

Authorised Version No. 003
Pipelines Regulations 2007

S.R. No. 15/2007

Authorised Version incorporating amendments as at
1 September 2015

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Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to provide for the reporting of safety and environmental incidents in relation to pipeline operations; and
- (b) to prescribe standards for the construction and operation of pipelines; and
- (c) to prescribe matters to be contained in Safety Management Plans; and
- (d) to prescribe matters to be contained in Environment Management Plans; and
- (e) to prescribe various forms, fees and procedures authorised by the **Pipelines Act 2005**.

2 Authorising provision

These Regulations are made under section 190 of the **Pipelines Act 2005**.

3 Commencement

These Regulations come into operation on 1 April 2007.

4 Revocation

The Pipelines Regulations 2000¹ are **revoked**.

5 Definitions

In these Regulations—

Reg. 5 def. of
AS 2885.1—
1997
substituted as
AS 2885.1—
2012 by
S.R. No.
97/2015
reg. 5(1).

AS 2885.1—2012 means AS 2885.1: Pipelines—
Gas and liquid petroleum Part 1: Design and
Construction as published and amended from
time to time;

Reg. 5 def. of
AS 2885.2—
2002
substituted as
AS 2885.2—
2007 by
S.R. No.
97/2015
reg. 5(1).

AS 2885.2—2007 means AS 2885.2: Pipelines—
Gas and liquid petroleum Part 2: Welding as
published and amended from time to time;

Reg. 5 def. of
AS 2885.3—
2001
substituted as
AS 2885.3—
2012 by
S.R. No.
97/2015
reg. 5(1).

AS 2885.3—2012 means AS 2885.3: Pipelines—
Gas and liquid petroleum Part 3: Operation
and maintenance as published and amended
from time to time;

Australian Business Number means an
Australian Business Number issued under
the A New Tax System (Australian Business
Number) Act 1999 of the Commonwealth;

non-reportable environmental incident means an
incident that has an impact on the
environment (other than a reportable
environmental incident) arising out of a
pipeline operation;

relevant entity means—

- (a) an authority of the Commonwealth that has responsibilities for protecting the environment; or
- (b) an authority of the State that has responsibilities for protecting the environment; or
- (c) any other body, the principal objects of which are the protection of the environment; or
- (d) any other body or person affected by the pipeline operation;

reportable environmental incident means an incident arising out of a pipeline operation—

- (a) that causes substantial damage to the environment; or
- (b) that has significant potential impact on the environment;

reportable safety incident means an incident that arises out of a pipeline operation that causes or has the potential to cause—

- (a) any person to suffer a serious injury or to die; or
- (b) substantial damage to, or destruction of, property or the pipeline; or
- (c) an ignition or escape of anything being conveyed in a pipeline;

safety incident means an incident involving a risk to the safety of the public;

the Act means the **Pipelines Act 2005**.

Reg. 5 def. of
*reportable
safety
incident*
substituted by
S.R. No.
97/2015
reg. 5(2).

Part 2—Pre-licence process

6 Notice of intention to enter land for survey

For the purposes of section 19 of the Act, a notice of intention to enter land for the purpose of a survey must contain—

- (a) the name and address of the proponent of the proposed pipeline; and
- (b) if the notice relates to private land, the name and address of the owner or occupier of the land (as the case requires); and
- (c) if the notice relates to Crown land—
 - (i) the name of the Crown land Minister; or
 - (ii) the name and address of any occupier—
as the case requires; and
- (d) details of the proposed survey; and
- (e) the intended use of the proposed pipeline; and
- (f) the name and address of the person or body engaged to carry out the survey of the proposed pipeline; and
- (g) a map of the pipeline corridor or proposed route of the pipeline over the land showing—
 - (i) the relevant part of the land over which the survey is proposed to be made; and
 - (ii) in the case of private land, the location of that land including the allotment and section numbers, parish and municipal names and the boundaries of adjacent lands relating to the proposed survey; and

Reg. 6(g)
amended by
S.R. No.
97/2015 reg. 6.

(iii) in the case of Crown land, sufficient particulars to identify the land.

7 Notice of pipeline corridor

For the purposes of section 27(2)(a) of the Act, the form for giving notice to the owners and occupiers of land in a pipeline corridor is set out in Schedule 1.

Reg. 7
amended by
S.R. No.
97/2015 reg. 7.

Part 3—Pipeline licence process

8 Application to contain certain information

(1) For the purposes of section 30 of the Act, an application for a licence to construct and operate a pipeline—

(a) must contain the following information—

Reg. 8(1)(a)(i)
amended by
S.R. No.
97/2015
reg. 8(1).

(i) the Australian Business Number of the applicant;

Reg. 8(1)(a)(ii)
amended by
S.R. No.
97/2015
reg. 8(1).

(ii) the telephone number, fax number and email address of the applicant;

Reg. 8(1)(a)(iii)
amended by
S.R. No.
97/2015
reg. 8(2).

