EG301*

Gas Pipelines Access (Western Australia) Act 1998

Gas Pipelines Access (Western Australia) Regulations 2000

Made under Part 3 by the Governor in Executive Council on the unanimous recommendation of the relevant Ministers of the scheme participants.

1. Citation

These regulations may be cited as the *Gas Pipelines Access (Western Australia) Regulations 2000.*

2. Commencement

These regulations come into operation on the day on which they are published in the *Gazette*.

3. Interpretation

In these regulations, unless the contrary intention appears —

"Act" means the *Gas Pipelines Access (Western Australia) Act 1998*.

4. Upstream end in definition of "pipeline"

For the purposes of paragraphs (a) and (b) of the definition of "pipeline" in section 2 of Schedule 1 to the Act —

(a) a gas processing plant listed in the first column of the Table in Schedule 1 is a prescribed gas processing plant; and

(b) in relation to a pipeline conveying natural gas from such a gas processing plant — the flange or other point described in the second column of that Table opposite the reference to the plant is a prescribed exit flange or connection point.

5. Civil penalty provisions

(1) A regulatory provision or conduct provision listed in the first column of the Table in Schedule 2 is, for the purposes of the Gas Pipelines Access Law, a civil penalty provision.

(2) The amount specified in the second column of the Table opposite the reference to a civil penalty provision is the maximum amount that the Court may determine is payable by a person who contravenes the provision.

(3) The amount specified as a daily amount applies only to a day or part of a day during which a breach of the provision continues after the local Regulator has given the person contravening the provision notice in writing that the daily amount will apply if the breach continues.

6. Availability of copies of Code and amendments

The Code Registrar and the local Regulator are each required to make available for inspection during ordinary working hours on business days, at their respective principal places of business, copies of —

(a) the Code as set out in Schedule 2 to the Act;

(b) that Code, if amended, as amended and in force for the time being; and

(c) amendments made to that Code.

7. Arbitrator's summons under the Act, Schedule 1 Part 4

(1) In this regulation —

"summons" means a summons issued by the arbitrator under Part 4 of Schedule 1 to the Act —

(a) requiring a person to appear as a witness before the arbitrator; or

(b) requiring a person to appear before the arbitrator and to produce a document to the arbitrator.

(2) A summons must include —

(a) the name and address of the person on whom the summons is to be served;

(b) if the summons is for the production of a document —

(i) a proper description of the document; and

(ii) if the document is to be produced by a person that is a corporation, the name and title of the appropriate officer of the corporation who is to attend and produce the document;

and

(c) the date, time, and place of the hearing of the arbitrator at which the person is required to attend and, where applicable, produce the document.

(3) The summons remains in force for a period specified in the summons or, if no period is specified, until the conclusion of the proceedings in relation to which the summons has been issued.

(4) The summons is to be taken to have been effectively served if —

(a) a copy of the summons has been handed to the person to be served or, if service by that method is refused or obstructed or made impracticable, a copy of the summons has been placed as near as practicable to the person and the person has been informed of the nature of the summons;

(b) a copy of the summons has been delivered to a legal practitioner acting for the person to be served and the legal practitioner has endorsed on the summons a statement to the effect that the legal practitioner accepts service;

(c) the person to be served is a corporation and a copy of the summons was served on the corporation in accordance with the Corporations Law;

(d) a copy of the summons was served in accordance with an agreement made between the parties as to —

(i) the place and method of service; and

(ii) the person on whom service may be effected;

(e) an answer to the summons has been filed with the arbitrator; or

(f) the arbitrator is satisfied that the person to be served has received a copy of the summons.

Schedule 1 — Upstream limits of certain pipelines

[r. 4]

This Schedule prescribes, for a pipeline conveying natural gas from a prescribed gas processing plant, the point upstream of which the pipeline is not to be within the ambit of the definition of "pipeline" in section 2 of Schedule 1 to the Act.

