

Context

The Victorian Gas Safety Regulations are being replaced after the normal statutory 10 year expiry provisions. The regulations proposed are largely the same as the existing ones but with some minor changes including proposed fees for the submission of any “voluntary safety cases” including those for gas installations.

The following submissions relate more to matters that have not been addressed in the new Regulations rather than changes actually proposed.

Submission on proposed Gas Safety (Safety Case) Regulations 2018

Energy Developments Pty Limited (EDL) is an international provider of low emissions, renewable and remote energy. The Company currently owns and operates a diversified international portfolio of 98 power stations in Australia, the United States, Canada and the United Kingdom with a total capacity of over 983 MW from a range of fuel sources operating in four main areas:

- Landfill Gas Power Generation and Abatement
- Remote Area Energy
- Waste Coal Mine Gas Abatement
- Clean Embedded Energy
- Wind farms.

The issue of concern to EDL may be outside of the scope of the Regulation rewrite but is provided nevertheless for consideration perhaps in future changes to the Act and/or regulations.

In Victoria EDL operates a number of pipelines taking landfill gas from landfill sites to its six power station sites which utilise landfill gas to fuel gas fired reciprocating engines. In accordance with s37 of the Gas Safety Act EDL has a safety case for “a facility or service for the control of the conveyance of gas”. It is understood that the intent of this provision is essentially designed to capture distribution pipelines supplying gas to consumers. However the situation for EDL is an integrated single supplier/user situation. EDL’s supplies gas from its own landfill gas collection systems (on third party landfill sites) and transports this gas via pipelines to its own power station sites. From EDL’s point of view this is an integrated operation managed by the one entity under one safety management system.

As a result of the definitions of a facility and also that for a gas installation the end point for the “facility” for which EDL is obligated to develop a safety case lies within the power station installation compound after the gas processing gas skid and before the gas fired engine modules. This means that part of the power station installation is managed under the safety case and part is not.

This provides for a less than ideal situation. For EDL is administratively more complex and could promote confusion as to the application of safety systems and obligations.

Energy Safety Victoria (ESV) has advised EDL that a voluntary safety case could be made for the EDL “gas installation” but only via a separate safety case and only subject to a fee. Having two separate safety cases would only provide for more administrative burden and more potential for confusion as well as a large fee. EDL sees little benefit in this option.

A more logical approach would be to allow the option of incorporation of the EDL gas installation into the existing safety case thus having only one safety case that covers the whole of EDL operations which are integrated from gas collection through to engine exhaust.

The proposed regulation 50 which provides for exemptions is supported and is considered appropriate given the potential variation in facility types and therefore a variation in the application or relevance of various regulations to a particular facility.

Submission on proposed Gas Safety (Gas Installations) Regulations 2018

EDL would like to see more flexible arrangements for demonstrating competency and being able to conduct “gas work” on both the Type B gas installation and the gas fuel train (from gas supply point to the Type B appliance – “upstream gas work” under Vic Regs).

Other States such as Western Australia and Queensland provide for an authorisation system for work at similar facilities. Under such systems the level of competency required is matched to the work being undertaken which provides for greater flexibility and reduced costs.

The Victorian system requires all gas work to be undertaken by a licensed individual who must have the full licence for that work. This is an unnecessary burden and would require individuals doing simple servicing tasks at industrial facilities to undertake extensive courses on subject matters not even necessarily relevant to their work. Depending on the work and the required licence, the Victorian Building Authority (VBA) prerequisite requirements may even require the individual to also undertake a plumbing course. All of which is quite uneconomic or practical.

The alternate option provided by the Building Act s221F and s221R (not requiring a licence, only registration if authorised under a safety case) is not a practical option for reasons given in EDLs submission in regard to the Gas Safety (Safety Case) Regulations.