(iii) the details of the pipeline corridor and the proposed route of the pipeline;

(iv) the length of the pipeline;

(v) the proposed maximum allowable operating pressure of the pipeline;

(vi) the proposed dates for commencement and completion of construction of the pipeline;

(vii) general details of any environmental impacts of the proposed pipeline and the proposed measures to eliminate or minimise those impacts;

(viii) details of land ownership and title details (if applicable) for the land through which the proposed pipeline route or corridor is to be constructed;

(ix) plans and design specifications of the proposed pipeline including metering

stations, aboveground and underground facilities; and

(b) must be signed by the applicant.

Reg. 8(1)(b)
amended by
S.R. No.
97/2015
reg. 8(3).

(2) For the purposes of section 30(d) of the Act, the map showing the pipeline corridor must be drawn to a scale of not less than 1:250 000.

Reg. 8(2)
amended by
S.R. No.
97/2015
reg. 8(4).

9 Fee for licence application

For the purposes of section 30(e) of the Act, the application fee for a licence to construct and operate a pipeline is the relevant fee specified in Table A in Schedule 2.

10 Notice of application for a licence

A notice of an application for a licence under section 32 of the Act must contain—

(a) the business name, Australian Business Number, business address and postal address of the applicant;

Reg. 10(a)
amended by
S.R. No.
97/2015
reg. 9(1).

(b) the business contact details of the applicant including the name of a nominated contact person for enquiries regarding the application and his or her telephone number and fax number;

Reg. 10(b)
amended by
S.R. No.
97/2015
reg. 9(1).

(c) the date on which the licence application was made;

(d) the particulars of the proposed pipeline including—

(i) the use to which the proposed pipeline will be put; and

Reg. 10(e)
amended by
S.R. No.
97/2015
reg. 9(2).

- (ii) the anticipated dates of commencement and completion of construction of the pipeline;
- (e) a written description and a map of the pipeline corridor and the proposed route of the pipeline.

11 Conditions of a licence

- (1) It is a condition of a licence granted under section 53(1) of the Act that the licensee must, as soon as practicable after the construction of the pipeline, lodge with the Minister and Energy Safe Victoria—
 - (a) 2 copies of a map showing the route of the pipeline and details of the land through which the pipeline is laid; and
 - (b) 2 copies of alignment drawings of the constructed pipeline.
- (2) It is a condition of a licence granted under section 53(1) of the Act that the licensee must report to the Minister at least once in every year and at such other times as agreed with the Minister on the performance of the licensee in protecting the environment from the pipeline operation.
- (3) It is a condition of a licence granted under section 53(1) of the Act that the licensee give the Minister notice in writing in a form approved by the Minister if the licensee intends to cease to convey substances through the pipeline, otherwise than in the course of the normal operating procedure of the pipeline, and does not intend to surrender the licence for that pipeline.

12 Licence fee

- (1) For the purposes of section 57(b) of the Act, the prescribed fee is the relevant fee specified in Table B in Schedule 2.
- (2) Despite subregulation (1), for the purposes of section 57(b) of the Act, the prescribed fee for a pipeline referred to in clause 2(b) of Schedule 1 of the Act is nil if—
 - (a) the pipeline was excluded from the operation of the Act for the whole period of its construction but is no longer excluded; and
 - (b) the use of the pipeline remains the same as it was when the pipeline was excluded.

13 Application to amend a licence condition

- (1) For the purposes of section 63(2)(b) of the Act, an application to amend the conditions of a licence must—
 - (a) be in a form approved by the Secretary containing the following information—
 - (i) the licence number;
 - (ii) the name of the licensee;
 - (iii) the Australian Business Number of the licensee;
 - (iv) the registered business address and postal address of the licensee;
 - (v) the telephone number, fax number and email address of the licensee; and
 - (b) be signed by the licensee.
- (2) For the purposes of section 63(2)(e) of the Act, the fee for an application to amend the conditions of the licence is 142.7 fee units.

Reg. 13A
inserted by
S.R. No.
97/2015
reg. 10.

13A Form of notice for significant alteration of pipeline route

For the purposes of section 68(3A)(a) of the Act, the prescribed form of notice of a proposed alteration to the authorised route of a pipeline is set out in Schedule 2A.

14 Form of application for consolidation of licences

For the purposes of section 74 of the Act, the form for an application is set out in Schedule 3.

15 Fee for application for consolidation of licences

For the purposes of section 74(d) of the Act, the fee for an application is 142.7 fee units.

