

## **Central Ranges Pipeline Pty Ltd ACN 108 218 355**

### **Details of authorisation**

Gas Reticulator's Authorisation under the *Gas Supply Act 1996*.

### **Details concerning the conditions imposed by the Minister**

Refer to the authorisation.

### **Determinations made by the Minister with respect to authorisations and their conditions**

#### **13 December 2005**

Reticulator's Authorisation granted to Central Ranges Pipeline Pty Ltd for the local government areas of Dubbo City Council, Gilgandra Shire Council, Gunnedah Shire Council, Liverpool Plains Shire Council, Mid-Western Regional Council, Tamworth Regional Council, and Warrumbungle Shire Council.

#### **9 January 2015**

The Minister for Resources and Energy approved:

- ▼ the addition of Central Ranges Pipeline Pty Ltd and its distribution districts to the Standardised authorisation.
- ▼ changes to reflect corporate name changes from 'The Albury Gas Co Ltd' to 'Australian Gas Networks (Albury) Ltd', and from 'Envestra (NSW) Pty Ltd' to 'Australian Gas Networks (NSW) Pty Ltd'.
- ▼ the Wesfarmers Kleenheat Gas Pty Ltd authorisation be cancelled.





**NEW SOUTH WALES  
GOVERNMENT**

**GAS SUPPLY ACT 1996**

**RETICULATOR'S AUTHORISATION**

# SCHEDULE

## Reticulator's Authorisation

### Conditions Imposed by the Minister under s 11(1) (b) of the *Gas Supply Act 1996*

#### **1 Application**

This *reticulator's authorisation* is subject to these *Conditions*. The *distribution district* of an individual *reticulator* to which this *reticulator's authorisation* extends is listed in the Attachment to these *Conditions*.

#### **2 Cessation of operations**

A *reticulator* must, where practicable, give the *Tribunal* at least 3 months prior written notice of its intention to cease operating the whole or any substantial part of a *distribution pipeline* specified in its *reticulator's authorisation*.

#### **3 Compliance with Network Code**

3.1 Where a *reticulator's distribution pipeline* is a *designated distribution pipeline*, the *reticulator* must develop, adopt and comply with a *Network Code* for its *distribution pipeline*.

3.2 Where the *reticulator* has not previously operated within the NSW *gas* market, the obligation under clause 3.1 will apply when the *reticulator* commences to convey *gas* through its *distribution pipeline*.

3.3 The *reticulator* must notify the *Director-General* and the *Tribunal* of any amendment to the *Network Code* proposed by the *reticulator* or by an *authorised supplier*. The *reticulator* must seek submissions on the proposed amendment from *authorised suppliers* in accordance with any guidelines notified by the *Director-General*. The *reticulator* must notify all *authorised suppliers* in NSW, the *Director-General*, and the *Tribunal* of any amendments made to the *Network Code* adopted by the *reticulator*.

3.4 The *reticulator* must make a copy of the *Network Code* adopted by the *reticulator* available to any person on request for a reasonable charge to cover the costs of providing the copy.

#### **4 Condition removed 24 June 2009 by notice published in Government Gazette No. 93 on 26 June 2009**

## **5 Insurances and indemnity**

- 5.1 A *reticulator* must maintain with a reputable insurance company, workers compensation insurance, public liability insurance and other insurances which it is necessary or prudent for it to maintain covering liability for it, its employees and agents for any loss or damage to property or for death or personal injury to any person for an amount which in all the circumstances is reasonable or for an amount which the *Minister* may from time to time specify.
- 5.2 A *reticulator* must produce to the *Minister* and the *Tribunal* on request satisfactory evidence that such insurance is in force.
- 5.3 A *reticulator* must not do or fail to do anything that would have the effect of avoiding the policy of insurance.
- 5.4 The *reticulator* must indemnify the *Minister* and the *Tribunal* and shall keep them indemnified against loss or damage, (including legal costs on an indemnity basis and the cost of rectifying any breach by the *reticulator* of the *Act* or its *reticulator's* *authorisation*) which they may jointly or severally sustain arising from any of the following:
- (a) the *reticulator's* failure to comply with the *reticulator's* *authorisation*;
  - (b) any negligent act or omission of the *reticulator*, its employees or agents.

