

10 September 2024



Energy Policy & Reform, National
Energy Markets
Department of Climate Change, Energy, the Environment & Water
4 Parramatta Square
12 Darcy Street, Parramatta NSW 2152

[By email: energy.consult@dpie.nsw.gov.au](mailto:energy.consult@dpie.nsw.gov.au)

Dear Senior Policy Officer

**Jemena Response to NSW Pipelines and Gas Supply Legislation
Amendments Consultation Paper**

Jemena welcomes the opportunity to provide a formal response to the Consultation Paper for proposed changes to the *Pipelines Act 1967* and the *Gas Supply Act 1996*. Jemena also thanks the Department for taking the time to host a briefing session as part of this consultation process.

Jemena has reviewed the Consultation Paper outlining the intent of proposed changes to both Acts. In principle, Jemena is supportive of any amendments that will enhance the governance, safety and operational efficiency of the pipeline and gas network infrastructure in NSW. Jemena's detailed comments are set out in the accompanying document "Jemena Submission on NSW Pipelines and Gas Supply Legislation Amendments Consultation Paper", [REDACTED]

Jemena understands that there will be an opportunity to respond to a Regulatory Impact Statement (RIS) later in the regulatory change process.

In summary, Jemena's response to the six areas of proposed changes is as follows:

1. **Expanded inspector powers.** Jemena generally understands the drivers for increased powers for inspectors, including the move for consistency across various regulatory instruments. Jemena notes that inspection powers must be fit for purpose, provide clarity as to accountability across the regulatory instruments (and departments) and scope of the powers must be unambiguous. Jemena awaits the RIS in order to provide further targeted response.
2. **Update of penalties.** Jemena concurs with the Department that the current penalty regime requires an update to ensure the penalties remain appropriately dissuasive. Jemena has made specific commentary in the body of the submission.
3. **Introduction of Penalty Infringement Notices (PIN) and show cause notices.** Jemena supports the introduction of show cause notices and PIN process for appropriate offences. Jemena has made specific commentary in the body of the submission.
4. **Local Court Penalties.** Jemena agrees that the local court penalty regime requires an update to ensure the penalties remain appropriately dissuasive. Jemena has made specific commentary in the body of the submission.
5. **End-of-life infrastructure management.** Jemena generally understands the drivers for proposals related to the end-of-life management of gas infrastructure. Jemena notes there is a considerable lack of specific information in the proposal and, while we provide some general considerations, we await the RIS in order to provide further commentary.

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6. **Additional refinements.** Jemena notes a series of other miscellaneous changes and we are unclear as to the reasoning and drivers for some of these changes. Jemena has attempted to comment on the information within its submission, however, Jemena awaits the RIS in order to provide further meaningful response.

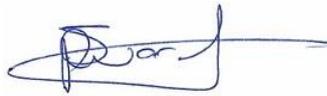
In addition to the above it should also be noted that the Consultation Paper was not sent directly to the Jemena “person-in-charge” as defined in the *Gas Supply (Safety and Network Management) Regulation 2022* and the *Pipelines Regulation 2023*. It would be appreciated if you would update your distribution list so that all future correspondence from the Department are forwarded directly to the relevant Jemena Person-in-charge.

Further details are contained within the submission.

Yours Sincerely



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General Manager, Asset & Operations (Gas)
Jemena Networks
[REDACTED]



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Encl: Jemena Submission on NSW Pipelines and Gas Supply Legislation Amendments Consultation Paper [REDACTED]