



The Hon. David Janetzki MP
Treasurer
Minister for Energy
Minister for Home Ownership

1 William St Brisbane
GPO Box 611 Brisbane
Queensland 4001 Australia
Telephone 07 3719 7200
Email treasurer@ministerial.qld.gov.au
Website www.treasury.qld.gov.au

ABN 90 856 020 239

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Ms Clare Savage
Chair
Australian Energy Regulator
GPO Box 3131
CANBERRA ACT 2601

Email: [REDACTED]

Dear Ms Savage

Thank you for your email of 6 May 2025 about the classification of the Atlas to Reedy Creek Pipeline under the National Gas Law (NGL).

I am advised the Atlas to Reedy Creek Pipeline was issued with Petroleum Pipeline Licence PPL 2075 under section 410 of the Queensland *Petroleum and Gas (Production and Safety) Act 2004* (QLD P&G Act). However, the licence does not classify the pipeline as either a transmission or distribution pipeline. Consequently, the pipeline requires classification by the Australian Energy Regulator (AER) in accordance with the definitions provided under the NGL.

I understand the definitions of distribution and transmission pipelines under the NGL are as follows:

- **Transmission pipeline** means a pipeline that:
 - (a) is classified as a transmission pipeline under a licence or authorisation granted in relation to the pipeline under jurisdictional gas legislation; or
 - (b) if the licence or authorisation mentioned in paragraph (a) does not include a classification of the pipeline – is classified by the AER as a transmission pipeline, and includes a pipeline that is reclassified by the AER as a transmission pipeline.
- **Distribution pipeline** means a pipeline that:
 - (a) is classified as a distribution pipeline under a licence or authorisation granted in relation to the pipeline under jurisdictional gas legislation; or
 - (b) if the licence or authorisation mentioned in paragraph (a) does not include a classification of the pipeline – is classified by the AER as a distribution pipeline, and includes a pipeline that is reclassified by the AER as a distribution pipeline.

It is important to note that under the QLD P&G Act, the term “transmission” does not appear with respect to pipelines, as this terminology was removed to align Queensland’s legislation with other states. Nonetheless, the Atlas to Reedy Creek Pipeline is a licensed pipeline and is regarded as operating plant under section 670(2)(d) of the QLD P&G Act, as it is authorised under a petroleum authority (a pipeline licence being a petroleum authority).

In contrast, distribution pipelines are also regarded as operating plant under section 670(2)(e) of the QLD P&G Act. However, distribution pipelines do not have a petroleum authority. Therefore, under the QLD P&G Act, the Atlas to Reedy Creek Pipeline cannot be classified as a distribution pipeline, as it has been issued with a petroleum authority (a pipeline licence).

Based on the use and characteristics of the Atlas to Reedy Creek Pipeline, I understand that it would be categorised as a transmission pipeline under the NGL.

If you require any further information, please contact Ms Carlye Sycz, Acting Deputy Under Treasurer by email at [REDACTED].

Yours sincerely



DAVID JANETZKI MP
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3 / 6 / 2025