16 Decommissioning plan on surrender or cancellation of licence

For the purposes of sections 80(4) and 82 of the Act, a decommissioning plan must set out the following information in relation to the proposed decommissioning process—

- (a) the strategy, goals and objectives for the decommissioning process;
- (b) an assessment of technical feasibility of the decommissioning process;
- (c) an assessment of the safety of the decommissioning process;
- (d) an assessment of detrimental impacts from the decommissioning process on land (including reasonably foreseeable future uses of land) and the environment and identification of measures to control, mitigate and manage these impacts;
- (e) the impacts from the decommissioning process on affected landholders;

- (f) details of any proposed consultation about the decommissioning process with affected landholders and other interested parties;
- (g) the methods to be used to ensure that the part of the pipeline to be decommissioned will be decommissioned in accordance with AS 2885.3—2012;
- (h) details of the rehabilitation and monitoring of the land through which the pipeline is laid proposed to be carried out before the decommissioning of the pipeline;
- (i) the proposed timetable for decommissioning works to be completed;
- (j) if the whole or part of the pipeline is not to be removed, details about the location of the pipeline or the part of the pipeline that is not to be removed.

Reg. 16(g)
substituted by
S.R. No.
97/2015
reg. 11.

16A Decommissioning plan for part of a pipeline

For the purposes of section 82A of the Act, a decommissioning plan must set out the following information in relation to the proposed decommissioning process—

- (a) the strategy, goals and objectives for the decommissioning process;
- (b) an assessment of technical feasibility of the decommissioning process;
- (c) an assessment of the safety of the decommissioning process;
- (d) an assessment of detrimental impacts from the decommissioning process on land (including reasonably foreseeable future uses of land) and the environment and identification of measures to control, mitigate and manage these impacts;

Reg. 16A
inserted by
S.R. No.
42/2012 reg. 5.

Reg. 16A(g)
amended by
S.R. No.
97/2015
reg. 12.

- (e) the impacts from the decommissioning process on affected landholders;
- (f) details of any proposed consultation about the decommissioning process with affected landholders and other interested parties;
- (g) the methods to be used to ensure that the part of the pipeline that will be decommissioned will be decommissioned in accordance with AS 2885.3—2012;
- (h) details of the rehabilitation and monitoring of the land through which the pipeline is laid proposed to be carried out before the decommissioning of the part of the pipeline;
- (i) the proposed timetable for decommissioning works to be completed;
- (j) if the whole or part of the pipeline is not to be removed, details about the location of the pipeline or the part of the pipeline that is not to be removed.

Part 4—Access to land for pipeline

17 Form of notice for Registrar of Titles

For the purposes of section 92(1)(a) of the Act, the prescribed form for notice to be given to the Registrar of Titles is set out in Schedule 4.

18 Fee for lodging notice with Registrar of Titles

For the purposes of section 92(1)(b) of the Act, the relevant fee to be paid to the Registrar of Titles is 44 fee units.

Part 5—Construction and operation of pipelines

19 Incident reporting

Reg. 19(1)
amended by
S.R. No.
97/2015
reg. 13(1).

- (1) A licensee must notify the Minister and Energy Safe Victoria of a reportable environmental incident or a reportable safety incident in accordance with subregulation (2).

Penalty: 20 penalty units.

Reg. 19(2)
amended by
S.R. No.
97/2015
reg. 13(2)(a).

- (2) A notification under subregulation (1)—

Reg. 19(2)(a)
amended by
S.R. No.
97/2015
reg. 13(2)(b).

- (a) must be in writing and given as soon as practicable but no later than 2 hours—
- (i) after the incident occurs; or
 - (ii) if the licensee is not initially aware of the incident, after the licensee becomes aware of the incident; and
- (b) must include the following information—
- (i) the date, time and place of the incident;
 - (ii) a description of the incident;
 - (iii) any known or suspected cause of the incident; and

Reg.
19(2)(b)(iii)
amended by
S.R. No.
97/2015
reg. 13(3)(a).

Reg.
19(2)(b)(iv)
inserted by
S.R. No.
97/2015
reg. 13(3)(b).

- (iv) whether any emergency service has attended the incident and, if so, the name and contact details of the emergency controller.

(2A) After being given a notification under subregulation (1), Energy Safe Victoria may require the licensee to provide further information regarding the incident.

Reg. 19(2A)
inserted by
S.R. No.
97/2015
reg. 13(4).

(3) A licensee must, as soon as practicable but not later than 7 days (or a longer period as agreed by Energy Safe Victoria) after the occurrence of a reportable environmental incident or a reportable safety incident, submit a written report to the Minister and Energy Safe Victoria that includes the following information—

Reg. 19(3)
amended by
S.R. No.
97/2015
reg. 13(5).

- (a) the date, time and place of the incident;
- (b) a description of the incident;
- (c) details of any known or suspected causes of the incident;
- (d) details of any corrective action that has been taken, or is proposed to be taken, to prevent a similar incident;
- (e) in the case of an escape or ignition of anything in the pipeline, a description of—
 - (i) the nature and approximate quantity of the thing that escaped, or escaped and ignited; and
 - (ii) any damage resulting from the escape or ignition; and
 - (iii) the methods adopted to carry out repairs.

Penalty: 20 penalty units.

(4) A licensee must keep a record of all reportable environmental incidents and reportable safety incidents that occur during the pipeline operation.