Prescribed gas processing plant	**Prescribed exit flange or connection point**
Northern Territory	
Palm Valley Gas Plant	For the Palm Valley Gas Pipeline — the flange — (a) shown as the insulating flange on the drawing entitled Palm Valley—Alice Springs Gas Pipe Line Well-Head Assembly—Drawing Number 10-011 (Revision 6 of 8/84) held by the Northern Territory Department of Mines and Energy at Darwin; and (b) situated at the Palm Valley Gas Plant immediately inside the perimeter fence downstream of the main gas plant and immediately upstream of the launching system.
Mereenie Gas Plant	For the Mereenie Gas Pipeline — the flange — (a) shown as the insulating flange (I.F.) on the drawing entitled Amadeus Basin to Darwin Pipeline Mereenie Meter Station—P&I Diagram Inlet and Station Limit Valve—Drawing Number AD M000-7002 (Revision D of 25.2.86) held by the Northern Territory Department of Mines and Energy at Darwin; and (b) situated at the Mereenie Gas Plant immediately inside the perimeter fence and downstream of the main gas plant.
Queensland	
References to diagrams in the entries relating to Queensland are references to diagrams held by the Department of Mines and Energy at Brisbane.	
Wungoona J.V. (Wallumbilla)	For the pipeline mentioned in pipeline licence PPL no. 2 (Wallumbilla to Brisbane) under the *Petroleum Act 1923* of Queensland — the flange located immediately upstream of the series of valves before the meter run, as shown on diagram W, Wungoona JV-RBP ML 1A Metering Station and marked "AA" on the diagram.

Prescribed gas processing plant	Prescribed exit flange or connection point
	For the pipeline mentioned in pipeline licence PPL no. 30 under the *Petroleum Act 1923* of Queensland — the pipe weld on the upstream side of an insulating joint located immediately upstream of the main flow control valve, as shown on diagram X, Wungoona JV—Duke Energy Pipeline and marked "BB" on the diagram.
Ballera	For the pipeline mentioned in pipeline licence PPL no. 24 under the *Petroleum Act 1923* of Queensland — the 2 flanges on the upstream sides of 2 isolating valves upstream of where the pipeline separates into 2 parallel meter runs, as shown on diagram Y, Ballera Gas Centre—SWQ Unit—Epic Pipeline and marked "CC" and "DD" on the diagram. For the pipeline mentioned in pipeline licence PPL no. 41 under the *Petroleum Act 1923* of Queensland — the pipe weld on the upstream side of the insulating joint leading to the 2 meter runs operated by the Ballera-Mount Isa Pipeline, as shown on diagram Z, Ballera Gas Centre—SWQ Unit—Ballera and marked "EE" on the diagram.
Gilmore	For the pipeline mentioned in pipeline licence PPL no. 15 under the *Petroleum Act 1923* of Queensland — the upstream flange of the actuated slamshut valve XV-0305 that is located on the metering skid downstream of the gas flow measurement, as shown on Energy Equity's P&I Drawing No. G101-40F-0004.
Moura Mine	For the pipeline mentioned in mining lease ML no. ML 80032 under the *Mineral Resources Act 1923* of Queensland — the downstream face of the flanged ball valve SLV 0202 located between the dehydration unit and the launcher station, as shown on Drawings Nos NP03777-P11 and NP03777-P77.

Prescribed gas processing plant	**Prescribed exit flange or connection point**
Kincora	For the pipeline mentioned in pipeline licence PPL no. 3 under the *Petroleum Act 1923* of Queensland — the 150NB class 600 flange immediately downstream of the Kincora Gas Plant's 150NB class 600 actuated isolation valve, as shown on P & ID Drawing No. 600-1001 Rev 3.
Central Treatment (Westgrove)	For the pipeline mentioned in pipeline licence PPL no. 11 under the *Petroleum Act 1923* of Queensland — the 200NB class 900 flange located approximately 0.7m away from the Central Treatment Plant's Main 200NB pipeline and pig launching facility immediately downstream of the plant's 200NB class 900 main isolation valve, as shown on P & ID Drawing No. 3100-10-0020 Rev 6.
Rolleston	For the pipeline mentioned in pipeline licence PPL no. 10 under the *Petroleum Act 1923* of Queensland — the 150NB class 900 flange located immediately downstream of the 150NB class 900 isolation valve that is immediately downstream of the moisture analyser on the Rolleston Gas Plant's sales gas metering facility, as shown on P & ID Drawing No. 3500-10-0020 Rev 5.
Dawson River Central	For the pipeline mentioned in pipeline licence PPL no. 26 under the *Petroleum Act 1923* of Queensland — the 150NB class 600 flange located immediately downstream of the 150NB class 600 isolation valve at the tie-in station, as shown on P & ID Drawing No. DR—11014 Rev 1.
Moura Central	For the pipeline mentioned in pipeline licence PPL no. 26 under the *Petroleum Act 1923* of Queensland — the 150NB class 600 flange located immediately downstream of the 150NB class 600 isolation valve at the tie-in station pit, as shown on P & ID Drawing No. DR—11014 Rev 1.

