

# Response to Submissions: Pipelines and Gas Supply Regulations

Consultation on proposed changes to Gas Supply and Pipelines regulations and draft guidelines for pipeline proponents engaging with landowners to access and acquire land for pipeline projects

December 2025

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# Acknowledgement of Country



Department of Climate Change, Energy, the Environment and Water acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

Artist and designer Nikita Ridgeway from Aboriginal design agency – Boss Lady Creative Designs, created the People and Community symbol.

Response to Submissions: Pipelines and Gas Supply Regulations

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# 1 Summary

The Department of Climate Change, Energy, the Environment and Water (we, the department) consulted with industry and the community on the regulation of the reliable supply and distribution of gas, and the safe construction and operation of gas networks and pipelines in NSW.

We asked stakeholders to consider a range of proposed changes to the gas supply and pipelines regulatory framework through the release of two draft amending regulations:

1. Gas Supply (Safety and Network Management) Amendment Regulation 2025
2. Pipelines Amendment (Miscellaneous) Regulation 2025.

We also asked for feedback on 2 draft guidelines under the *Pipelines Act 1967* (the Pipelines Act):

1. Authority to Survey (ATS) Guideline: Engaging with landowners to survey land for a pipeline in NSW
2. Pipelines Compulsory Acquisition Process Guidelines: Compulsory acquisition of easement or land for a pipeline in NSW.

Pipeline proponents are expected to follow these guidelines throughout their engagement with landowners. These guidelines are intended to improve the transparency and consistency of the land acquisition and survey process. They are intended to provide clarity and improve governance and accountability.

This report summarises the consultation process and feedback we received. It also outlines changes that were made in response to feedback and next steps.

We would like to thank everyone for their engagement in the consultation process and for the time and effort spent preparing responses and attending forums.

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## 2 Consultation process

Consultation was designed to engage with as many diverse stakeholders as possible. To encourage engagement, we accepted feedback through forms, written submissions via email, and verbally during community forums and online webinars. Submissions were accepted from 23 July to 21 September 2025.

Supporting consultation materials were made available on the [NSW Climate and Energy Action website](#), including:

- the 2 draft regulations
- consultation papers on each draft Regulation
- Regulatory Impact Statements on each Regulation
- draft Guidelines on Authority to Survey (ATS) and Compulsory Acquisition
- fact sheets on the draft ATS and draft Pipelines Compulsory Acquisition Guidelines.

We also published copies of our industry briefing and community consultation and notes from the community forums.

We worked to make sure people were aware of the consultation via channels such as:

- three rounds of targeted emails to over 200 industry stakeholders, advocacy organisations, business groups, landowner groups, local Government, a number of Federal and State Members of Parliament, and community organisations
- statewide print ads for 2 weeks starting on 28 July and 4 August 2025 (one placement each week). Papers included The Land, Daily Telegraph and the Koori Mail
- regional print ads for 2 weeks starting on 28 July and 11 August 2025 (one placement each week). Papers included the Narrabri Courier, Gunnedah Times, Quirindi Advocate and the Singleton Argus
- four segments across local radio stations from 28 July to 17 August 2025. Liam Ryan, Executive Director Energy Infrastructure, Department of Climate Change, Energy, the Environment and Water, was interviewed about the consultation on the ABC on 14 August 2025
- direct phone calls to stakeholder groups such as NSW Farmers to ensure awareness and to encourage participation.

We also engaged directly with industry and the community via 3 in-person forums at Quirindi, Muswellbrook and Maitland and 2 online webinars.

During consultation we were also invited by landowners to visit their properties, and we took advantage of some of these opportunities.

We received support from SECNewgate to facilitate our consultation to ensure our engagement was aligned with best practice methods and was accessible for all impacted stakeholders. SECNewgate has extensive experience consulting with landowners and regional communities across NSW and has worked with multiple NSW Government agencies.

An overview of the documents provided for consultation is below.

## **Gas Supply (Safety and Network Management) Amendment Regulation Consultation Paper**

The Gas Supply (Safety Network Management) Amendment Regulation consultation paper asked for feedback on:

- improving how end-of-life gas network operations are managed, including clear rules for suspending or abandoning networks
- updating penalties so they properly discourage non-compliance, including adding ongoing penalties for repeated breaches
- introducing penalty notice offences to bring gas regulations in line with other energy laws
- making the NSW gas supply rules clearer and stronger by aligning with industry standards, clarifying responsibilities, and improving efficiency.

