

Submission – NSW Pipelines and Gas Supply Legislation Amendments

Kurt Hermann
National Advocacy and Engagement Manager
Before You Dig Australia



Table of Contents

1	About Us	3
2	Response to the consultation paper	4
2.1	Comments pertaining to section 8 - Decommissioning and abandonment requirements.....	4



1 About Us

Before You Dig Australia (BYDA) is a member-based body representing over 700 utility asset-owners and the leading voice for utility damage prevention in Australia. Through industry advocacy and education, we are dedicated to safeguarding the community by minimising damage, harm, and disruption to Australia's essential utility networks.

In partnership with utilities, local councils, government agencies, and private enterprises, we operate free online services including the underground "Before You Dig" and the above ground "Look Up and Live" planning tools to provide detailed utility plans and vital safety information for any location across Australia. These services are an essential first step for anyone planning to undertake work near utility infrastructure.

We support industry to achieve zero damage, zero harm, and zero disruption.

For further information or assistance in relation to this submission, please contact Mr Kurt Hermann, National Advocacy and Engagement Manager via [REDACTED].

2 Response to the consultation paper

Except for the comments below (section 2.1) pertaining to section 8 of the consultation paper - Decommissioning and abandonment requirements, BYDA fully supports the proposed amendments as drafted within the *NSW Pipelines and Gas Supply Legislation Amendments Consultation Paper*.

2.1 Comments pertaining to section 8 - Decommissioning and abandonment requirements

The following are key considerations/recommendations for amendments to both the *NSW Pipelines Act 1967* and the *NSW Gas Supply Act 1996*:

1. When utility asset owners must either remove the asset or make the asset safe so that it does not interfere with adjacent infrastructure or the environment, the utility owner may only remove the asset from its records/plans if the asset, and any associated infrastructure, are completely removed from the ground or structure. Otherwise, plans must be retained recording these abandoned assets and indicating that they have been decommissioned. These records must be provided to BYDA as required.
2. If the utility owner chooses to leave the asset in place and alter the normal operating parameters of the asset, for example, filling a steel pipeline with concrete, then this alteration must be recorded and included in any information provided to BYDA.
3. Where abandoned assets have been repurposed for use by a third party, via rental or leasing arrangements, for use as a conduit, sleeve, or casing for another asset, the owner of the original asset must be required to record the new usage of this asset and provide this information to BYDA as required. If the asset has been sold to another party, then it is recommended the original utility owner be required to transfer all relevant records to enable the provision of accurate information to BYDA.
4. If the owner of an underground asset goes into receivership, and no one purchases the asset, the amended legislation must stipulate who is responsible for the provision of information pertaining to the abandoned asset to BYDA. It is recommended that this information be the responsibility of the NSW Department of Climate Change, Energy, the Environment and Water.