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*Gas Supply Act 2003*



QUEENSLAND GOVERNMENT

# AREA DISTRIBUTION AUTHORITY

No. DA-A-009 issued to  
ALLGAS ENERGY PTY LIMITED  
ACN 009 656 446

Department of Energy and Water Supply

*Originally issued on 27 September 2004  
and amended on 18 March 2005  
and amended on 31 August 2006  
and amended on 14 June 2007  
and amended on 5 July 2012  
and amended on 5 December 2012  
and further amended on the date  
of signing shown on page 6 herein*

## **1. DEFINITIONS**

1.1 Unless the contrary appears, words used in this Distribution Authority have the meaning given in the Act or the Regulation.

1.2 In this Distribution Authority—

‘**Act**’ means the *Gas Supply Act 2003*;

‘**Distributor**’ means Allgas Energy Pty Limited (ACN 009 656 446); and

[as amended on 18 March 2005, on 14 June 2007 and on 5 July 2012]

‘**Regulation**’ means the *Gas Supply Regulation 2007* and any other regulation made under the Act.

[as amended on 5 July 2012]

1.3 A reference to an Act, regulation or other document is a reference to that Act, regulation or document as amended from time to time.

## **2. ISSUE OF DISTRIBUTION AUTHORITY**

2.1 Pursuant to section 327 of the Act, Allgas Energy Ltd was, on 1 July 2003, taken to have been issued Area Distribution Authorities for the distribution areas stated in Schedule 3, Part 1, Division 1 of the Act.

2.2 Pursuant to section 56 of the Act, the Regulator:

(a) on 26 August 2003, amended the Area Distribution Authority for the South Coast distribution area and issued amended Area Distribution Authority No. DA-A-001<sup>1</sup> to Allgas Energy Ltd; and

(b) on 29 September 2003, amended the Area Distribution Authority for the Brisbane South distribution area and issued amended Area Distribution Authority No. DA-A-002<sup>2</sup> to Allgas Energy Ltd.

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<sup>1</sup> Amended Area Distribution Authority No. DA-A-001 described the South Coast distribution area as the area delineated in (former) Map GAS012A held by the Department of Energy and Water Supply.

<sup>2</sup> Amended Area Distribution Authority No. DA-A-002 described the Brisbane South distribution area as the area delineated in (former) Maps GAS010B and GAS011B held by the Department of Energy and Water Supply.

- 2.3 Pursuant to section 334 of the Act, the Regulator:
- (a) on 27 September 2004, consolidated the Area Distribution Authorities listed in Schedule 3, Part 1, Division 1 of the Act (other than the Area Distribution Authorities for the Sunshine Coast and Gympie distribution areas) and as amended by Area Distribution Authorities No. DA-A-001 and No. DA-A-002; and
  - (b) imposed further conditions on the consolidated Area Distribution Authority.
- 2.4 Pursuant to section 56 of the Act, the Regulator, on 27 September 2004, amended the consolidated Area Distribution Authority and issued the consolidated and amended Area Distribution Authority to Allgas Energy Ltd.
- 2.5 Pursuant to section 52 of the Act, on 18 March 2005, the Regulator amended the Area Distribution Authority to reflect that Allgas Energy Ltd had converted to a proprietary company resulting in a change of name to Allgas Energy Pty Ltd, and issued the amended Area Distribution Authority to Allgas Energy Pty Ltd.
- 2.6 Pursuant to section 52 of the Act, on 14 June 2007, the Regulator amended the Area Distribution Authority to reflect that Allgas Energy Pty Ltd had changed its name to APT Allgas Energy Pty Limited, and issued the amended Area Distribution Authority to APT Allgas Energy Pty Limited.
- 2.7 Pursuant to section 56 of the Act, on 5 July 2012, the Area Distribution Authority was amended to reflect that APT Allgas Energy Pty Limited changed its name to Allgas Energy Pty Limited, and the amended Area Distribution Authority was issued to Allgas Energy Pty Limited.
- 2.8 Pursuant to section 56 of the Act, the Regulator, on 5 December 2012, amended the Area Distribution Authority for the South East Queensland distribution area and issued the amended Area Distribution Authority to Allgas Energy Pty Limited.
- 2.9 Pursuant to section 56 of the Act, the Regulator, on the date of signing shown on page 6 herein, amended the Area Distribution Authority for the South East Queensland distribution area and issued the amended Area Distribution Authority to Allgas Energy Pty Limited.
- 2.10 The Area Distribution Authority authorises the Distributor to transport processed natural gas using the Distributor's distribution systems and provide customer connection services to customers within the distribution areas described in Schedule 1 of this Authority.

[as amended on 18 March 2005, on 14 June 2007, on 5 July 2012, on 5 December 2012, and on the date of signing shown on page 6 herein]

### **3. CONDITIONS OF DISTRIBUTION AUTHORITY**

- 3.1 Chapter 2, Part 1, Division 2 of the Act sets out the conditions under which the Distributor must operate.
- 3.2 The Act also provides that additional conditions may be stated in the Authority.
- 3.3 Clauses 4 to 10 herein are conditions of the Authority.

