of any action taken by the Petroleum and Gas Inspectorate or Workplace Health and Safety Queensland against the authority HOLDER, e.g. infringement notices, court proceedings, fines.

Action by	Details of action and outcome (Attach additional page if necessary)
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## Part D: Operational information

11. Do the current activities undertaken by the authority HOLDER differ from those described in the authority or the schedule of the authority?

Yes – Give full details below

No

12. Please specify the quantity of gas (in terajoules) delivered during the reporting period for the distribution area described above.

Quantity of gas delivered on behalf of retailers (TJ)

Quantity of gas delivered on behalf of non-retailers (TJ)

Total quantity of gas delivered (TJ)

13. Please provide a list of retailers who retailed processed natural gas reticulated through your network in the distribution area during the reporting period.

Note: If the entity provides both retail and distribution operations still state the entity's name.

14. Please provide an estimate of the total length (in kilometres) of the distribution pipes/network contained in the distribution area as at 30 June 2018.

**15. Have any new distribution pipes been laid under the authority during the reporting period?**

Yes – Give full details below

No

**16. Please complete the table below to show how many customers premises were connected to your network for each distribution area (if more than one distribution area, please attach separate lists for each).**

Customer classification	<1 TJ per year	1-10 TJ per year	10-100 TJ per year	>100 TJ per year	Total
Residential **					
Non-residential					
<b>Total number of premises connected*</b>					

\* Please note this information will remain confidential.

\*\* A 'residential' customer means someone who uses their premises primarily for residential purposes. As definitions may vary between individual distributors, distributors should use their own particular definitions for residential (and non-residential) customers.

**17. During the reporting period, has the distribution officer, acting on behalf of the authority HOLDER, exercised powers to enter to make gas infrastructure safe under section 139 of the Act?**

Yes – Please complete Table 1

No

**18. During the reporting period, has a distribution officer, acting on behalf of the authority HOLDER, exercised power to enter for an emergency under section 140 of the Act?**

Yes – Please complete Table 2

No



**Exercise of entry powers**

**Table 1: Entry under section 139—Power to enter to make gas infrastructure safe**

Section 139 (subsection 1) of the *Gas Supply Act 2003* authorises a distribution officer to enter a place to make the distributor’s gas infrastructure safe, if the occupier of the place has been given at least 48 hours notice of the entry. However, the officer cannot under subsection (1):

- (a) enter a part of the place where a person resides; or
- (b) enter the place between 5 p.m. on any day and 8 a.m. on the next day.

The power under subsection (1) may be exercised without the occupier’s consent.

Date of entry	Work request no.	Specific reason for entry e.g. to fix gas leak as a result of damage caused by private earthworks	Customer class		Consent for entry		Outcome of entry
			Residential	Non-residential	Was occupier’s consent obtained? (Yes/No)	If no, what was the reason occupier’s consent was not obtained?	
<b>Total no. of entries for each customer class</b>							
<b>Total no. of entries under section 139</b>							

**Table 2: Entry under section 140—Power to enter for emergency**

Section 140 (subsection 1) of the *Gas Supply Act 2003* authorises the entry of a distribution officer to a place to prevent or deal with an emergency involving, or that may involve, processed natural gas transported through the distributor’s distribution pipeline. The power under subsection (1) may be exercised without the consent of, or notice to, the occupier of the place. However, if the occupier is present at the place, before entering the place, the officer must do, or make a reasonable attempt to do, the following things (subsection 3):

- (a) comply with section 136 for the occupier (production or display of identity card);
- (b) tell the occupier the purpose of the entry;
- (c) seek the consent of the occupier to the entry; and
- (d) tell the occupier the officer is permitted under this Act to enter the place without the occupier’s consent.

Also, if the occupier is not present at the place, the officer must take reasonable steps to advise the occupier of the officer’s intention to enter the place (subsection 4). Subsections (3) and (4) do not require the officer to take a step that the officer reasonably believes may frustrate or otherwise hinder the prevention or dealing with the emergency.

Date of entry	Work request no.	Specific reason for entry e.g. to fix gas leak as a result of damage caused by private earthworks	Customer class		Consent for entry		Outcome of emergency
			Residential	Non-residential	Was occupier notified before entry? (Yes/No)	If no, what was the reason prior notification was not given to occupier? e.g. customer was unable to be contacted	
Total no. of entries for each customer class							
Total no. of entries under section 140							

**Declaration**

Section 290 of the *Gas Supply Act 2003* provides it is an offence to state anything to the Regulator that a person knows is false or misleading in a material particular, or to omit from a statement made to the Regulator anything without which the statement is misleading in a material particular. It is also an offence for a person to give to the Regulator a document containing information the person knows is false, misleading or incomplete in a material particular. The maximum penalty for such action is 60 penalty units. Penalty units are defined in dollar terms in the *Penalties and Sentences Act 1992*.

I declare that:	Yes	No
The information provided in this annual report is, to the best of my knowledge, true and correct;	<input type="radio"/>	<input type="radio"/>
I am aware of the requirements under the <i>Gas Supply Act 2003</i> in relation to the provision of information to the Regulator;	<input type="radio"/>	<input type="radio"/>
I understand that all information provided in this annual report is subject to the <i>Right to Information Act 2009</i> . The purpose of this Act is to allow right of access to information in the government's possession unless, on balance, it is contrary to the public interest to give the access;	<input type="radio"/>	<input type="radio"/>
I have the authority to make this declaration on behalf of the holder of the authority/approval to which the annual report applies;	<input type="radio"/>	<input type="radio"/>
I give the Department of Natural Resources Mines and Energy permission to contact other relevant parties, as required by the Regulator to verify the information I have provided in this report, as specified in the Privacy Statement above.	<input type="radio"/>	<input type="radio"/>

Full name of person making the declaration:

Position:

Date: