

TASMANIA

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**GAS AMENDMENT BILL 2004**

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# **GAS AMENDMENT BILL 2004**

*(Brought in by the Minister for Infrastructure, Energy and Resources, the Honourable Bryan Alexander Green)*

## **A BILL FOR**

### **An Act to amend the *Gas Act 2000***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **Short title**

1. This Act may be cited as the *Gas Amendment Act 2004*.

#### **Commencement**

2. **(1)** Sections 1 and 3 and this section commence on the day on which this Act receives the Royal Assent.

**(2)** Section 4 is taken to have commenced, immediately after the Principal Act commenced, on 20 December 2000.

**(3)** Section 5 is taken to have commenced, immediately after Part 2 of the *Gas Infrastructure (Miscellaneous Amendments) Act 2002* commenced, on 1 July 2003.

**Principal Act**

3. In this Act, the *Gas Act 2000*\* is referred to as the Principal Act.

**Section 43 substituted**

4. Section 43 of the Principal Act is repealed and the following section is substituted:

**Gas and co-located infrastructure does not merge with land**

43. In the absence of an agreement in writing to the contrary, the ownership of a pipe, conduit or equipment is not affected by the fact that it has been –

- (a) laid or installed as gas infrastructure in or under land; or
- (b) laid or installed, in conjunction with gas infrastructure, as telecommunications infrastructure in or under land.

**Section 86 amended (Certain gas infrastructure developments exempt from planning approval)**

5. The definition of “development” in section 86(1) of the Principal Act is amended as follows:

- (a) by inserting in paragraph (a) “(and any co-located telecommunications infrastructure)” after “infrastructure”;

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\*No. 92 of 2000

- (b) by omitting paragraph (b) and substituting the following paragraph:
  - (b) if the new gas infrastructure (or any co-located telecommunications infrastructure) makes use of an existing distribution system, the upgrading of that system for the purposes of the new gas (or co-located telecommunications) infrastructure.