## **Pipelines Amendment (Miscellaneous) Regulation Consultation Paper**

The Pipelines Amendment (Miscellaneous) Regulation Consultation Paper asked for feedback on:

- improving how end-of-life pipeline operations and infrastructure are managed
- requiring pipeline licensees to get approval before starting major alteration works
- setting clear standards for survey applications and compulsory land acquisition in draft guidelines
- increasing application fees when compulsory acquisition is involved, so costs reflect the extra work required
- updating penalties and fees so they act as real deterrents and keep pace with inflation, in line with other energy regulations
- making the NSW pipeline rules clearer and stronger by aligning with industry standards, clarifying licensee responsibilities, and improving efficiency while keeping the public safe.

## **ATS Guideline**

Under the Pipelines Act, if a company planning a pipeline holds an ATS, it can access private land to carry out surveys (like soil, cultural heritage, flora/fauna, or engineering assessments) and take samples for testing, subject to the conditions of that ATS. An ATS does not permit construction.

## **Pipelines Compulsory Acquisition Process Guidelines**

Under the Pipelines Act, land and easements can be compulsorily acquired for pipeline projects. Compulsory acquisition of land or easements can significantly affect landowners. While the legal powers under the Pipelines Act haven't changed, stakeholders have told us the process can be difficult to navigate.

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## 3 Who did we hear from?

We engaged with over 128 stakeholders through webinars and in-person forums and received 62 written submissions via email and feedback forms. The process was designed to involve a diverse range of stakeholders, ensuring that regulatory changes address the needs and concerns of landowners, industry, and the wider community.

Responses came from a range of groups, including landowners, community groups, industry, and industry groups. It should be noted that some respondents represented the views of a number of stakeholders within their submission.

The high level of engagement reflects the importance of these issues to the community and industry.

A snapshot of our key engagement activities is at Appendix A.

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## 4 What we heard

### Feedback themes

Consultation responses were generally supportive of regulatory reform to improve safety, transparency, and accountability in pipeline and gas supply construction, operation, and decommissioning. People also welcomed the consultation process and appreciated having different ways to provide feedback.

All stakeholders agreed that ongoing engagement is essential for a fair and effective regulatory framework in NSW.

The draft ATS and Pipelines Compulsory Acquisition Process Guidelines were seen as improvements but still lacked enforceable protections for landowners. Both community and industry called for clearer processes, stronger dispute resolution options, and more transparency in decision-making.

Key concerns included the adequacy of compensation, statutory protections for landowners, enforceable conditions, explicit rights to compensation including for independent advice, and power dynamics between landowners and pipeline licensees.

Community stakeholders generally agreed with the purpose of the Guidelines. However, many noted that the process can be stressful and has often felt as though it favours pipeline proponents over landowners. Community concerns largely focused on compulsory land acquisition and ATS applications, including ongoing uncertainty and risks to property rights and liability, and environmental and land-use impacts.

Landowners also raised concerns about the impacts of pipeline development, their rights in these processes, and any expansion of powers for entry, survey, and acquisition. They called for greater transparency and the right to respond to any draft condition or decision affecting their land. Many felt that the full consequences of entry, survey, acquisition, construction, and operation had not been properly considered.

Industry also raised concerns about how the proposed changes align with Australian Standards and whether some changes are practical.

We have published a summary of meeting notes from each community forum on [our website](#).



We have outlined the key themes from in person and online consultation below.

Changes we made in response to this feedback are outlined in Section 5.

## **Landowner rights and protections**

- Community submissions raised serious concerns about giving pipeline companies more powers to enter land, carry out surveys, and acquire property. They also called for the right to respond to any draft conditions or decisions affecting their land.
- Many felt the full impacts of entry, survey, acquisition, construction, and operation hadn't been properly considered especially around compensation, insurance, and long-term effects on land use.