## **6 Audit of compliance with conditions**

- 6.1 To enable the *Minister* or an auditor appointed by the *Minister* to audit compliance by the *reticulator* with,
- (a) the *reticulator's* *FRC* obligations; or
  - (b) the *reticulator's* procedures and systems for ensuring compliance with *FRC* obligations,
- the *reticulator* must provide the *Minister* or the auditor with:
- (c) access to its premises and personnel;
  - (d) access to its records in whatever form they may be stored;
  - (e) such information about its records as may be requested for the conduct of the audit; and
  - (f) such assistance and co-operation as may reasonably be required for the conduct of the audit.
- 6.2 The *reticulator* must pay as directed by the *Minister* the costs of any audit conducted under this condition.

## **7 Compliance management systems**

The *reticulator* must develop and maintain internal systems capable of effectively managing compliance with its *reticulator's* *authorisation*.

## 8 Compliance with statistical reporting obligations

A *reticulator* must provide the *Minister* or the *Minister's* nominee such operating statistics and performance indicators as may be requested from time to time by the *Minister* or the *Minister's* nominee. The *Minister* or the *Minister's* nominee will provide the *reticulator* with reasons for its request when the initial request is made and after that when a request relates to operating statistics and performance indicators that are of materially different type or category to that provided under the initial or a subsequent request.

## 9 Definitions and Interpretation

### Definitions

9.1 In these *Conditions*, the following expressions have the meaning given to them:

<b>Act</b>	<i>Gas Supply Act 1996 (NSW)</i> .
<b>approved scheme</b>	A scheme, approved by the <i>Minister</i> , to develop, administer and implement appropriate <i>business rules</i> and <i>retail market business systems</i> to support full competition in the <i>gas</i> retail market in New South Wales.
<b>business rules</b>	The rules of an entity, established under an <i>approved scheme</i> , governing the operation of <i>retail market business systems</i> .
<b>conditions</b>	These <i>conditions</i> made by the <i>Minister</i> under s 11 (1) (b) of the <i>Act</i> , expressed in this document as clauses.
<b>designated distribution pipeline</b>	A <i>distribution pipeline</i> specified by the <i>Minister</i> as a designated <i>distribution pipeline</i> by publication in the NSW Government Gazette.
<b>Director-General</b>	The <i>Director-General</i> of the Ministry of Energy and Utilities.
<b>FRC obligations</b>	Those obligations of a <i>reticulator</i> which the <i>Minister</i> considers are obligations that relate to full competition in the retail market for <i>gas</i> in New South Wales and includes those which the <i>Minister</i> considers arise under the <i>Act</i> , the <i>Gas Supply (Natural Gas Retail Competition) Regulation 2001</i> and conditions imposed by the <i>Minister</i> .
<b>gas</b>	Natural gas.
<b>Minister</b>	The <i>Minister</i> responsible for administering the <i>Act</i> .
<b>Network Code</b>	A Code developed by the <i>reticulator</i> in accordance with guidelines approved by the Director General, on 20 December 2001 (as amended) that documents the <i>reticulator's</i> policies, practices and procedures with respect to the provision of services to gas suppliers, which are necessary to facilitate the operation of a competitive retail market.
<b>premises</b>	Includes a building or part of a building, a structure or part of a structure and land (whether built on or not).
<b>retail market business systems</b>	Has the meaning given to that term in section 33J of the <i>Gas Supply Act 1996</i> .

9.2 In these *Conditions*, the following expressions have the same meaning as in the Dictionary of the Act:

**authorised supplier**  
**distribution district**  
**distribution pipeline**  
**reticulator**  
**reticulator's authorisation**  
**supplier**  
**supplier's authorisation**  
**Tribunal**

## **Interpretation**

9.3 Wherever these *Conditions* require the *reticulator* to perform any obligation within a specified time, and that time has expired without the obligation being performed, the expiry of the time will not excuse the *reticulator* from performing the obligation.

9.4 In these *Conditions*:

- (a) the singular includes the plural and vice versa;
- (b) headings are used for convenience only and do not affect the interpretation of these *authorisation* conditions;
- (c) a reference to a document, instrument or law includes any amendments, revisions, renewals, replacements or reprints from time to time;
- (d) a person includes an individual, body corporate, an unincorporated body or other entity;
- (e) the law includes legislation, regulations, licences, orders, codes, permits and directions;
- (f) italicised expressions are defined in clause 9.1, or defined by reference in clause 9.2;
- (g) where a word is defined, any other grammatical form of that word has a corresponding meaning;
- (h) a financial year means a year commencing on 1 July and ending on 30 June in the subsequent calendar year.

## ATTACHMENT

### Reticulators' Distribution districts

Each reticulator listed in this Attachment has a distribution district comprising the local government areas, or parts of local government areas, corresponding to that reticulator in this Attachment.