Prescribed gas processing plant	Prescribed exit flange or connection point
South Australia	
Moomba Plant	For the pipeline conveying natural gas from the Moomba natural gas processing plant to Adelaide — the insulating joint situated between the meter station for the pipeline and EPIC's after cooler (as indicated in Diagram 1 below). For the pipeline conveying natural gas from the Moomba natural gas processing plant to Sydney — the downstream weld of the 600mm x 750mm reducer situated, upstream of the insulation flange, between the meter station and East Australian Pipeline Ltd's mainline 750mm valve on the outlet of the meter station (as indicated in Diagram 2 below).
Katnook Plant	The insulating flange that is located one metre inside the boundary fence of the plant, upstream of the pipeline branch to Safries and downstream of the emergency shut down skid, as shown on drawing 107.5.1 held by the Office of Energy Policy at Adelaide.
Victoria	
Longford gas processing plant, Garretts Road, Longford, Victoria	The exit flanges contained within the Longford Metering Station at Garretts Road, Longford, Victoria which are connected to the two 600mm pipes from the prescribed gas processing plant to the Longford Metering Station and are — (a) the 600mm weld on the 750mm x 600mm reducer; and (b) the upstream flange face of the 600mm branch valve; and (c) the 600mm weld 3000mm downstream on the side arm of the 600mm equal tee, all of which are immediately upstream of the metering runs which form a part of the Longford Metering Station.
North Paaratte gas processing plant, Government Road, Paaratte, Victoria	The exit flange that is the upstream flange face of the first actuated slamshut valve immediately upstream of the metering runs which form a part of the Paaratte Metering Station at Government Road, Paaratte.

Prescribed gas processing plant	**Prescribed exit flange or connection point**
Western Australia	
North West Shelf Gas Project Domestic Gas	For the pipeline that is the subject of pipeline licence PL40 under the *Petroleum Pipelines Act 1969* of Western Australia — the upstream flange of the flange joint immediately upstream of the most upstream of the monolithic insulation joints that are inside the fence of the pipeline's Dampier facilities compound.
Tubridgi	For the pipeline that is the subject of pipeline licence PL16 under the *Petroleum Pipelines Act 1969* of Western Australia — the downstream flange of the plant exit shut down valve that — (a) is between the pipeline pig launcher and the pipeline meter station; and (b) is the first shut down valve downstream of the connection to the 150mm pipe from the filter separator.
Dongara	For the pipeline that is the subject of pipeline licence PL1 under the *Petroleum Pipelines Act 1969* of Western Australia — the upstream flange of the flange joint at the inlet end of the isolating valve that is at the inlet to the pipeline inlet gas flow meter.
Beharra Springs	For the pipeline that is the subject of pipeline licence PL18 under the *Petroleum Pipelines Act 1969* of Western Australia — the upstream flange of the insulated flange joint that — (a) is immediately upstream of the first barred tee downstream of the pig launcher; and (b) is on the through line of the tee.
Griffin	For the pipeline that is the subject of pipeline licence PL19 under the *Petroleum Pipelines Act 1969* of Western Australia — the downstream flange of the flange joint that connects the 200mm Griffin Gas Header pipe with the 200mm pipe connecting with the 250mm pipe to the pipeline meter station.