## **Clarity and certainty in the regulations and guidelines**

- Industry and community both highlighted the need for clarity and certainty regarding various pipeline regulatory processes.
- Both community and industry groups said the guidelines need clearer definitions and wording. Vague terms like 'good faith,' 'reasonable steps,' and 'may consider' were also seen as weakening accountability.
- Both community and industry called for the guidelines to have legal force, with all conditions clearly stated and enforceable.
- There were also calls to enhance transparency in all processes — including public registers of ATS and compulsory acquisition — and for clear communication of rights and obligations.

## **Pipeline management, suspension, decommissioning, and abandonment**

- Both community and industry raised concerns about pipeline end-of-life processes, compliance and liability issues, and the significant impacts placed on landowners. They called for clearer definitions, stronger repercussions for non-compliance, and improved protections including compensation and financial surety mechanisms.
- Community feedback supported stronger oversight of suspension and abandonment, including requirements for financial assurance, remediation, and notification of individual landowners. People were worried about the risks of leaving pipelines in place after abandonment, such as safety hazards, environmental impacts, and insurance issues.
- Industry submissions questioned the practicality and timing of some proposed changes.

## **Penalties and enforcement**

- Community and industry stakeholders had different views on whether current penalties were too lenient or excessive.
- There was broad support for modernising the penalties framework, but a call for proportionality and the inclusion of 'good faith' defences.

## **ATS Draft Guideline**

- Community stakeholders requested clarification of terms such as 'directly impacted' and 'indirectly impacted', and further information on the options for consultation and engagement.

- Some community stakeholders requested further information on how landowners can provide evidence of contact or engagement efforts with pipeline proponents, particularly if landowners felt they were being pressured or that intimidation tactics had been employed by proponents.
- Some community stakeholders raised concerns on the environmental, economic, and cultural impacts, including impact on property values.
- Community stakeholders also requested timeline imagery to show how the Guidelines operate and interact, highlighting that this would improve transparency.
- Industry raised concerns over unclear timeframes in the draft Guidelines, and requested a dispute resolution process that is simple, fair, and free for landowners to use.

## **Pipelines Compulsory Acquisition Process Draft Guidelines**

- Community members raised concerns about the compulsory acquisition processes, including valuation and compensation, and generally felt that it unfairly favoured pipeline proponents.
- They requested clearer definitions and terms in the Guidelines to remove ambiguities, and highlighted issues with current processes and the use of non-disclosure agreements, the negotiation timeframes, transparency provisions, and communications.
- Community stakeholders raised concerns that compulsory acquisitions could undermine landowner rights and cause emotional and financial distress.
- Industry stakeholders recommended that the Guidelines provide clarity around the various parts of the process including response times from all stakeholders.
- Both community and industry requested timeline imagery to show how the Guidelines operate and interact, and the desire to avoid compulsory acquisition as much as possible.

## **The negotiation process in each Guideline**

- Landowners and community groups asked for stronger engagement standards, including minimum consultation periods, clear ways to communicate, and options for independent mediation.
- Industry stakeholders called for a nationally consistent approach developed with regulators and industry, rather than rules that only apply in NSW.

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## 4.1 Clarifying some feedback received during consultation

When reviewing the submissions, we noticed that we should clarify some stakeholders understanding of parts of the guidelines or regulations. After considering this, we believe these understandings do not require changes to the guideline itself, but we can clarify them below.

### **Issue 1 – we heard that it wasn’t clear how the Guidelines apply to the Hunter Gas Pipeline project.**

We noted the specific concerns raised by some stakeholders about proposed pipeline developments. These guidelines are meant to support the process for all pipeline projects going forward and are not project specific. However, we have made changes to the ATS and Pipelines Compulsory Acquisition Process Guidelines to clarify their purpose and application.

### **Issue 2 – we heard that the ATS Guideline contradicts the current ATS conditions for the Hunter Gas Pipeline.**

The ATS Guideline is not project specific or legally binding, and doesn’t set conditions or fixed timeframes. It’s intended as general guidance only. If there’s any conflict, the project-specific conditions apply.

### **Issue 3 – we heard there is some confusion over easements, and whether acquiring an easement amounts to acquiring the whole property.**

Easements generally give someone the right to access and use land for a specific purpose while the land over which the easement is granted remains with the owner (the registered proprietor). An easement — even when acquired under the Compulsory Acquisition process — does not grant full ownership of the land over which the easement is granted.