Name of Reticulator	Distribution district
ActewAGL Distribution Limited (ACN 073 025 224) and AGL Gas Company (ACT) Limited (ACN 008 552 663) as partners in the partnership styled <i>ActewAGL Distribution</i>	Eastern Capital City Regional, Greater Queanbeyan, Shoalhaven, Tumut
Jemena Gas Networks (ACN 003 004 322)	Ashfield, Auburn, Bankstown, Bathurst, Baulkham Hills, Berrigan, Blacktown, Bland, Blayney, Blue Mountains, Bombala, Boorowa, Botany, Burwood, Cabonne, Camden, Campbelltown, Canada Bay, Canterbury, Cessnock, Conargo, Coolah, Coolamon, Coonabarabran, Cooma-Monaro, Cootamundra, Corowa, Cowra, Culcairn, Deniliquin, Dubbo, Eastern Capital City Regional, Evans, Fairfield, Forbes, Gilgandra, Gosford, Greater Argyle, Greater Queanbeyan, Lithgow, Griffith, Gundagai, Gunnedah, Harden, Hawkesbury, Holbrook, Holroyd, Hornsby, Hume, Hunters Hill, Hurstville, Jerilderie, Junee, Kiama, Kogarah, Ku-ring-gai, Lake Macquarie, Lane Cove, Leeton, Leichhardt, Liverpool, Maitland, Manly, Marrickville, Moree Plains, Mosman, Mudgee, Murray, Muswellbrook, Narrabri, Narrandera, Narromine, Newcastle, North Sydney, Oberon, Orange, Parkes, Parramatta, Parry, Penrith, Pittwater, Port Stephens, Quirindi, Randwick, Rockdale, Ryde, Shellharbour, Shoalhaven, Singleton, Snowy River, Strathfield, Sutherland, Sydney, Tamworth, Temora, Tumut, Upper Lachlan, Warringah, Waverley, Weddin, Wellington, Willoughby, Wingecarribee, Wollondilly, Wollongong, Woolahra, Wyong, Yass Valley, Young
Australian Gas Networks (Albury) Ltd (ACN 000 001 249)	Albury, Berrigan, Conargo, Corowa, Deniliquin, Hume, Jerilderie, Murray
Allgas Energy Ltd (ACN 009 656 446)	Tweed, Narrabri
Australian Gas Networks (NSW) Pty Ltd (ACN 083 199 839)	Bombala, Cooma-Monaro, Cootamundra, Culcairn, Gundagai, Holbrook, Junee, Lockhart, Temora, Tumut, Wagga Wagga
Central Ranges Pipeline Pty Ltd (ACN 108 218 355)	Dubbo City Council, Gilgandra Shire Council, Gunnedah Shire Council, Liverpool Plains Shire Council, Mid-Western Regional Council, Tamworth Regional Council, Warrumbungle Shire Council



## Department of Water and Energy

### WATER ACT 1912

APPLICATIONS for licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on part Lot 156, DP 753767, Parish Arndell, County Hunter, for irrigation of 6 hectares (split of existing entitlement) (Reference: 20SL061793).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 1, exempt from current 22BA embargo) (Reference: 20SL061795).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 2, exempt from current 22BA embargo) (Reference: 20SL061796).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 3, exempt from current 22BA embargo) (Reference: 20SL061797).

Robert James LLOYD for a pump on Halls Creek, on an easement within Lot 40, DP 750963, Parish Wickham, County Brisbane, for water supply for stock and domestic purposes and irrigation of 7 hectares (split of existing entitlement, exempt from current 22BA embargo) (Reference: 20SL061804).

Written objections to the application specifying grounds thereof must be lodged with the Department of Water and Energy, PO Box 796, Murwillumbah NSW 2484, within 28 days of the date of publication.

D. MILLING,  
Manager,  
Licensing

### WATER ACT 1912

APPLICATION for a licence under Part 5 of the Water Act, 1912, as amended, has been received as follows;

#### *Murrumbidgee Valley*

Jason William MARSH for a bore licence on Lot 145 DP754559, Parish of Mimosa, County of Mitchell for a water supply for irrigation purposes (cereals and pastures). Conversion of a test bore lodged prior to the existing embargo. New Licence. (Ref.40BL192145) Any inquiries regarding the above should be directed to the undersigned on (02) 6953 0700. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 156, Leeton NSW 2705, within 28 days of the date of this publication.

