

27 March 2018

Mr Neil Jenkins,
Senior Policy Officer
Energy Safe Victoria
PO Box 262
Collins Street West Vic 8007
Email: to info regulations@energysafe.vic.gov.au

Dear Mr Jenkins

Gas Energy Australia (GEA) thanks Energysafe Victoria for the opportunity to provide feedback on the Proposed Gas Safety (Safety Case) Regulations 2018 Discussion Paper and draft regulations March 2018. In response, GEA offers the following comments on the issues canvassed in the Discussion Paper.

Increased flexibility of gas safety cases

In July 2017, GEA provided a submission to EnergySafe Victoria noting that flexibility could be introduced into the regulations to reduce red tape for industry where, because of changes to a gas company's business or operations, including change of ownership of a gas facility, an immediate revision and re-approval of safety cases is triggered. GEA supports increased flexibility in safety case management, such as the proposed allowance for exemptions and further notes that under the section **Impact on existing safety cases** which addresses implementation of the regulation changes that: *Previously accepted safety cases will continue to have effect when the proposed regulations are made, until the safety case requires revision or resubmission.*

GEA recommends that this methodology should be extended such that previous safety cases would continue to have effect after changes of ownership or company structure until the safety case requires revision or resubmission. Further, GEA would like to see flexibility in terms of time frames such that longer or agreed timeframes be allowed for revision and approval of safety cases.

Clarity on coverage of gas safety cases

GEA members are of the understanding that ESV does not intend for Authorised Dealers (independent operators who purchase gas from a gas supplier and on-sell to their own customers) to be included in the relevant gas company's safety case. GEA would appreciate confirmation of this and recommends that Authorised Dealers should not be included in the relevant gas company's safety case and further that this be clearly articulated in regulation.

Operational issues

GEA also offers the following suggested improvements in relation to more operational issues.

- GEA supports improved visibility for gas suppliers and in particular safety and compliance of new complex installations. GEA suggests improved notification when an application is lodged and/or upon ESV's approval of the complex installation or Type B appliance.
- GEA notes that the Gas Installation Regulations allow gas to be supplied to new installations for commissioning purposes. Sometimes users commence using gas from LPG cylinders which have been provided for commissioning purposes prior to receiving the relevant approvals. GEA suggests additional requirements to reinforce commissioning usage may be needed to prevent the misuse of LPG cylinders.
- GEA notes that on occasions Victorian Building Authority Compliance Certificates have been issued incorrectly for complex sites. When this happens, the onus falls back onto the gas supplier to avoid supplying a complex site unless an ESV approval notice is obtained. Where an ESV approval notice cannot

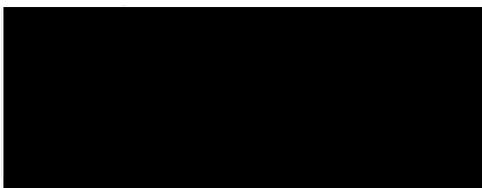
be obtained, the burden of rectification usually falls on gas suppliers to assist. GEA suggest more co-ordination and a more robust approach to the issuing of compliance certificates and approval notices be adopted to address this issue.

In summary, GEA supports the Proposed Gas Safety (Safety Case) Regulations 2018 Discussion paper and draft regulations March 2018, particularly the recommendations to increase flexibility and clarity of the coverage of gas company safety cases. Further, GEA supports improved notification, additional requirements around the commissioning of gas and a coordinated and robust approach to the issuing of compliance certificates and approval notices that would improve certainty for gas companies and improve outcomes for consumers.

GEA welcomes the opportunity to discuss in further detail these issues and looks forward to the Proposed Gas Safety (Safety Case) Regulations 2018 progressing.

For your consideration.

Yours sincerely

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