### **Issue 4 – we heard that the formulas for assessing compulsory acquisition payments are confusing and based on outdated land valuations.**

Compensation for compulsory acquisition is determined under the *Land Acquisition (Just Terms Compensation) Act 1991* by the Valuer General. Changes to the formula cannot be addressed in this consultation.

### **Issue 5 – we heard that there was perceived inequity between pipeline proponents and landowners in feedback timelines.**

We are committed to ensuring all stakeholders have sufficient time to respond to feedback or provide input and concerns. We acknowledge there are different timeframes for each stage of the process, which may create confusion and perceptions of inequity. For example, landowners have 28 days to respond to our request for feedback, while pipeline proponents have 60 days to notify us of their intent to apply for a pipeline licence.

We have provided further detail on relevant timeframes in the Pipelines Compulsory Acquisition Process Guidelines, including clarifying the different timelines for landowners and pipeline proponents.

**Issue 6 – we heard that contacting landowners via gazettal notices or newspapers is outdated and ineffective.**

Newspapers, print and online media are used during the initial planning stage of a project. Licence applicants are required to cause notification of their application to introduce a project to communities which could include publication on their website, and in relevant social media and community forums.

A licence applicant will subsequently contact affected owners directly in a letter of commencement to start negotiations for land acquisition.

Gazettal notices are published when a pipeline licence has been granted, as required by the Pipelines Act.

We will attempt to directly notify all affected landowners via registered mail and communication will be sent via registered mail where appropriate.

**Issue 7 – we heard that landowners should have the right to review and negotiate the techniques proposed for laying a pipeline through their property.**

The Pipelines Act does not provide landowners with an explicit right to review and negotiate the techniques proposed for laying a pipeline through their property. However, landowners can negotiate a range of conditions with the pipeline proponent as part of any agreement. This includes but is not limited to land access, technical requirements for land use and monetary compensation. We've set this out in the Pipelines Compulsory Acquisition Process Guidelines. Landowners can also provide feedback as part of the pipeline licensing assessment process.

**Issue 8 – we heard that landowners were unsure how to engage with us if they are unhappy with the way a pipeline proponent behaves.**

We are working to set up an independent mechanism to manage complaints and resolve disputes, as we feel this will be a more effective approach that can support landowners' engagement with pipeline proponents.

We've updated both guidelines to make it clear that pipeline proponents should have a complaints and dispute resolution process in place, and that they should communicate this process to landowners.

Landowners are encouraged to keep a written record of interactions and to use the pipeline proponent's process in the first instance.

Pipeline proponents should make reasonable endeavours to resolve disputes and advise the owner if they can access an ombudsman scheme and provide the contact details for the scheme (if applicable).

**Issue 9 – we heard from industry that new requirements to notify us about changes to operating pressure do not consider normal variances in pressure during operation.**

The changes are not intended to apply to normal operating pressure variations. They only apply to deliberate, permanent changes to operating pressures, such as adjustments to pressure-regulating equipment.

Gas networks have an operating pressure range that allows for short-term fluctuations to meet operational needs.

The purpose of this amendment is to identify any underlying safety or technical risks in the network.

**Issue 10 – we heard that introducing an obligation to continuously operate a gas network or pipeline duplicates other frameworks or laws.**

In NSW, there are no other safety or technical frameworks for planned or unplanned network interruptions beyond the Gas Supply (Safety and Network Management) Regulation 2022. These new obligations are about notifying the regulator if an operator plans to suspend or abandon a gas network. Operators must provide plans showing how they will do this safely and to the regulator's satisfaction.

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## 5 What we are doing to address your feedback

We received detailed and thoughtful feedback during consultation. To make sure all responses were properly considered and allow for further consultation on some policy issues, we have moved forward in 2 stages. We remain committed to working closely with all stakeholders.

**Stage 1** is complete. It includes straightforward changes to the Pipelines Regulation through the Pipelines Amendment (Miscellaneous) Regulation 2025 and updates to the Pipelines Compulsory Acquisition Process Guidelines and ATS Guideline. **Stage 2** will involve further changes to the Pipelines Regulation and updates to the Gas Supply Regulation. We will also develop and consult on guidelines for suspending, decommissioning, and abandoning pipelines in the first half of 2026.