S.F. WEBB,  
Licensing Manager

### GAS SUPPLY ACT 1996

#### Section 12

#### Notice Of Variation of Conditions of Supplier's Authorisation

THIS Notice applies to the conditions of Supplier's Authorisation granted by the Minister for Energy on 9 July 2004 under section 11(1)(b) Gas Supply Act 1996. Under section 12 Gas Supply Act 1996 the conditions are varied as follows:

1. Clause 3 (Requirement to participate in an approved scheme) is deleted in its entirety.

All remaining conditions of the Supplier's Authorisation remain in force. This variation shall take effect on the 'changeover date' as defined in the National Gas Law adopted in New South Wales through the National Gas (New South Wales) Act 2008.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy

### GAS SUPPLY ACT 1996

#### Section 12

#### Notice of Variation of Conditions of Reticulator's Authorisation

THIS Notice applies to the conditions of Reticulator's Authorisation granted by the Minister for Energy on 9 July 2004 under section 11(1)(b) Gas Supply Act 1996. Under section 12 Gas Supply Act 1996 the conditions are varied as follows:

1. Clause 4 (Requirement to participate in an approved scheme) is deleted in its entirety.

All remaining conditions of the Reticulator's Authorisation remain in force. This variation shall take effect on the 'changeover date' as defined in the National Gas Law adopted in New South Wales through the National Gas (New South Wales) Act 2008.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy

### NATIONAL GAS LAW

#### Schedule 3, Section 67

#### Notice of Allocation Order

PURSUANT to section 67(1) of Schedule 3 of the National Gas Law, I, Ian Macdonald, Minister for Energy, New South Wales make the following Allocation Order with effect on and from the Relevant Date as defined in the Allocation Order.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy





**NEW SOUTH WALES  
GOVERNMENT**

**GAS SUPPLY ACT 1996**

**RETICULATOR'S AUTHORISATION**

# SCHEDULE

## Reticulator's Authorisation

### Conditions Imposed by the Minister under s 11(1) (b) of the *Gas Supply Act 1996*

#### 1 Application

This *reticulator's authorisation* is subject to these *Conditions*. The *distribution district* of an individual *reticulator* to which this *reticulator's authorisation* extends is listed in the Attachment to these *Conditions*.

#### 2 Cessation of operations

A *reticulator* must, where practicable, give the *Tribunal* at least 3 months prior written notice of its intention to cease operating the whole or any substantial part of a *distribution pipeline* specified in its *reticulator's authorisation*.

#### 3 Compliance with Network Code

- 3.1 Where a *reticulator's distribution pipeline* is a *designated distribution pipeline*, the *reticulator* must develop, adopt and comply with a *Network Code* for its *distribution pipeline*.
- 3.2 Where the *reticulator* has not previously operated within the NSW *gas* market, the obligation under clause 3.1 will apply when the *reticulator* commences to convey *gas* through its *distribution pipeline*.
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#### 4 Condition removed 24 June 2009 by notice published in Government Gazette No. 93 on 26 June 2009

## 5 Insurances and indemnity

- 5.1 A *reticulator* must maintain with a reputable insurance company, workers compensation insurance, public liability insurance and other insurances which it is necessary or prudent for it to maintain covering liability for it, its employees and agents for any loss or damage to property or for death or personal injury to any person for an amount which in all the circumstances is reasonable or for an amount which the *Minister* may from time to time specify.
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- (a) the *reticulator's* failure to comply with the *reticulator's* *authorisation*;
  - (b) any negligent act or omission of the *reticulator*, its employees or agents.

## 6 Audit of compliance with conditions

- 6.1 To enable the *Minister* or an auditor appointed by the *Minister* to audit compliance by the *reticulator* with,
- (a) the *reticulator's* *FRC* obligations; or
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- (c) access to its premises and personnel;
  - (d) access to its records in whatever form they may be stored;
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<b>business rules</b>	The rules of an entity, established under an <i>approved scheme</i> , governing the operation of <i>retail market business systems</i> .
<b>conditions</b>	These <i>conditions</i> made by the <i>Minister</i> under s 11 (1) (b) of the <i>Act</i> , expressed in this document as clauses.
<b>designated distribution pipeline</b>	A <i>distribution pipeline</i> specified by the <i>Minister</i> as a designated <i>distribution pipeline</i> by publication in the NSW Government Gazette.
<b>Director-General</b>	The <i>Director-General</i> of the Ministry of Energy and Utilities.
<b>FRC obligations</b>	Those obligations of a <i>reticulator</i> which the <i>Minister</i> considers are obligations that relate to full competition in the retail market for <i>gas</i> in New South Wales and includes those which the <i>Minister</i> considers arise under the <i>Act</i> , the <i>Gas Supply (Natural Gas Retail Competition) Regulation 2001</i> and conditions imposed by the <i>Minister</i> .
<b>gas</b>	Natural <i>gas</i>
<b>Minister</b>	The <i>Minister</i> responsible for administering the <i>Act</i> .
<b>Network Code</b>	A Code developed by the <i>reticulator</i> in accordance with guidelines approved by the <i>Director General</i> , on 20 December 2001 (as amended) that documents the <i>reticulator's</i> policies, practices and procedures with respect to the provision of services to <i>gas</i> suppliers, which are necessary to facilitate the operation of a competitive retail market
<b>premises</b>	Includes a building or part of a building, a structure or part of a structure and land (whether built on or not.)
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**authorised supplier**  
**distribution district**  
**distribution pipeline**  
**reticulator**  
**reticulator's authorisation**  
**supplier**  
**supplier's authorisation**  
**Tribunal**

