
Ownership Policy

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- Mains Laying
- Service Laying
- Maintenance
- Material Standard
- Other
- IDC

Subsidiary Use:

TGN TGR BEA Other: _____
BRN BRE BDE

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Document History

Version number	Published date	Description of change
1.0	July 2010	New document.
2.0	June 2015	Manager changed from LRC to Asset. Update template.
3.0	May 2016	Transfer to Brookfield template.

References

Cited References: Directives referred to in this document.

Additional Reading: Information relevant to this document but not cited.

All works shall be carried out in accordance with the latest editions and subsequent amendments of all relevant standards and codes, as well as federal, state and local legislation, including the following:

Cited References

Title	Document ID
Agreement to Grant Easement	BMSDOC-18-585
Easement and Land Acquisition Check Sheet	BMSDOC-18-601
Easement and Land Acquisition Procedure	BMSDOC-18-526
Gas Act 2000 (Tasmania)	

Additional Reading

Title	Document ID
N/A	

Note: Drawings and plans of the distribution network are available through the Tas Gas drawing office via the GIS system. These plans are continually updated when new network infrastructure is installed or additional/corrective information is obtained about the location of the existing asset.

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1. SCOPE

This policy is to be used to establish ownership whenever gas distribution assets, including Gas Measurement System (GMS) assets, are to be constructed, upgraded or maintained.

Generally, cost responsibility (including future maintenance and replacement) will lie with the owner of assets.

2. APPLICATION

This policy applies to Brookfield TGN Holdings Pty Ltd, hereinafter referred to as Brookfield, its subsidiaries and all employees, contractors and sub-contractors as appropriate. This policy applies to all gas networks owned by Brookfield TGN Holdings Pty Ltd.

This document is a controlled policy document under the Brookfield internal business management system. Brookfield reserves the right at its sole discretion and without consultation to amend or withdraw this policy. Brookfield will provide licensed gas retailers with 4 weeks' written notice of any proposed changes to or withdrawal of this policy.

3. DEFINITIONS

Term	Description
Brookfield	Brookfield TGN Holdings Pty Ltd includes but is not limited to the following subsidiaries: <ul style="list-style-type: none"> Tas Gas Networks (TGN) Tas Gas Retail (TGR) Brookfield Energy Australia (BEA) Brookfield Regional Networks (BRN) Brookfield Regional Energy (BRE) Brookfield District Energy (BDE)
Distribution Gas Asset	Any natural gas main or service and includes other gas distribution and ancillary equipment such as isolation valves, fittings and GMS connected to that pipeline.
District Regulating Station or DRS	Facilities that reduce high pressure gas to a gas pressure suitable for end consumers. Generally these DRS's are used for reduction from 5000 kPa down to 1000 kPa or 500 kPa.
Easement	Legal right to use a designated part of someone's land for a particular purpose. Types of easement include a right of way (to pass and repass to access adjoining land) and a right to use and maintain gas pipes (to Brookfield for gas supply purposes).
Gas Measurement System or GMS	Gas meters and ancillary equipment including isolation valves, pressure relief equipment, pressure reduction equipment, over/under pressure protection devices and enclosures.
Network	Generally means those items that form part of the transmission network or are Gas Distribution assets.
Right of Way or ROW	A right to use a designated part of someone's land to access adjoining land. For Brookfield's use it is a legal agreement for access over or the occupation of land to supply infrastructure to another consumer's property.

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Term	Description
Service Pipe	A gas pipe that is part of the Brookfield network and supplies a consumer and in most cases connects to a gas main in the public street and terminates at the customer's GMS installation. A service pipe may be located on the consumer's premises or private land.
Transmission Network	The high pressure gas pipeline bringing pressurised natural gas from Longford, Victoria onto the Tasmania mainland, including the onshore gas pipelines within Tasmania, all operated and maintained by Tasmanian Gas Pipeline Pty Ltd.

4. POLICY OBJECTIVES AND PRINCIPLES

The objective of this policy is to provide guidance as to the ownership of gas infrastructure which is part of, or connected to, a Brookfield distribution network.

4.1. New Gas Pipelines/Mains/Services

In general all Gas Distribution Assets downstream from the transmission network, up to and including the outlet isolation valve or meter outlet on the consumer's side of a GMS, are part of a Brookfield network.

Brookfield has the right as a 'Gas Entity' under the Gas Act 2000 (Tasmania) to carry out work on public land (section 84) subject to gaining certain approvals. It also can compulsorily acquire land and easements in gross (section 84A) and has the power to enter land for purposes relating to gas infrastructure (section 85), provided certain criteria are met (e.g. Brookfield can compulsorily acquire land provided this is authorised in writing by the Minister).

In the Gas Act:

- 'Gas Entity' means a person licensed under Part 3, including if that licence has been suspended or cancelled or has expired.
- 'Public Land' means land owned by the Crown, an instrument or agent of the Crown or a Council or other local government body.
- The power to enter land extends to carrying out preliminary investigations in connection with the installation of gas infrastructure and to carry out operational work or protective work on land where the gas infrastructure is situated.

4.2. Easements and Written Consent

In order for Brookfield to construct new networks on private land and to protect its investment in such, Brookfield's policy is to own, licence or obtain an easement or memorandum of encumbrance (Right of Way [ROW] agreement) over the land on which the network is situated. This is because the law of fixtures generally regards anything constructed on land so as to become fixed to that land as being part of the freehold and, consequently, the property of the landowner. Brookfield may also be able to protect its investment through contractual arrangements.

Generally an easement (registered against the land title) is required in favour of Brookfield for all network assets located on private land other than individual service

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pipes and GMS assets that supply the consumer on that title. Any costs associated with receiving an easement, specifically for the connection of customer(s), will be recovered as a connection charge to the end consumer(s).

Where service pipes and GMS assets are located on land owned by the consumer that they serve then Brookfield does not require written consent or an easement to protect its access rights. However, where a service pipe or GMS is located on land owned by parties other than the consumer (whether the consumer has an interest or not) then Brookfield requires the creation of a formal easement on title to provide Brookfield with access rights.

For more information, refer to *Easement and Land Acquisition Procedure* (BMSDOC-18-526), *Easement and Land Acquisition Check Sheet* (BMSDOC-18-601) and *Agreement to Grant Easement* (BMSDOC-18-585).