More details on next steps and timelines are provided in section 6.

### Updates to Pipelines Amendment (Miscellaneous) Regulation 2025

We consulted on proposed changes to the Regulation that aimed to:

- make sure there's strong oversight to protect public safety at every stage of a pipeline's life, including suspension, decommissioning, and abandonment
- update outdated penalties so they properly discourage breaches and reflect the risks to the public
- streamline and strengthen the NSW pipelines regulatory framework so they match industry standards, clearly set out responsibilities, and improve operations while maintaining safety.

Following feedback from stakeholders, we made further changes to the Pipelines Regulation including:

- clarifying that 'reasonable steps' includes acting in a way that is reasonably consistent with the Pipelines Compulsory Acquisition Process Guidelines
- lowering the fixed component of the pipeline licence application fee. The per-kilometre fee has increased, but it's capped
- redesigning the area fee for changing an existing licence area so costs don't become prohibitive. This fee still matches other Australian jurisdictions and won't restrict competition in NSW
- updating the minimum notification time for a licensee to appoint a new auditor from 14 to 28 days
- allowing licensees to remove commercially sensitive or security-related information from Pipeline Management Plans before they are published
- adding a defence if waste or a substance escapes from a pipeline due to an emergency in circumstances where the licensee wasn't negligent or reckless
- simplifying reporting requirements for creating or removing easements to reduce administrative burden
- clarifying the definition of 'major alteration' so it only applies to new works
- updating references to Australian Standards to ensure they remain current.

The remaining reforms, including reforms on suspension, decommissioning, and abandonment of pipeline infrastructure, will start in mid-2026, following consultation on the suspension, decommissioning and abandonment guidelines.

## Updates to ATS Guideline

We consulted on proposed changes to the Guideline that aimed to:

- make the land access process more transparent and easier to follow
- suggest ways pipeline proponents can consult with landowners and explain what landowners should expect
- provide consistent guidance and accountability for both applicants and landowners
- explain how the Minister for Energy and Department of Climate Change, Energy, the Environment and Water (the department) assess ATS applications.

Following feedback from stakeholders, we made further changes to the ATS Guideline including:

- clarifying when a pipeline proponent may apply for an ATS
- providing an example ATS process from application through to a licenced pipeline operator owning and operating the pipeline and clarifying that some steps in the example ATS process can happen at the same time
- asking ATS applicants to prepare baseline information about the land before starting survey work
- clarifying that ATS holders may only enter land in accordance with the conditions of the ATS, even if the landowner hasn't negotiated access with the ATS holder
- outlining the potential benefits to landowners of negotiating access with a pipeline proponent before the pipeline proponent applies for an ATS or activates an ATS
- providing more detail on how the Guidelines apply to existing and extended ATSs
- introducing a new section clarifying expectations about the complaints handling procedures
- setting out the information proponents must provide when requesting an ATS extension
- encouraging good behaviour of pipeline proponents. For example, clarifying that landowners may bring a range of support people to face to face negotiations and trying to accommodate all reasonable requests made by landowners
- confirming we will acknowledge receipt of emails when feedback is provided
- specifying that we will attempt to contact landowners listed in the ATS schedule via registered mail
- clarifying that we may share information included in the pipeline proponent's submission with affected landowners as part of the consultation on an ATS application
- clarifying that it is the landowner's choice to provide their personal contact information to us, and the potential impact of not sharing this
- encouraging good communication for both pipeline operators and landowners
- encouraging the pipeline proponent to clearly describe the compulsory acquisition process if the landowners ask about it



- clarifying that ATS holders should carry out their survey activities in accordance with the *Surveying and Spatial Information Act 2002*
- specifying that landowners shouldn't obstruct or hinder the ATS holder when they're carrying out their activities in accordance with the ATS and its conditions
- encouraging ATS holders to include a clear rationale when seeking to extend an ATS
- setting out we will publish the reason for extending an ATS
- including the term 'pipeline proponent' in the glossary
- ensuring language is consistent and aligns with other documentation.