Penalty: 20 penalty units.

- (5) This regulation does not apply to a reportable safety incident in respect of a pipeline to which the **Gas Safety Act 1997** applies.

20 Interference with incident site

- (1) A person must not interfere with the place of an incident referred to in regulation 19 during the period of investigation of the incident without the consent of a person or body referred to in subregulation (2) that is investigating the incident except as is necessary to provide—
- (a) immediate assistance to any person injured; or
 - (b) to recover the body of any person killed as a result of the incident; or
 - (c) for the immediate protection of property or the environment.

Penalty: 20 penalty units.

- (2) This regulation does not prohibit any action by—
- (a) a member of the police force; or
 - (b) Energy Safe Victoria; or
 - (c) an authority referred to in section 116 of the Act.

21 Construction and operation standards

Reg. 21(1)
amended by
S.R. No.
97/2015
reg. 14(a).

- (1) For the purposes of section 100(1)(a) of the Act, a pipeline must be constructed in accordance AS 2885.1—2012 and AS 2885.2—2007.

Reg. 21(2)
amended by
S.R. No.
97/2015
reg. 14(b).

- (2) For the purposes of section 109(a) of the Act, a pipeline must be operated in accordance with AS 2885.2—2007 and AS 2885.3—2012.

22 Surveillance reporting

- (1) The licensee must—
- (a) keep a written report of each inspection of the pipeline undertaken in accordance with AS 2885.3—2012; and
 - (b) submit those reports to the Minister on request.

Penalty: 20 penalty units.

- (2) This regulation does not apply to a pipeline to which the **Gas Safety Act 1997** applies.

Reg. 22(1)(a)
amended by
S.R. No.
97/2015
reg. 15.

23 Annual pipeline operation fee

For the purposes of section 110 of the Act the annual pipeline operation fee is nil.

24 Safety and environmental risk assessment for application to use pipeline for conveyance of other thing

For the purposes of section 113(2)(d) of the Act, an assessment of the potential risks to safety and the environment of a proposal to use a pipeline to convey a thing other than the thing authorised by the licence must—

- (a) describe the methodology used and investigations undertaken for the assessment; and
- (b) identify all potential hazards arising from the proposed other use of the pipeline; and
- (c) include a detailed assessment of the risk associated with each of those hazards that has the potential to cause a reportable environmental incident or a reportable safety incident; and

(d) include a description of measures undertaken, or to be undertaken, to reduce as far as practicable each risk.

25 Fee for application to use pipeline to convey other thing

For the purposes of section 113(2)(f) of the Act, the fee is 285·4 fee units.

26 Fee for application for Ministerial direction under section 122

For the purposes of section 122(3) of the Act, the fee is 142·7 fee units.

27 Fee for application for approval of access to a pipeline easement

For the purposes of section 123(2) of the Act, the fee is 142·7 fee units.

Part 6—Safety Management Plans

28 Performance standards

In this Part, a performance standard in relation to an activity must specify—

- (a) who is responsible for carrying out the activity; and
- (b) what has to be done in the performance of the activity; and
- (c) when the activity has to be performed; and
- (d) the expected outcome of the activity.

29 Matters to be included in Safety Management Plans

For the purposes of section 126 of the Act, the matters to be included in a Safety Management Plan are set out in this Part.

30 Contact details

The Safety Management Plan must contain—

- (a) the name and business address of the licensee; and
- (b) the name and title of the position of the person who is responsible for the preparation, submission and review of the Safety Management Plan.

31 Description of pipeline

- (1) The Safety Management Plan must contain a description of the pipeline with sufficient information—
 - (a) to show the technical details of the pipeline; and
 - (b) to show how the licensee intends to ensure safety and maintain the integrity of the pipeline operation; and

- (c) to enable an assessment of the risks to the safety of the public from the pipeline operation to be undertaken.
- (2) In this regulation *technical details* includes—
 - (a) design specifications and drawings; and
 - (b) construction materials; and
 - (c) details of function and operation.

32 Safety assessment

The Safety Management Plan must contain a safety assessment of the pipeline operation that is consistent with the description of the pipeline in regulation 31 and that—

- (a) describes the methodology used and investigations undertaken for the safety assessment; and
- (b) identifies all of the hazards and risks arising from the pipeline operation that have the potential to cause a safety incident; and
- (c) contains a detailed assessment of those risks; and
- (d) describes the measures undertaken, or proposed to be undertaken, to eliminate or minimise those risks as far as practicable.

33 Response plan

- (1) The Safety Management Plan must contain a response plan that ensures the safety of the public and addresses all reasonably foreseeable safety incidents that have been identified in the safety assessment in regulation 32.
- (2) The response plan must specify the performance standards to be used to ensure the continued safe operation and structural safety of the pipeline operation.