## **Interpretation**

9.3 Wherever these *Conditions* require the *reticulator* to perform any obligation within a specified time, and that time has expired without the obligation being performed, the expiry of the time will not excuse the *reticulator* from performing the obligation.

9.4 In these *Conditions*:

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- (b) headings are used for convenience only and do not affect the interpretation of these *authorisation* conditions;
- (c) a reference to a document, instrument or law includes any amendments, revisions, renewals, replacements or reprints from time to time;
- (d) a person includes an individual, body corporate, an unincorporated body or other entity;
- (e) the law includes legislation, regulations, licences, orders, codes, permits and directions;
- (f) italicised expressions are defined in clause 9.1, or defined by reference in clause 9.2
- (g) where a word is defined, any other grammatical form of that word has a corresponding meaning;
- (h) a financial year means a year commencing on 1 July and ending on 30 June in the subsequent calendar year.

## ATTACHMENT

### Reticulators' Distribution districts

Each reticulator listed in this Attachment has a distribution district comprising the local government areas, or parts of local government areas, corresponding to that reticulator in this Attachment.

Name of reticulator	Distribution district
Actew Distribution Limited (ACN 073 025 224) and AGL Gas Company (ACT) Limited (ACN 008 552 663) as partners in the partnership styled <i>ActewAGL Distribution</i>	Eastern Capital City Regional, Greater Queanbeyan, Shoalhaven, Tumut
<i>Jemena Gas Networks</i> (ACN 003 004 322)	Ashfield, Auburn, Bankstown, Bathurst, Baulkham Hills, Berrigan, Blacktown, Bland, Blayney, Blue Mountains, Bombala, Boorowa, Botany, Burwood, Cabonne, Camden, Campbelltown, Canada Bay, Canterbury, Cessnock, Conargo, Coolah, Coolamon, Coonabarabran, Cooma-Monaro, Cootamundra, Corowa, Cowra, Culcairn, Deniliquin, Dubbo, Eastern Capital City Regional, Evans, Fairfield, Forbes, Gilgandra, Gosford, Greater Argyle, Greater Queanbeyan, Lithgow, Griffith, Gundagai, Gunnedah, Harden, Hawkesbury, Holbrook, Holroyd, Hornsby, Hume, Hunters Hill, Hurstville, Jerilderie, Junee, Kiama, Kogarah, Ku-ring-gai, Lake Macquarie, Lane Cove, Leeton, Leichhardt, Liverpool, Maitland, Manly, Marrickville, Moree Plains, Mosman, Mudgee, Murray, Muswellbrook, Narrabri, Narrandera, Narromine, Newcastle, North Sydney, Oberon, Orange, Parkes, Parramatta, Parry, Penrith, Pittwater, Port Stephens, Quirindi, Randwick, Rockdale, Ryde, Shellharbour, Shoalhaven, Singleton, Snowy River, Strathfield, Sutherland, Sydney, Tamworth, Temora, Tumut, Upper Lachlan, Warringah, Waverley, Weddin, Wellington, Willoughby, Wingecarribee, Wollondilly, Wollongong, Woollahra, Wyong, Yass Valley, Young
<i>Albury Gas Company</i> (ACN 000 001 249)	Albury, Berrigan, Conargo, Corowa, Deniliquin, Hume, Jerilderie, Murray
<i>Allgas Energy Ltd</i> (ACN 009 656 446)	Tweed, Narrabri
<i>Country Energy Gas Pty Limited</i> (ACN 083 199 839)	Bombala, Cooma-Monaro, Cootamundra, Culcairn, Gundagai, Holbrook, Junee, Lockhart, Temora, Tumut, Wagga Wagga
<i>Wesfarmers Kleenheat Gas Pty Limited</i> (ACN 008 679 543)	Armidale Dumaresq