## Updates to Pipelines Compulsory Acquisition Process Guidelines

We consulted on proposed changes to the Guidelines that aimed to:

- make the acquisition process more transparent and easier to follow
- ensure landowners and communities are properly informed and consulted
- provide greater guidance, consistency and accountability to both pipeline licensees and affected landowners.

Following feedback from stakeholders, we made further changes to the Pipelines Compulsory Acquisition Process Guidelines including:

- changing the language from 'must' to 'should' and other subsequent amendments to align the wording in the Guidelines with changes to the Pipelines Regulation. These changes clarify that pipeline proponents must act in a way that is *reasonably consistent* with the Pipelines Compulsory Acquisition Process Guideline
- noting that, where an in-person meeting with experts has not been possible due to practical challenges, an online forum should be offered to owners
- clarifying when a pipeline proponent may seek compulsory acquisition
- clarifying the types of projects the Guidelines apply to
- clarifying that the Guidelines apply to both acquisition of lands and easements
- clarifying that the non-compensation elements of the process have been modelled on the process in the *Land Acquisition (Just Terms Compensation) Act 1991*
- clarifying that the Minister must consider whether the pipeline proponent has acted in a way consistent with the Guidelines when determining a licence application that includes compulsory acquisition of land or easements
- clarifying legal, valuation, accounting, and other reasonable costs are eligible for compensation and that the pipeline proponent may pay reasonably incurred costs such as these prior to executing any access agreements, deed of option agreements or compensation packages
- stating that compensation packages are assessed under the *Land Acquisition (Just Terms Compensation) Act 1991*
- encouraging licence applicants to clearly communicate that they will cover landowners' reasonable costs before negotiating or executing any access or deed of option agreements or compensation packages



- clarifying that landowners will have the opportunity to negotiate a range of conditions with the pipeline proponent during the voluntary agreement stage, noting that compulsory acquisition can occur if voluntary agreement is not reached
- clarifying that the time periods in the steps of the summary process is what usually happens rather than a minimum. This reflects that all acquisitions are different and should be considered on a case-by-case basis
- clarifying that the 60-day notification period to the Minister and landowners by the pipeline proponent can be made at the same time so the 90-day notification period comprises actions for both the pipeline proponent and the department
- indicating that we will send communications to landowners using registered mail as well as electronic mail where an email address has been provided
- linking the information in section 2 of the Guidelines to the steps in the summary process table
- clarifying the wording of the processes in section 2 of the Guidelines
- clarifying that when consulting with landowners on the pipeline proponent's licence application, we may share information
- correcting terminology from 'personal manager' to 'acquisition manager' when referring to information the commencement letter should contain
- encouraging the commencement letter to include reference to the Valuer-General website or the Centre for Property Acquisition website so landowners can seek independent information about Valuer-General compensation
- clarifying that a landowner may bring a range of support people to face-to-face negotiations and it is expected that both parties engage in the process
- clarifying that the pipeline proponent is not required to continue with every part of the pre-acquisition process if the landowner is non-responsive to various attempts at communication by the pipeline proponent
- encouraging proponents to publicly share information about the project
- clarifying that licence applicants should provide detailed file notes from all conversations with the owner including a summary of all correspondence sent and received, as well as detailed notes of all meetings conducted with the owner and their experts
- clarifying that landowners are encouraged to consolidate all relevant, previously submitted feedback when responding to advice
- clarifying that landowners have the right to respond to the compulsory acquisition process at specified stages and timeframes within the process
- encouraging pipeline proponents to make reasonable efforts to meet face-to-face with landowner and their representatives if desired
- ensuring pipeline proponents explain how land value is calculated and all the benefits offered to landowners
- outlining we will acknowledge receipt of emails when feedback is provided
- introducing a new section clarifying expectations about the complaints handling procedures
- adding the Centre for Property Acquisition to the glossary

- ensuring language is consistent with other documentation.

## How will the Guidelines apply?

The Guidelines establish the Government's expectations of pipeline proponents. The Guidelines will be used by the Government to determine whether pipeline proponents have taken reasonable steps to engage with landholders prior to making recommendations to the Minister about an ATS or compulsory acquisition.