34 Construction and operation safety plans

- (1) The Safety Management Plan must contain a construction safety plan prepared in accordance with AS 2885.1—2012.
- (2) The Safety Management Plan must contain an operating safety plan prepared in accordance with AS 2885.3—2012.

Reg. 34(1)
amended by
S.R. No.
97/2015
reg. 16(a).

Reg. 34(2)
amended by
S.R. No.
97/2015
reg. 16(b).

35 Construction and operating safety plans must specify work and staffing systems

- (1) The construction safety plan and the operating safety plan must specify the work and staffing systems to be used for the pipeline operation to ensure, as far as practicable, that—
 - (a) each area of safety critical work in relation to the pipeline operation is assessed to identify the minimum skills, knowledge and experience requirements for a person assigned to carry out that work; and
 - (b) only persons with the skills, knowledge and experience appropriate to an area of safety critical work are assigned to carry out that work; and
 - (c) any training necessary for persons assigned to carry out safety critical work is provided; and
 - (d) a permit to work system is to be followed for any safety critical work carried out in relation to the pipeline operation.

- (2) A permit to work system must—
- (a) prohibit any person from performing safety critical work without a written permit to work issued by a person authorised by the licensee to issue that permit; and
 - (b) specify by position the persons who are authorised to issue a permit to work and to supervise that work; and
 - (c) ensure that persons responsible for the issuing of permits to work and persons carrying out safety critical work under a permit to work are competent and are provided with appropriate training, procedures, tools, equipment and emergency support.
- (3) In this regulation *safety critical work* means work which affects or may affect the safety of the pipeline operation.

Part 7—Environment Management Plans

36 Matters included in Environment Management Plan

For the purposes of section 133 of the Act, the matters to be included in an Environment Management Plan are set out in this Part.

37 Description of pipeline activities and environment

The Environment Management Plan must—

- (a) describe the activities to be carried out in connection with the pipeline operation; and
- (b) describe the existing environment that may be affected by the pipeline operation; and
- (c) identify the particular relevant values and sensitivities (if any) of that environment.

38 Description of environmental impacts and risks

The Environment Management Plan must—

- (a) identify the environmental impacts and risks to the environment arising directly or indirectly from the pipeline operation; and
- (b) evaluate the environmental impacts and risks identified under paragraph (a) that are significant; and
- (c) identify all potential emergencies that may affect the pipeline operation and evaluate the significant environmental impacts and risks to the environment arising from those emergencies.

39 Environmental performance objectives and standards

The Environment Management Plan must contain—

- (a) environmental performance objectives and standards, against which the performance by the licensee in protecting the environment from the pipeline operation is to be measured, that address—
 - (i) the environmental legislative requirements that apply to carrying out the pipeline operation; and
 - (ii) any other environmental requirements that the licensee intends to comply with in carrying out the pipeline operation; and
- (b) measurement criteria for determining whether the environmental performance objectives and standards have been met; and
- (c) a statement of the licensee's environmental policy; and
- (d) a list of the environmental legislative and non-legislative requirements referred to in paragraphs (a)(i) and (a)(ii).

40 Consultation

The Environment Management Plan must contain—

- (a) a report on all consultation carried out between the licensee and all relevant entities in the course of developing the Environment Management Plan; and

- (b) a description of any arrangements for ongoing consultation between the licensee and all relevant entities during the life of the pipeline operation.

41 Implementation strategy

- (1) The Environment Management Plan must contain an implementation strategy for the pipeline operation.
- (2) The implementation strategy must identify the specific systems, practices and procedures to be used to ensure that—
 - (a) any adverse environmental impacts and risks to the environment arising from the pipeline operation are eliminated or minimised so far as reasonably practicable; and
 - (b) the environmental performance objectives and standards in the Environment Management Plan are met.
- (3) The implementation strategy must include measures to enable ongoing monitoring and evaluation of the effectiveness of the systems, practices and procedures in subregulation (2).
- (4) The implementation strategy must establish a clear chain of command, setting out the roles and responsibilities of personnel in relation to the implementation, management and review of the Environment Management Plan.
- (5) The implementation strategy must provide for—
 - (a) monitoring, auditing and management of compliance with the environmental performance objectives and standards in the Environment Management Plan; and
 - (b) the keeping of quantitative records of emissions and discharges of substances from the pipeline; and

- (c) review by the licensee of the licensee's performance in relation to the environmental performance objectives and standards in the Environment Management Plan; and
 - (d) review by the licensee of the implementation strategy.
- (6) In order to eliminate or minimise the risk of harm to the environment, the implementation strategy must provide for the establishment and keeping of an up-to-date emergency response manual that includes detailed response arrangements for dealing with any emergency that threatens the environment in the vicinity of the pipeline operation.
- (7) The implementation strategy must include procedures to ensure that the response arrangements in the emergency response manual are tested—
- (a) when they are introduced; and
 - (b) when they are significantly amended; and
 - (c) not later than 12 months after the most recent test.
- (8) The implementation strategy must provide for adequate consultation by the licensee with all relevant entities in relation to the licensee's performance in protecting the environment from the pipeline operation.