NEW SOUTH WALES

**Minister for Police  
Minister for Utilities  
Leader of the House**

IPART Ref: 05/405

Mr David Adam  
Chief Executive Officer  
Central Ranges Pipeline Pty Ltd  
Level 7, 16-20 Barrack Street  
SYDNEY NSW 2000

Dear Mr Adam

**Application for Natural Gas Reticulator's Authorisation**

I refer to the application dated August 29, 2005, from Central Ranges Pipeline Pty Ltd for a Natural Gas Reticulator's authorisation for the following Local Government areas:

- Dubbo City Council
- Gilgandra Shire Council
- Gunnedah Shire Council
- Liverpool Plains Shire Council
- Mid-Western Regional Council
- Tamworth Regional Council
- Warrumbungle Shire Council

I hereby grant this gas reticulator authorisation as per the attached notice.

Yours sincerely

**CARL SCULLY MP**  
Minister for Utilities

13 DEC 2005



**NEW SOUTH WALES  
GOVERNMENT**

**GAS SUPPLY ACT 1996**

**RETICULATOR'S AUTHORISATION**

GAS SUPPLY ACT 1996

**RETICULATOR'S AUTHORISATION**


I CARL SCULLY, Minister for Utilities, pursuant to section 9 & 11 of the *Gas Supply Act, 1996*, hereby grant a Reticulator's Authorisation for the purposes of conveying natural gas in the distribution districts listed in the Schedule, to :

**Central Ranges Pipeline Pty Ltd (ACN 108 218 355)**

on the following conditions:

- a) conditions imposed under clause 11 (1)(a) of the Gas Supply Act, 1996
- b) conditions imposed under clause 11 (1)(b) and 11 (2) of the Gas Supply Act, 1996 (a current copy of these conditions as of the date of the issue of the authorisation is attached), and
- c) other conditions as I may impose on the authorisation from time to time.

Dated 13 DEC 2005

  
MINISTER FOR UTILITIES

## SCHEDULE

### Reticulator's Authorisation

#### Conditions Imposed by the Minister under s 11(1) (b) of the Gas Supply Act 1996

#### 1 Application

This *reticulator's authorisation* is subject to these *Conditions*. The *distribution district* of an individual *reticulator* to which this *reticulator's authorisation* extends is listed in the Attachment to these *Conditions*.

#### 2 Cessation of operations

A *reticulator* must, where practicable, give the *Tribunal* at least 3 months prior written notice of its intention to cease operating the whole or any substantial part of a *distribution pipeline* specified in its *reticulator's authorisation*.

#### 3 Compliance with Network Code

- 3.1 Where a *reticulator's distribution pipeline* is a *designated distribution pipeline*, the *reticulator* must develop, adopt and comply with a *Network Code* for its *distribution pipeline*.
- 3.2 Where the *reticulator* has not previously operated within the NSW *gas* market, the obligation under clause 3.1 will apply when the *reticulator* commences to convey *gas* through its *distribution pipeline*.
- 3.3 The *reticulator* must notify the *Director-General* and the *Tribunal* of any amendment to the *Network Code* proposed by the *reticulator* or by an *authorised supplier*. The *reticulator* must seek submissions on the proposed amendment from *authorised suppliers* in accordance with any guidelines notified by the *Director-General*. The *reticulator* must notify all *authorised suppliers* in NSW, the *Director-General*, and the *Tribunal* of any amendments made to the *Network Code* adopted by the *reticulator*.
- 3.4 The *reticulator* must make a copy of the *Network Code* adopted by the *reticulator* available to any person on request for a reasonable charge to cover the costs of providing the copy.

#### 4 Requirement to participate in an approved scheme

- 4.1 This condition applies only to a *reticulator* whose *distribution pipeline* specified in that *reticulator's authorisation* is a *designated distribution pipeline*.
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- 4.2 A *reticulator* must participate in an *approved scheme*.
- 4.3 The *reticulator* must provide to the *Minister* or the *Minister's* nominee information about the operation of the *approved scheme* as may be required from time to time by the *Minister*.

## 5 Insurances and indemnity

- 5.1 A *reticulator* must maintain with a reputable insurance company, workers compensation insurance, public liability insurance and other insurances which it is necessary or prudent for it to maintain covering liability for it, its employees and agents for any loss or damage to property or for death or personal injury to any person for an amount which in all the circumstances is reasonable or for an amount which the *Minister* may from time to time specify.
- 5.2 A *reticulator* must produce to the *Minister* and the *Tribunal* on request satisfactory evidence that such insurance is in force.
- 5.3 A *reticulator* must not do or fail to do anything that would have the effect of avoiding the policy of insurance.
- 5.4 The *reticulator* must indemnify the *Minister* and the *Tribunal* and shall keep them indemnified against loss or damage, (including legal costs on an indemnity basis and the cost of rectifying any breach by the *reticulator* of the *Act* or its *reticulator's* *authorisation*) which they may jointly or severally sustain arising from any of the following:
- (a) the *reticulator's* failure to comply with the *reticulator's* *authorisation*;
  - (b) any negligent act or omission of the *reticulator*, its employees or agents.

