



GAS ACT 2000

**LPG DISTRIBUTION SYSTEM LICENCE
(OPERATIONS)**

Issued to

Origin Energy Tasmania Pty Ltd

ACN 009 539 753

Date of Issue

1 June 2008

Amended: 20 November 2015

Tasmanian LPG Distribution System Licence (Operations)

1. Grant of Licence

The **Regulator**, in exercise of the powers conferred by section 24 of the **Act**, grants the **Licensee** a licence to operate the **authorised distribution system** to convey liquefied petroleum gas.

2. Definitions and Interpretation

- 2.1. In this licence, words and phrases appearing italicised in bold type:
- 2.1.1. which are defined in the **Act**, have the same meaning when used in this licence; and
 - 2.1.2. which are not defined in the **Act**, have the meaning ascribed to them in part 1 of schedule 1.
- 2.2. This licence must be interpreted in accordance with Part 2 of Schedule 1.
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3. Compliance with Laws and Other Requirements

- 3.1. The **Licensee** must comply with all applicable **laws, codes** and **guidelines**.
- 3.2. The **Licensee** must use best endeavours to ensure that each contractor engaged by it complies with the terms and conditions of this licence, to the extent that such terms and conditions are relevant to that contractor.
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4. Distribution System Operation

The **Licensee** must operate the **authorised distribution system** in accordance with any standards required by the **Director of Gas Safety**.

5. Introduction of Gas into a Distribution System

- 5.1. **Gas** may not be introduced into a **distribution system** until:

- 5.1.1. in accordance with section 54 of the **Act**, a certified **safety and operating plan** for that **distribution system** has been accepted or provisionally accepted by the **Director of Gas Safety**; and
- 5.1.2. the **Director of Gas Safety** has given consent to the **Licensee** in writing to introduce **gas** into that **distribution system**.
- 5.2. Notwithstanding clause 5.1, the **Licensee** may not put **gas** into a **distribution system** otherwise than in accordance with the requirements of the **Director of Gas Safety**.

6. Term of Licence

Subject to this licence and the **Act**, this licence takes effect on and from 1 June 2008 for a period of twenty five (25) years.

7. Payment of Fees and Charges

The **Licensee** must pay to the **Regulator** fees and charges in accordance with the **Act**.

8. Communications

- 8.1. A **communication** must be in **writing**.
- 8.2. A **communication** is to be regarded as having been given by the sender and received by the addressee:
 - 8.2.1. when delivered in person to the addressee;
 - 8.2.2. where sent by post, on the 4th **business day** after the date of posting, if the **communication** is posted within Australia;
 - 8.2.3. where sent by post, on the 7th **business day** after the date of posting, if the **communication** is posted outside Australia; or
 - 8.2.4. when, according to the sender's transmission report, received by facsimile transmission by the addressee.

9. Provision of Information

- 9.1. The **Licensee** must provide to the **Regulator** or the **Director of Gas Safety** in the manner and form advised by the **Regulator** or the **Director of Gas Safety**, such information as the **Regulator** or the **Director of Gas Safety** may from time to time require and which is, in the opinion of the **Regulator** or the **Director of Gas Safety**, relevant to the **Regulator's** or the **Director of Gas Safety's** functions under the **Act** or other applicable **laws** or **codes**.
- 9.2. If the **Licensee** becomes aware of any material breach of, or non-compliance with, the **Act**, other applicable **laws** or **codes**, or this licence, the **Licensee** must notify the **Regulator** of the breach or non-compliance as soon as practicable and provide such information as the **Regulator** requires in relation to the breach or non-compliance.

10. Advice to the Regulator

The **Licensee** must report to the **Regulator** as soon as possible the occurrence of any of the following circumstances:

- 10.1. the **Licensee** is put under external administration as defined in the *Corporations Act 2001* (Cwth); and
- 10.2. the **Licensee's** circumstances change such that the **Licensee's** ability to meet its obligations under the **Act**, other applicable **laws** or **codes**, or this licence may be materially affected.

11. Management and Operating Contracts

- 11.1. The **Licensee** must advise the **Regulator** of the entering into, by the **Licensee**, of any contract under the terms of which another person assumes, or will assume, operational responsibility for carrying out any substantive part of the operations authorised by this licence.
- 11.2. The **Licensee** must submit to the **Regulator** not less than 14 days prior to the commencement of any contract referred to in clause 11.1:

- 11.2.1. the identity and contact details of the other person;
- 11.2.2. details of the nature of the operations that the other person will assume responsibility for carrying out; and
- 11.2.3. details of the relevant qualifications and experience of the other person to undertake the specified operations.

Schedule 1 – Part 1

Definitions

“**Act**” means the *Gas Act 2000* (Tas);

“**authorised distribution system**” means the **distribution system** as prescribed in Schedule 2 of this licence;

“**business day**” means any day except a Saturday, Sunday, statutory holiday as defined in the *Statutory Holidays Act 2000* or public holiday;

“**code**” means a code issued pursuant to the **Act** or any other applicable **law** and does not include the following codes as amended from time to time:

- ◆ *Tasmanian Gas Distribution Code July 2003*;
- ◆ *Tasmanian Gas Retail Code July 2003*; and
- ◆ *Gas Customer Transfer and Reconciliation Code July 2005*;

“**communication**” means a written notice, agreement, consent, direction, representation, advice or statement required or given pursuant to or in connection with this licence;

“**guideline**” means a written statement of regulatory intent or policy for the information and guidance of **licensees**, issued by the **Regulator**, or by any other relevant person determined and advised to **licensees** by the **Regulator**;

“**law**” includes any applicable Commonwealth, Tasmanian or local law, subordinate legislation, legislative instrument or mandatory regulatory requirement;

“**Licensee**” means Origin Energy Tasmania Pty Ltd (ACN 009 539 753);

“**licensee**” means the holder of a licence under the **Act**;

“**Regulator**” means the Regulator under the **Act**;

“**safety and operating plan**” means the safety and operating plan required under section 54 of the **Act**;

“**writing**” includes any mode of representing or reproducing words, figures, drawings and symbols in a visible form.

Schedule 1 – Part 2

Interpretation

In this licence, unless the context otherwise requires:

- 2.1 headings are for convenience only and do not affect the interpretation of this licence;
- 2.2 words importing the singular include the plural and vice versa;
- 2.3 words importing a gender include any gender;
- 2.4 an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- 2.5 a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- 2.6 a reference to terms of an offer or agreement is to all terms, conditions and provisions of the offer or agreement;
- 2.7 a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- 2.8 a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- 2.9 a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;

- 2.10 when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence or in the **Act**, have a corresponding meaning;
- 2.11 a period of time:
- 2.11.1 which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
- 2.11.2 which commences on a given day or the day of an act or event is to be calculated inclusive of that day;
- 2.12 an event which is required under this licence to occur on or by a stipulated day which is not a **business day** may occur on or by the next **business day**;
- 2.13 in the event of any inconsistency between the conditions of this licence and the **Act**, the **Act** will prevail to the extent of such inconsistency; and
- 2.14 in the event of any inconsistency between the conditions of this licence and the schedules, the conditions of this licence prevail to the extent of such inconsistency.

Schedule 2 - Authorised Distribution System

Table below is a list of ***Distribution System(s)*** that the ***Licensee*** is authorised to operate under this licence:

Location	Plan Number#
Glenara Lakes – Launceston	P.152158
Sunhaven Villas – St Helens	139258

Each Plan is attached to this licence.