42 Environmental incidents

The Environment Management Plan must contain procedures to ensure that details of all reportable and non-reportable environmental incidents are recorded and kept so that they may be made available to an inspector exercising his or her power under the Act.

43 Records and reporting

The Environment Management Plan must contain details of arrangements for—

- (a) recording information about the measures that the licensee has taken to meet the environmental performance objectives and standards contained in the Environment Management Plan to enable an inspector to determine whether those objectives and standards have been met or are being met; and
- (b) reporting to the Minister under regulation 11(2).

Part 7A
(Heading and
reg. 43A)
inserted by
S.R. No.
97/2015
reg. 17.

Part 7A—Infringements

S. 43A
inserted by
S.R. No.
97/2015
reg. 17.

43A Prescribed infringement offences and infringement penalties

- (1) For the purposes of section 183A(1) of the Act, an offence specified in column 1 of Schedule 5 is prescribed as an infringement offence.
- (2) For the purposes of section 183A(3) of the Act, the prescribed infringement penalty for an offence referred to in subregulation (1) is the infringement penalty in column 3 of Schedule 5 set out opposite the relevant infringement offence.

Part 8—Administrative matters

44 Fee for access to registered information

- (1) For the purposes of section 188(1) of the Act, the fee for access to the Pipelines Register on any day is 9·4 fee units per hour up to a maximum of 37·6 fee units.
- (2) For the purposes of section 188(1) of the Act, the fee for each page of information provided from the Pipelines Register is—
 - (a) 0·2 fee units for an A4 page; and
 - (b) 0·5 fee units for an A2 page.

Schedules

Sch. 1
amended by
S.R. No.
97/2015
reg. 18.

Schedule 1—Notice under section 27 of the Pipelines Act 2005 to owners and occupiers of land in a pipeline corridor

Regulation 7

Pipelines Act 2005

Pipelines Regulations 2007

To: *[insert name and address of person(s) who owns or occupies land in the pipeline corridor (see Note 1)]*

I *[name of proponent]* am considering applying for a licence to construct and operate a pipeline over the following land:

[insert a description of the land (including, if appropriate, a sketch showing the relevant part of the land) and title particulars]

A copy of a plan showing the pipeline corridor is attached to this Notice *[attach copy of a plan drawn to an appropriate scale showing the pipeline corridor]*.

The proposed pipeline is: *[insert a description of the purpose of the proposed pipeline, e.g. to convey high pressure gas between A and B]*

*Information regarding the proposed pipeline, including the processes that will be followed for obtaining required approvals and details of how *[insert name of proponent]* proposes to consult with you is also attached.

*Information regarding the proposed pipeline, including the processes that will be followed for obtaining required approvals and details of how *[insert name of proponent]* proposes to consult with you was given to you with the notice of intention to enter land for survey issued on: *[insert date that written notice of intention to enter land for survey was given to owner or occupier under section 19 of the Act]*

*[*delete the statement that does not apply]*

Signature of the proponent:

Date:

Pipelines Regulations 2007

S.R. No. 15/2007

Schedule 1—Notice under section 27 of the Pipelines Act 2005 to owners
and occupiers of land in a pipeline corridor

Note 1

A pipeline corridor is a corridor of land within which a pipeline is proposed to be constructed under the **Pipelines Act 2005**. The final route of the proposed pipeline within the corridor is subject to consultation and approval under the **Pipelines Act 2005**.

Note 2

Under section 27(3) of the **Pipelines Act 2005** this Notice lapses after 12 months from the date of this notice, unless the Minister administering that Act, extends that period in writing.

Schedule 2

Regulation 9

TABLE A—LICENCE APPLICATION FEE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> | <i>Column 4</i> |
|------------------------|---|---|---|
| Pipeline Length | Fee units (Environment Effects Statement required ¹⁾) | Fee units (Environment Effects Statement not required subject to conditions ²⁾) | Fee units (Environment Effects Statement not required ³⁾) |
| Less than 10 km | 2818·1 | 1412·6 | 528 |
| 10–20 km | 4245·1 | 2375·8 | 528 |
| 20–50 km | 4245·1 | 2782·5 | 948·9 |
| 50–100 km | 4245·1 | 2782·5 | 948·9 |
| More than 100 km | 4245·1 | 3710 | 1441·2 |

Notes

1. The fees in column 2 apply if the Minister administering the **Environment Effects Act 1978** decides under section 8B(3)(a) of that Act that an Environment Effects Statement is required for the proposed pipeline.
2. The fees in column 3 apply if the Minister administering the **Environment Effects Act 1978** decides under section 8B(3)(b) of that Act that an Environment Effects Statement is not required for the proposed pipeline if certain conditions specified by the Minister are met.
3. The fees in column 4 apply if the Minister administering the **Environment Effects Act 1978** decides under section 8B(3)(c) of that Act that an Environment Effects Statement is not required.