## Updates to Gas Supply (Safety and Network Management) Amendment Regulation 2025

We consulted on proposed changes to the Regulation that aimed to:

- make sure there's strong oversight to keep people safe at every stage of a gas network's life, including when it's suspended or shut down
- update outdated penalties so they properly discourage breaches and reflect the risks to the public
- simplify and strengthen NSW gas supply rules so they match industry standards, clearly set out responsibilities, and improve how the system works while maintaining safety.

We are still considering all comments made on this regulation. We will provide a more detailed response to the comments made in mid-2026, as part of the second stage of regulatory reforms.

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## 5.1 What feedback did not result in changes to the Guidelines or Regulations

### Issues requiring further investigation

During this consultation we received feedback on a range of issues that cannot be addressed through these regulations or guidelines, even with amendments. However, we acknowledge that these are important issues that will require further work from us. This feedback relates to issues such as:

- dispute resolution processes
- landowner insurance and compensation
- performance guarantees
- penalties for breaching ATS conditions
- conditions on easements including what other infrastructure can be placed on an easement.

We are investigating these concerns further and, if necessary, we will consult further in Stage 2.

Community stakeholders raised concerns about the impacts associated with land acquisition processes on mental health and wellbeing. We note that the Department of Planning, Housing and Infrastructure is carrying out a review of the *Land Acquisition (Just Terms Compensation) Act 1991* in response to the Parliamentary Inquiry into the acquisition of land in relation to major transport projects and reviewing the whole-of-government approach to property acquisition. This review is

scheduled to be completed in 2026.<sup>1</sup> We will consider whether changes to the Pipelines Compulsory Acquisition Process Guidelines are necessary once that review is completed.

In the meantime, we encourage landowners to contact the NSW Government's Property Acquisition Support Line on 1300 089 551. This is a free, independent and confidential counselling service if you need mental health and wellbeing support during the acquisition process.<sup>2</sup>

## Other issues

Community stakeholders also raised concerns about the potential effects on the Hunter Valley Flood Mitigation Scheme. Some community stakeholders also raised concerns over the age of environmental studies being used in the Hunter Gas Pipeline project. We acknowledge the need to mitigate flood risk in the Hunter Valley and protect people, property, and infrastructure.

We have passed any feedback we received on this issue to the Department of Planning, Housing and Infrastructure for further consideration.

Some industry groups questioned whether the NSW Government should introduce new rules and guidelines before deciding the future role of gas and its infrastructure. They believe doing so could affect how the market responds and hurt vulnerable consumers.

The updated Guidelines and changes to the Regulations balance the broad range of concerns expressed during the consultation. Any future decisions by the NSW Government about gas and its infrastructure are a matter for the Government.

## Feedback not fully incorporated in the Regulations or Guidelines

While we considered all feedback, not all suggestions can be dealt with in the Regulations or Guidelines. Some of the key feedback we considered includes:

- creating a public register to track proponent compliance and communications during compulsory acquisition. While we are committed to improving transparency, this was not progressed as it would infringe on privacy rights.
- creating a public database on the status of each affected lot. A public database does not align with non-disclosure agreements between landowners and pipeline proponents. However, the ATS Guideline encourage ATS holders to publish improved periodic project status updates for affected landowners.
- extending timeframes for both landowners and pipeline proponents to provide responses to processes such as compulsory acquisition. The changes we made to the Guidelines aligned with the *Land Acquisition (Just Terms Compensation) Act 1991* and was intended to create consistency across NSW Government processes.
- allowing the repurposing of pipelines to transport other products. Strict licence conditions apply to what assets can be transported through existing pipelines. Any changes must be approved by the Minister (as per current pipeline licence variation procedure). We are intending to develop guidance material to assist applicants structuring their licence applications in 2026.