DIAGRAM 1

MOOMBA PLANT PRESCRIBED PLANT AND EXIT FLANGE
- MOOMBA TO ADELAIDE PIPELINE

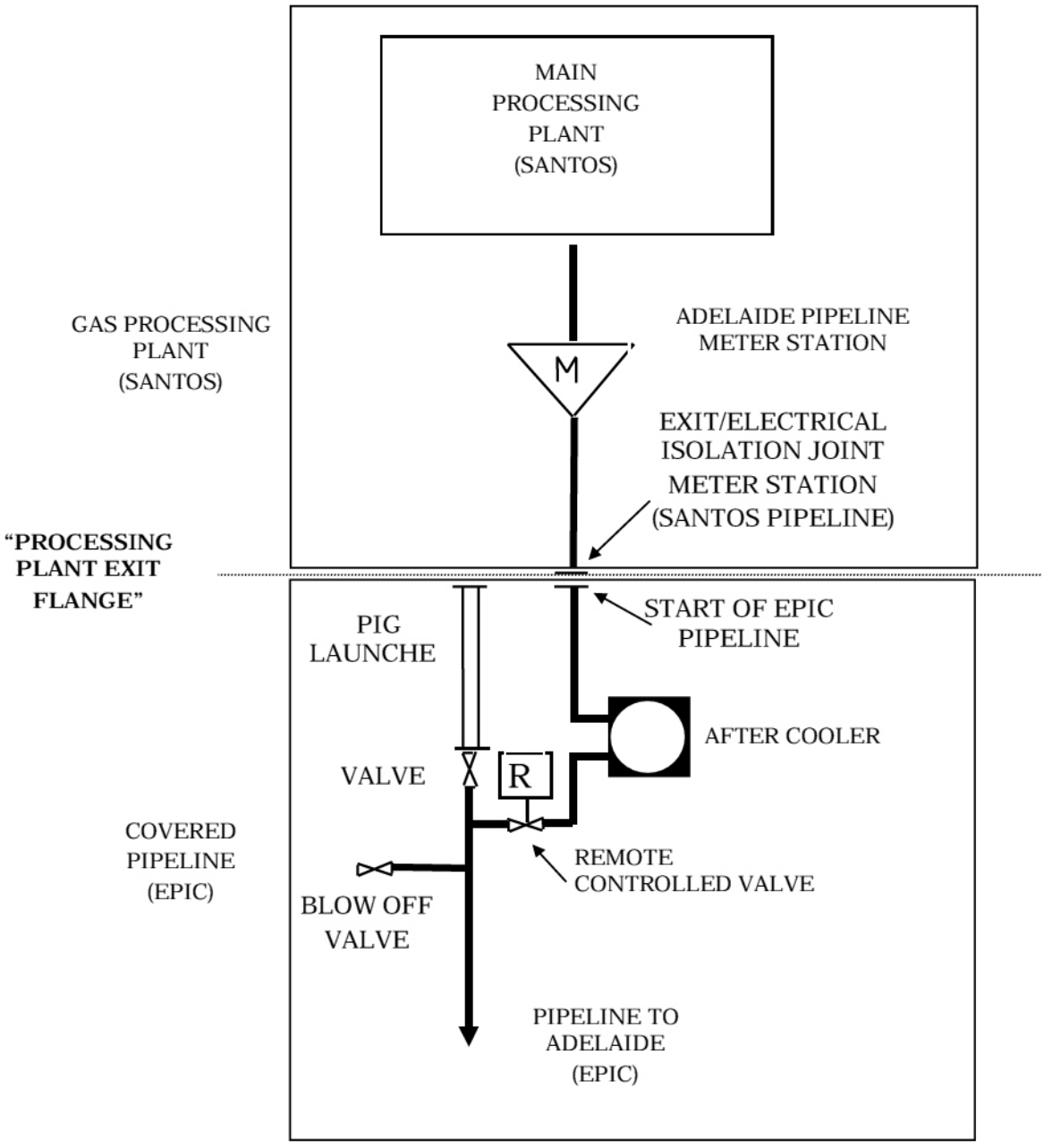
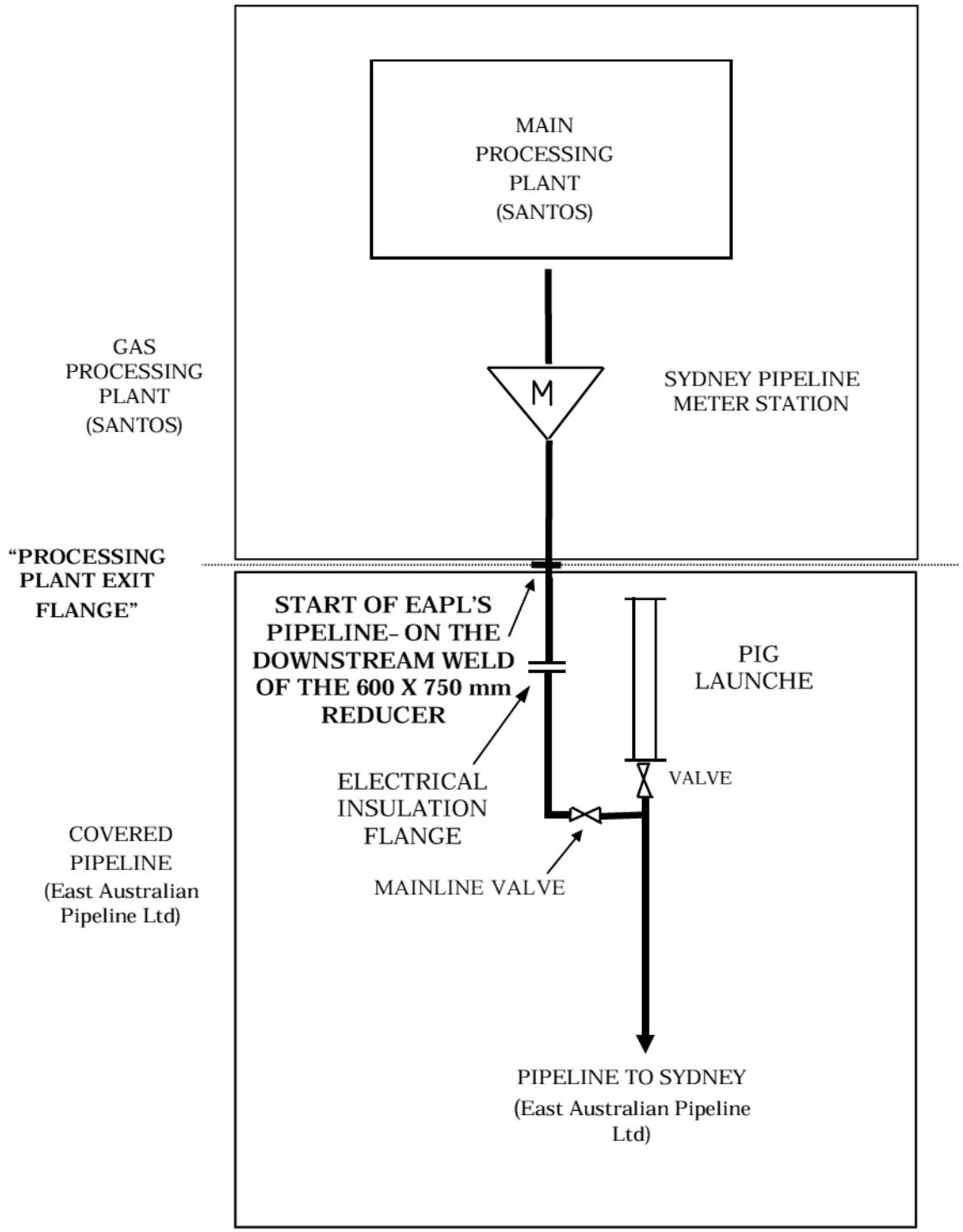