Pipelines Regulations 2007
S.R. No. 15/2007
Schedule 2

Regulation 12(1)

TABLE B—LICENCE FEE

| <i>Column 1</i> | <i>Column 2</i> |
|------------------------|------------------|
| Pipeline Length | Fee units |
| Less than 10 km | 1676·6 |
| 10–20 km | 3710 |
| 20–50 km | 5543·5 |
| 50–100 km | 6970·4 |
| More than 100 km | 8540 |

Sch. 2A
inserted by
S.R. No.
97/2015
reg. 19.

Schedule 2A—Notice under section 68(3)(b) of the Pipelines Act 2005 to affected owners and occupiers of land

Regulation 13A

Pipelines Act 2005

Pipelines Regulations 2007

To: *[insert name and address of person(s) who owns or occupies land affected by the proposed alteration to the authorised route of a pipeline]*

I *[name of licensee]* am considering applying to alter the authorised route of the pipeline under Pipeline Licence *[insert Pipeline Licence number]* over the following land:

[insert a description of the land (including, if appropriate, a sketch showing the relevant part of the land) and title particulars]

The proposed alteration is to:

[insert a description of the proposed alteration].

A copy of a plan showing the proposed alteration to the authorised route of the pipeline is attached to this Notice *[attach copy of a plan drawn to an appropriate scale showing the proposed alteration].*

*Information regarding the proposed alteration to the authorised route of the pipeline, including information on activities to be undertaken for the purpose of any survey; how potential adverse impacts of the construction and operation of the proposed alteration will be managed; and procedures to permit the construction and operation of the proposed alteration, including any compulsory acquisition of land.

*A statement advising that land owners and occupiers may seek independent legal advice and setting out contact information for the Department of Economic Development, Jobs, Transport and Resources.

*[*Where the Minister has required the preparation of a consultation plan for the proposed alteration, under section 68(3)(b) of the **Pipelines Act 2005**, the information regarding the proposed alteration and the statement may be provided as part of the approved consultation information.]*

Signature of the proponent:

Date:

Schedule 3—Application under section 74 of the Pipelines Act 2005 to consolidate licences

Regulation 14

Sch. 3
amended by
S.R. No.
97/2015
reg. 20.

Pipelines Act 2005

Pipelines Regulations 2007

To: Minister administering the **Pipelines Act 2005**

I, _____, apply under section 73 of the **Pipelines Act 2005**

[insert name of licensee including Australian Business Number]

for the amendment of pipeline licence number _____ (the ongoing
licence) to consolidate it with the whole or part of the following pipeline
licence number/s _____ and submit the following particulars:

The pipelines are described as follows:

*(insert a brief description of the use of each pipeline and of each pipeline
route)*

A copy of a map showing each pipeline route is attached to this application

The reasons for this application to consolidate pipeline licences are
[insert reasons for the application]

Address of the applicant or registered business address if the applicant is a
company:

Postal address of the applicant:

Telephone number of the applicant:

Fax number of the applicant:

Email address of the applicant:

*An additional length of authorised route of the pipeline is required.

[Provide details of additional length]

*[Insert any other amendments of the licence required for the purposes of
consolidation]*

Signature of the licensee:

Date:

**Delete if inapplicable*

Pipelines Regulations 2007

S.R. No. 15/2007

Schedule 4—Notice to Registrar of Titles of notice of application to the
Minister for consent to compulsorily acquire an easement over private land

Sch. 4
amended by
S.R. No.
97/2015
reg. 21.

Schedule 4—Notice to Registrar of Titles of notice of application to the Minister for consent to compulsorily acquire an easement over private land

Regulation 17

Pipelines Act 2005

Pipelines Regulations 2007

To: The Registrar of Titles

From: Proponent/Applicant/Licensee*

[insert full name and address including postcode]

In accordance with section 92(1) of the **Pipelines Act 2005**, I give notice that I have given notice to the owner of the land described below under section 91 of that Act of an application under section 90 of that Act to the Minister for consent to compulsorily acquire an easement over that land on *[insert date notice given under section 91]*. A copy of the notice under section 91 is attached to this Notice.

Details of land:

[insert volume and folio reference]

Address for service to proponent/applicant/licensee*:

Signature of the proponent/applicant/licensee*:

Date:

**delete whichever does not apply*

Pipelines Regulations 2007
S.R. No. 15/2007
Schedule 5—Infringement offences and infringement penalties

**Schedule 5—Infringement offences and
infringement penalties**

Sch. 5
inserted by
S.R. No.
97/2015
reg. 22.