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<sup>1</sup> [Land acquisition review | Planning](#)

<sup>2</sup> [Mental health and wellbeing support services | NSW Government](#)

- introducing legislated timeframes for regulators in line with requirements for pipeline operators and proponents. This was not progressed as legislation is directed at the operator to maintain the safety and integrity of critical pipeline infrastructure, not the Government regulator.
- allowing the appointment of an auditor to remain a decision of the operator and not the department Secretary, so long as the operator is competent and independent. While we acknowledge the desire for industry autonomy, this change is intended to provide a last resort failsafe if a mutually agreeable outcome cannot be reached and to ensure safety and technical standards can be upheld. We intend to continue working with operators regarding auditor appointments.
- extending the timeframe for licensees to notify landowners and the Registrar-General within 28 days of a Ministerial declaration. We have reviewed this suggestion and believe that 28 days is sufficient.
- introducing Force Majeure exemptions for reporting changes in operating pressure. While we acknowledge the impact of these events, this was not progressed as there are currently options available in section 36 of the Pipelines Regulation 2023 to report typical Force Majeure events. This provision was also amended to require reporting of emergencies and unplanned disruptions to be done by both telephone and email.
- removing reporting requirements for waste or leakage as reporting requirements exist in other legislation including the *Protection of the Environment Operations Act 1997* (POEO Act). While there are reporting requirements in the POEO Act, this was not progressed as we do not believe these sufficiently reflect our role as the technical safety regulator. However, the waste and escape provisions were amended to ensure offences for the waste or escape of a substance from a pipeline do not apply if the escape is the result of an emergency.
- ensuring emergency response plans are disclosed to landowners with training costs funded by pipeline proponents. This requirement already exists for pipeline construction and operations under the Pipelines Regulation 2023. This was not progressed as this issue is being separately considered in licensing guidelines, which are currently being developed.
- explicitly incorporate provisions for protecting Native Title rights and the interests of Aboriginal and Torres Strait Islander peoples within the application process for ATS. This was not progressed as the protection of Native Title and Aboriginal objects and places is already protected under other NSW Legislation including the *National Parks and Wildlife Act 1974*. These protections still apply as normal. If needed, more site-specific conditions could be placed on ATS conditions. These would be considered by the Minister on an as-needed basis.
- making some minor stylistic or linguistic updates to the Guidelines.

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## 6 Next steps

### Stage 1: 2025

The Pipelines Amendment (Miscellaneous) Regulation 2025 commenced on 12 December 2025 and the [Pipelines Regulation 2023](#) is published on the NSW legislation website.

We also published the updated Pipelines Compulsory Acquisition Process Guidelines and ATS Guideline on our [website](#) on 15 December 2025.

We returned to Maitland on 16 December 2025 to report back on what we heard during consultation. We held a public webinar on 17 December 2025. In these information sessions we updated the community and industry on how their feedback has influenced the final Pipelines Amendment (Miscellaneous) Regulation 2025 and Guidelines. We committed to keeping the community informed during the consultation process and providing direct feedback on the concerns they raised. We reached out to community and industry stakeholders via email and phone calls to invite them to attend our second in-person forum and webinar.

We will be publishing an online resource for pipeline proponents and landowners to make the processes clearer. This will include key documents such as flowcharts showing the full pipeline project process and where stakeholders can engage, template letters and how to find out which lots an ATS may apply to. These resources are designed to help landowners and proponents understand the steps and identify opportunities to interact with the NSW Government.

### Stage 2: 2026

We're developing new guidelines for how gas networks and pipelines should be suspended, decommissioned, and abandoned. We'll consult with stakeholders on these guidelines and share more details in the first half of 2026. The intent of these new guidelines is not to impact ordinary activities and will be tailored to accommodate operational documentation. These guidelines will look to balance the need for flexibility with technical and safety issues, as well as other NSW Government commitments.

Reforms to the rules for suspension, decommissioning, and abandonment — and any changes to the Pipelines and Gas Supply Regulations — will follow this consultation.

We anticipate these guidelines will address feedback we received on issues such as:

- clarifying obligations, responsibilities and liabilities in existing legislation
- ensuring processes align with relevant industry standards
- clarifying terminology and definitions such as 'suspensions' and 'notifiable excavation work'
- clarifying Legal responsibilities for an asset left in situ indefinitely
- clarifying contamination management.

We are also preparing guidelines for future consultation on:

- venting and flaring
- annual reporting requirements
- notification on installing new gas injection points.

## 7 Appendices

### 7.1 Appendix A Engagement on a page

The exhibition period was held between the 23 July and 21 September 2025. Over 128 people were engaged with, in person and online. The following table is a summary of the key activities undertaken.



Image 1: Summary of engagement