DIAGRAM 2

MOOMBA PLANT PRESCRIBED PLANT AND EXIT FLANGE - MOOMBA TO SYDNEY PIPELINE



Schedule 2 — Civil penalties

[r. 5]

Regulatory or conduct provision	Maximum civil penalty
section 13 of Schedule 1 to the Act	$100 000 and daily amount of $20 000
section 40 of Schedule 1 to the Act	$100 000
section 2.2 of the Code	$100 000 and daily amount of $20 000
section 2.4 of the Code	$100 000
section 2.9 of the Code	$50 000
section 2.28 of the Code	$100 000 and daily amount of $20 000
section 2.30 of the Code	$50 000
section 3.15 of the Code	$100 000
section 4.1(a), (b), (c), (d), (e), (h), and (i) of the Code	$100 000 and daily amount of $10 000
section 4.1(f) and (g) of the Code	$100 000
section 4.3 of the Code	$100 000 and daily amount of $10 000
section 4.14 of the Code	$50 000
section 5.1 of the Code	$100 000
section 5.3 of the Code	$50 000
section 5.4 of the Code	$50 000
section 5.5 of the Code	$50 000
section 5.6 of the Code	$50 000
section 5.7 of the Code	$100 000
section 5.8 of the Code	$20 000
section 5.9 of the Code	$100 000
section 6.16 of the Code	$100 000
section 7.1 of the Code	$100 000

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.