| <i>Item no.</i> | <i>Infringement offence</i> | <i>Infringement penalty</i> |
|-----------------|--|--|
| 1 | An offence against section 106(b) of the Act | 5 penalty units (natural person) 20 penalty units (body corporate) |
| 2 | An offence against section 107(1) of the Act | 5 penalty units (natural person) 12 penalty units (body corporate) |
| 3 | An offence against section 107(2) of the Act | 5 penalty units (natural person) 12 penalty units (body corporate) |
| 4 | An offence against section 111(a) of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 5 | An offence against section 111(b) of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 6 | An offence against section 114(3) of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 7 | An offence against section 117(b) of the Act | 5 penalty units (natural person) 20 penalty units (body corporate) |
| 8 | An offence against section 118 of the Act | 10 penalty units (natural person) 50 penalty units (body corporate) |
| 9 | An offence against section 120(1) of the Act | 10 penalty units (natural person) 50 penalty units (body corporate) |
| 10 | An offence against section 127 of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 11 | An offence against section 132 of the Act | 5 penalty units (natural person) 20 penalty units (body corporate) |
| 12 | An offence against section 134 of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 13 | An offence against section 139 of the Act | 5 penalty units (natural person) 20 penalty units (body corporate) |
| 14 | An offence against section 179 of the Act | 12 penalty units (natural person) 60 penalty units (body corporate) |
| 15 | An offence against regulation 19(3) | 2 penalty units |

Pipelines Regulations 2007
S.R. No. 15/2007

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Pipelines Regulations 2007, S.R. No. 15/2007 were made on 27 March 2007 by the Governor in Council under section 190 of the **Pipelines Act 2005**, No. 61/2005 and came into operation on 1 April 2007: regulation 3.

The Pipelines Regulations 2007 will sunset 10 years after the day of making on 27 March 2017 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

This publication incorporates amendments made to the Pipelines Regulations 2007 by statutory rules, subordinate instruments and Acts.

Pipelines Amendment Regulations 2012, S.R. No. 42/2012

Date of Making: 13.6.12

Date of Commencement: 1.7.12: reg. 3

Pipelines Amendment Regulations 2015, S.R. No. 97/2015

Date of Making: 25.8.15

Date of Commencement: Regs 5–22 on 1.9.15: reg. 3

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Reg. 4: S.R. No. 90/2000 as amended by S.R. No. 88/2004.

Table of Applied, Adopted or Incorporated Matter

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

| Statutory Rule Provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|--|---|--|
| Regulations 21(1), 34(1) | AS 2885.1: Pipelines—Gas and Liquid Petroleum, Part 1: Design and construction, published on 5 May 1997, as amended from time to time | Whole |
| Regulations 21(1) and 21(2) | AS 2885.2: Pipelines—Gas and Liquid Petroleum, Part 2: Welding, published 21 June 2002 as amended from time to time | Whole |
| Regulations 16(g), 21(2), 22(1)(a) and 34(2) | AS 2885.3: Pipelines—Gas and Liquid Petroleum, Part 3: Operation and maintenance, published 6 August 2001 as amended from time to time | Whole |

Pipelines Regulations 2007

S.R. No. 15/2007

Endnotes

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 42/2012 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

| Statutory rule provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|---|---|--|
| Regulation 5, which inserts new Regulation 16A into the Principal Regulations | AS 2885.3: Pipelines—Gas and Liquid Petroleum, Part 3: Operation and maintenance, published 6 August 2001 as amended from time to time | The whole |

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in S.R. 97/2015 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

| Statutory rule provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|--|---|--|
| Regulation 5(1) (definition of AS 2885.1—2012) | AS 2885.1—2012: Pipelines—Gas and liquid petroleum Part 1: Design and Construction, as published by Standards Australia on 20 September 2012 | The whole |
| Regulation 5(1) (definition of AS 2885.2—2007) | AS 2885.2—2007: Pipelines—Gas and liquid petroleum Part 2: Welding, as published by Standards Australia on 27 March 2007 | The whole |
| Regulation 5(1) (definition of AS 2885.3—2012) | AS 2885.3—2012: Pipelines—Gas and liquid petroleum Part 3: Operation and maintenance, as published by Standards Australia on 20 September 2012 | The whole |
| Regulation 11 | AS 2885.3—2012: Pipelines—Gas and liquid petroleum Part 3: Operation and maintenance, as published by Standards Australia on 20 September 2012 | The whole |

Pipelines Regulations 2007
S.R. No. 15/2007
Endnotes

| Statutory rule provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|---------------------------------|---|--|
| Regulation 14 | AS 2885.1—2012: Pipelines—Gas and liquid petroleum Part 1: Design and Construction, as published by Standards Australia on 20 September 2012 AS 2885.2—2007: Pipelines—Gas and liquid petroleum Part 2: Welding, as published by Standards Australia on 27 March 2012 AS 2885.3—2012: Pipelines—Gas and liquid petroleum Part 3: Operation and maintenance, as published by Standards Australia on 20 September 2012 | The whole |

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2012 is \$12.53. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

In accordance with section 11 of the **Monetary Units Act 2004**, the value of a penalty unit for the financial year commencing 1 July 2012 is \$140.84.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.