

**Gas Policy No.1**  
Gas Infrastructure Works  
GasPol/2006/01 – Version 1

Approved  
Director-General  
Department of Mines and Energy  
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## **Policy**

The conditions of approval which a public entity may impose on a distributor when undertaking gas infrastructure work must be reasonable.

Such conditions can reasonably only relate to how and when the gas infrastructure work can be undertaken.

Other conditions that are unnecessarily onerous or place unnecessary and significant costs on the distributor may not be considered reasonable and therefore could be subject to mediation or dispute resolution.

## **Background**

The *Gas Supply Act 2003* (**the Act**) details the processes by which a distributor is able to install, operate or maintain gas infrastructure (**gas infrastructure work**) on a publicly controlled place such as a road.

The distributor must seek approval to undertake gas infrastructure work from the public entity that has primary responsibility for the place. The public entity must not unreasonably refuse to grant such approval. However, the public entity may impose conditions on the approval it considers reasonable.

The Act provides an example of a reasonable condition which relates to timing of the gas infrastructure work to minimise interference with public access to the place.

## **Rights of Review/Appeal**

Section 267 of the Act enables a dispute between a distributor and a public entity about gas infrastructure work or proposed gas infrastructure work to be referred to the Chief Executive of the Department of Mines and Energy to mediate.

The Chief Executive may mediate the dispute or refer the dispute to the Governor in Council to decide. Section 269 of the Act states that the Governor in Council's decision binds the parties.