## 6 Audit of compliance with conditions

- 6.1 To enable the *Minister* or an auditor appointed by the *Minister* to audit compliance by the *reticulator* with,
- (a) the *reticulator's* *FRC* obligations; or
  - (b) the *reticulator's* procedures and systems for ensuring compliance with *FRC* obligations,
- the *reticulator* must provide the *Minister* or the auditor with:
- (c) access to its premises and personnel;
  - (d) access to its records in whatever form they may be stored;
  - (e) such information about its records as may be requested for the conduct of the audit; and
  - (f) such assistance and co-operation as may reasonably be required for the conduct of the audit.
- 6.2 The *reticulator* must pay as directed by the *Minister* the costs of any audit conducted under this condition.

## 7 Compliance management systems

The *reticulator* must develop and maintain internal systems capable of effectively managing compliance with its *reticulator's authorisation*.

## 8 Compliance with statistical reporting obligations

A *reticulator* must provide the *Minister* or the *Minister's* nominee such operating statistics and performance indicators as may be requested from time to time by the *Minister* or the *Minister's* nominee. The *Minister* or the *Minister's* nominee will provide the *reticulator* with reasons for its request when the initial request is made and after that when a request relates to operating statistics and performance indicators that are of materially different type or category to that provided under the initial or a subsequent request.

## 9 Definitions and Interpretation

### Definitions

9.1 In these *Conditions*, the following expressions have the meaning given to them:

<b>Act</b>	<i>Gas Supply Act 1996 (NSW)</i> .
<b>approved scheme</b>	A scheme, approved by the <i>Minister</i> , to develop, administer and implement appropriate <i>business rules</i> and <i>retail market business systems</i> to support full competition in the gas retail market in New South Wales.
<b>business rules</b>	The rules of an entity, established under an <i>approved scheme</i> , governing the operation of <i>retail market business systems</i> .
<b>conditions</b>	These <i>conditions</i> made by the <i>Minister</i> under s 11 (1) (b) of the Act, expressed in this document as clauses.
<b>designated distribution pipeline</b>	A <i>distribution pipeline</i> specified by the <i>Minister</i> as a designated <i>distribution pipeline</i> by publication in the NSW Government Gazette.
<b>Director-General</b>	The <i>Director-General</i> of the Department of Energy and Utilities.
<b>FRC obligations</b>	Those obligations of a <i>reticulator</i> which the <i>Minister</i> considers are obligations that relate to full competition in the retail market for <i>gas</i> in New South Wales and includes those which the <i>Minister</i> considers arise under the Act, the <i>Gas Supply (Natural Gas Retail Competition) Regulation 2001</i> and conditions imposed by the <i>Minister</i> .
<b>gas</b>	Natural gas
<b>Minister</b>	The <i>Minister</i> responsible for administering the Act.
<b>Network Code</b>	A Code developed by the <i>reticulator</i> in accordance with guidelines approved by the <i>Director General</i> , on 20 December 2001 (as amended) that documents the <i>reticulator's</i> policies, practices and procedures with respect to the provision of services to gas suppliers, which are

	necessary to facilitate the operation of a competitive retail market
<b>premises</b>	Includes a building or part of a building, a structure or part of a structure and land (whether built on or not.)
<b>retail market business systems</b>	Has the meaning given to that term in section 33J of the <i>Gas Supply Act 1996</i> .

9.2 In these *Conditions*, the following expressions have the same meaning as in the Dictionary of the *Act*:

**authorised supplier**  
**distribution district**  
**distribution pipeline**  
**reticulator**  
**reticulator's authorisation**  
**supplier**  
**supplier's authorisation**  
**Tribunal**

## Interpretation

9.3 Wherever these *Conditions* require the *reticulator* to perform any obligation within a specified time, and that time has expired without the obligation being performed, the expiry of the time will not excuse the *reticulator* from performing the obligation.