### **4. TERM**

- 4.1 The Authority commences on 27 September 2004.
- 4.2 The Authority continues in force until it is surrendered or cancelled under the Act.

### **5. COMPLIANCE WITH LAWS**

- 5.1 The Distributor must at all times comply with the Act, the Regulation and other applicable laws.
- 5.2 It is the responsibility of the Distributor to develop and maintain familiarity with the relevant provisions of the Act, Regulation and other applicable laws (including documents referred to therein) as amended from time to time.
- 5.3 The Distributor must ensure each person acting under the Authority complies with the conditions of the Authority.

### **6. PLANS, PROTOCOLS, STANDARDS AND CODES**

The Distributor, on the written notice of the Minister or Regulator, must participate to the extent reasonably required by the Minister or Regulator in the development, issue and review of plans, protocols, standards and codes applicable to the Distributor.

### **7. INFORMATION**

- 7.1 The Distributor must provide the Minister or Regulator in the form and manner decided by the Minister or Regulator, any information the Minister or Regulator reasonably requests relating to the Distributor's activities conducted under or in connection with the Authority.

- 7.2 The Distributor must provide information requested under clause 7.1 as soon as possible, but in any case by no later than:
- (a) a date prescribed in the Act;
  - (b) a date stated in an approved form; or
  - (c) a reasonable date specified in the request.
- 7.3 If the Distributor is the holder of a corresponding authority, the Distributor must give the Regulator authorisation to seek information from the person administering the corresponding authority, provided that the information sought by the Regulator:
- (a) relates to activities of the Distributor conducted under, or in connection with, the corresponding authority; and
  - (b) is reasonably required by the Regulator to assess the Distributor's suitability to hold a Distribution Authority in Queensland.

## **8. ENTRY REPORTING**

- 8.1 The Distributor must, within one month of exercising an entry power under Section 139 of the Act (*Power to enter to make gas infrastructure safe*) or Section 140 of the Act (*Power to enter for emergency*), notify the Regulator in the approved form and manner.
- 8.2 In addition to any notification under Clause 8.1, the Distributor must submit to the Regulator, each year and in the approved form and manner, a report on the exercise of entry powers under Section 139 of the Act (*Power to enter to make gas infrastructure safe*) and Section 140 of the Act (*Power to enter for emergency*).
- 8.3 The annual entry report under Clause 8.2 must be submitted whether or not an entry power has been exercised during the period to which the report relates.
- 8.4 The annual entry report must be submitted by 31 October and cover the preceding financial year ending 30 June.

[as amended on 31 August 2006]

## **9. ANNUAL REPORT**

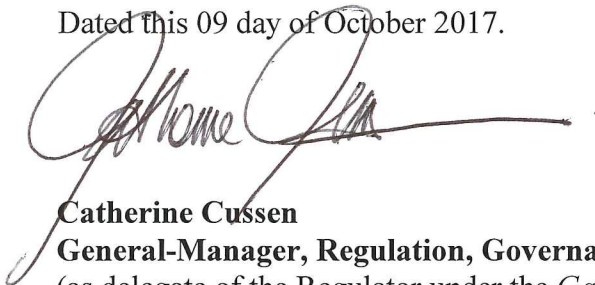
- 9.1 The Distributor must submit an annual report to the Regulator each year in the approved form and manner.
- 9.2 The annual report must be submitted by 31 October and cover the preceding financial year ending 30 June.

**10. DISTRIBUTION AUTHORITY FEES**

10.1 The annual fees to be paid by the Distributor are prescribed under the Regulation.

10.2 On or before the last day of June in each year, or such other date as advised in writing by the Regulator, the Distributor must pay the annual fee for that year ending 30 June.

Dated this 09 day of October 2017.



**Catherine Cussen**  
**General-Manager, Regulation, Governance and Analytics**  
(as delegate of the Regulator under the *Gas Supply Act 2003*)

## SCHEDULE 1

### Distribution Area

1. The distribution areas are as follows:
  - 1.1 South East Queensland, as delineated in Maps GAS134A and GAS172 held by the Department of Energy and Water Supply<sup>3</sup>;
  - 1.2 Toowoomba, as delineated in Map GAS136 held by the Department of Energy and Water Supply<sup>3</sup>;
  - 1.3 Oakey, as delineated in Map GAS137 held by the Department of Energy and Water Supply<sup>3</sup>; and
  - 1.4 Moura, as delineated in Map GAS138 held by the Department of Energy and Water Supply<sup>3</sup>.

[as amended on 5 December 2012 and the date of signing shown on page 6 herein]

2. The Distributor's distribution systems within the distribution areas will be known as:
  - 2.1 for South East Queensland, the *Allgas Energy South East Queensland Distribution Network*;
  - 2.2 for Toowoomba, the *Allgas Energy Toowoomba Distribution Network*;
  - 2.3 for Oakey, the *Allgas Energy Oakey Distribution Network*; and
  - 2.4 for Moura, the *Allgas Energy Moura Distribution Network*.

[as amended on 14 June 2007, and on 5 July 2012 and on 5 December 2012]

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<sup>3</sup> The maps are available for inspection at the Department of Energy and Water Supply, Level 8, 1 William St, Brisbane.