9.4 In these *Conditions*:

- (a) the singular includes the plural and vice versa;
- (b) headings are used for convenience only and do not affect the interpretation of these *authorisation* conditions;
- (c) a reference to a document, instrument or law includes any amendments, revisions, renewals, replacements or reprints from time to time;
- (d) a person includes an individual, body corporate, an unincorporated body or other entity;
- (e) the law includes legislation, regulations, licences, orders, codes, permits and directions;
- (f) italicised expressions are defined in clause 9.1, or defined by reference in clause 9.2
- (g) where a word is defined, any other grammatical form of that word has a corresponding meaning;
- (h) a financial year means a year commencing on 1 July and ending on 30 June in the subsequent calendar year.

## **ATTACHMENT**

### **DISTRIBUTION DISTRICT**

The distribution district is the district to which the Authorisation Holder is restricted under the conditions of this Authorisation, being the following Local Government areas under the Local Government Act 1993:

- Dubbo City Council
- Gilgandra Shire Council
- Gunnedah Shire Council
- Liverpool Plains Shire Council
- Mid- Western Regional Council
- Tamworth Regional Council
- Warrumbungle Shire Council



## Department of Water and Energy

### WATER ACT 1912

APPLICATIONS for licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on part Lot 156, DP 753767, Parish Arndell, County Hunter, for irrigation of 6 hectares (split of existing entitlement) (Reference: 20SL061793).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 1, exempt from current 22BA embargo) (Reference: 20SL061795).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 2, exempt from current 22BA embargo) (Reference: 20SL061796).

William Michael NEVILLE and Heather Nancy NEVILLE for a pump on the Goulburn River, on an easement within Lot 156, DP 753767, Parish Arndell, County Hunter, for water supply for stock and domestic purposes (to proposed Lot 3, exempt from current 22BA embargo) (Reference: 20SL061797).

Robert James LLOYD for a pump on Halls Creek, on an easement within Lot 40, DP 750963, Parish Wickham, County Brisbane, for water supply for stock and domestic purposes and irrigation of 7 hectares (split of existing entitlement, exempt from current 22BA embargo) (Reference: 20SL061804).

Written objections to the application specifying grounds thereof must be lodged with the Department of Water and Energy, PO Box 796, Murwillumbah NSW 2484, within 28 days of the date of publication.

D. MILLING,  
Manager,  
Licensing

### WATER ACT 1912

APPLICATION for a licence under Part 5 of the Water Act, 1912, as amended, has been received as follows;

#### *Murrumbidgee Valley*

Jason William MARSH for a bore licence on Lot 145 DP754559, Parish of Mimosa, County of Mitchell for a water supply for irrigation purposes (cereals and pastures). Conversion of a test bore lodged prior to the existing embargo. New Licence. (Ref.40BL192145) Any inquiries regarding the above should be directed to the undersigned on (02) 6953 0700. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 156, Leeton NSW 2705, within 28 days of the date of this publication.

S.F. WEBB,  
Licensing Manager

### GAS SUPPLY ACT 1996

#### Section 12

#### Notice Of Variation of Conditions of Supplier's Authorisation

THIS Notice applies to the conditions of Supplier's Authorisation granted by the Minister for Energy on 9 July 2004 under section 11(1)(b) Gas Supply Act 1996. Under section 12 Gas Supply Act 1996 the conditions are varied as follows:

1. Clause 3 (Requirement to participate in an approved scheme) is deleted in its entirety.

All remaining conditions of the Supplier's Authorisation remain in force. This variation shall take effect on the 'changeover date' as defined in the National Gas Law adopted in New South Wales through the National Gas (New South Wales) Act 2008.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy

### GAS SUPPLY ACT 1996

#### Section 12

#### Notice of Variation of Conditions of Reticulator's Authorisation

THIS Notice applies to the conditions of Reticulator's Authorisation granted by the Minister for Energy on 9 July 2004 under section 11(1)(b) Gas Supply Act 1996. Under section 12 Gas Supply Act 1996 the conditions are varied as follows:

1. Clause 4 (Requirement to participate in an approved scheme) is deleted in its entirety.

All remaining conditions of the Reticulator's Authorisation remain in force. This variation shall take effect on the 'changeover date' as defined in the National Gas Law adopted in New South Wales through the National Gas (New South Wales) Act 2008.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy

### NATIONAL GAS LAW

#### Schedule 3, Section 67

#### Notice of Allocation Order

PURSUANT to section 67(1) of Schedule 3 of the National Gas Law, I, Ian Macdonald, Minister for Energy, New South Wales make the following Allocation Order with effect on and from the Relevant Date as defined in the Allocation Order.

Dated at Sydney, this 24th day of June 2009.

IAN MACDONALD, M.L.C.,  
Minister for Energy

