

Version No. 002
Pipelines Regulations 2000
S.R. No. 90/2000

Version incorporating amendments as at 1 July 2004

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PART 1—PRELIMINARY

1. Objectives

The objectives of these Regulations are—

- (a) to prescribe various forms, fees and procedures authorised by the **Pipelines Act 1967**; and
- (b) to set out requirements relating to the construction, operation and testing of pipelines.

2. Authorising provision

These Regulations are made under section 47 of the **Pipelines Act 1967**.

3. Revocation

The following regulations¹ are **revoked**—

- (a) the Pipelines (Fees) Regulations 1990²;
- (b) the Pipelines (Fees) Regulations 1991³;
- (c) the Pipelines (Fees) Regulations 1992⁴;
- (d) the Pipelines (Fees) Regulations 1995⁵.

4. Definitions

In these Regulations—

"the Act" means the **Pipelines Act 1967**;

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Part 1—Preliminary

r. 4

"licence" means a licence issued under Part IV of the Act;

"permit" means a permit granted under Part II of the Act.

PART 2—PERMITS TO OWN AND USE PIPELINES

5. Application for consent to enter land to make surveys or examinations

An application for consent under section 8A of the Act must include the following particulars—

- (a) the name and address of the applicant;
- (b) if the application relates to land owned privately—
 - (i) the name and address of the owner or occupier; and
 - (ii) title details or particulars;
- (c) if the application relates to land owned by the Crown, the name of the controlling organisation;
- (d) details of the proposed survey or examination;
- (e) the intended use of the proposed pipeline;
- (f) the name and address of the person or organisation engaged to carry out the survey or examination of the route of the pipeline;
- (g) the steps previously taken to obtain permission to enter the land and any known reason for the failure to obtain permission;
- (h) a map drawn to a scale of not less than 1:25 000 showing—
 - (i) the relevant portion of the intended route along which the survey or examination is proposed to be made; and

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Part 2—Permits to Own and Use Pipelines

r. 6

- (ii) the location, allotment and section numbers and the parish and municipal names and the boundaries of lands relating to the proposed survey or examination.

6. Production of written consent

- (1) A person who has obtained the consent of the Minister under section 8A of the Act must produce the consent to the owner or occupier of the land before entering the land to conduct any survey or examination.
- (2) Sub-regulation (1) does not apply if the person was unable to produce the consent before entering the land because he or she was unable to contact the owner or occupier of the land after making reasonable attempts to do so.

7. Permit application

- (1) The form for the purposes of section 9 of the Act is set out in Schedule 1.
- (2) The scale of map for the purposes of section 10(1)(d) of the Act is the scale of 1:25 000.
- (3) The application fee for the purposes of section 10(1)(e) of the Act is 1000 fee units.

Reg. 7(3)
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 32.1).

8. Terms and conditions of permit

A permit granted by the Minister under section 12(1) of the Act is subject to the following terms and conditions—

- (a) unless otherwise approved in writing by the Minister, the holder of the permit must commence construction of the pipeline within 12 months of the issue of the permit and complete construction within 3 years of the commencement of construction;

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- (b) the holder of the permit must, as soon as is practicable after the completion of the laying of the pipeline, lodge with the Minister 2 copies of a map showing the route of the pipeline and details of the land through which the pipeline is laid.

9. Application for consolidation or replacement of permit

- (1) The form for the purposes of section 12A(2) of the Act is set out in Schedule 2.
- (2) The scale of map for the purposes of section 12A(2)(c) of the Act is the scale of 1:25 000.

10. Application for variation of permit (other than variation of authorized route)

The form for the purposes of section 12B of the Act is set out in Schedule 3.

11. Additional notice of application

The form for the purposes of section 12D(2)(a) of the Act is set out in Schedule 4.

12. Notice of proposed grant of permit

The prescribed particulars for the purposes of section 12G(1) of the Act are—

- (a) the proposed authorised route of the pipeline; and
- (b) details of any alterations from the proposed authorised route advertised in accordance with the Act; and
- (c) the thing to be conveyed through the pipeline.

13. Application for renewal of permit

The form for the purposes of section 13(1) of the Act is set out in Schedule 5.

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Reg. 14
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 32.2).

14. Application for Minister's direction

The fee for the purposes of section 17(3) of the
Act is 72.4 fee units.

PART 3—ACQUISITION OF RIGHTS OVER LAND

15. Application to compulsorily acquire an easement

An application by a permittee for the written permission of the Minister under section 22 of the Act to compulsorily acquire an easement over private land must include—

- (a) the name and address of the permittee; and
 - (b) details of the permit, including—
 - (i) the permit number; and
 - (ii) the things authorised to be conveyed through the pipeline; and
 - (c) a description of the relevant private land, including—
 - (i) the name and address of the owner; and
 - (ii) title details or particulars; and
 - (iii) a plan drawn to a scale of not less than 1:25 000 showing the property boundary and the route of the pipeline across the property; and
 - (d) details of attempts to negotiate a settlement with the owner of the land.
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Part 4—Licences to Construct and Operate a Pipeline

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**PART 4—LICENCES TO CONSTRUCT AND OPERATE A
PIPELINE**

16. Licence application

- (1) The form for the purposes of section 26(1) of the Act is set out in Schedule 6.
- (2) The scale of map for the purposes of section 26(2)(d) of the Act is the scale of 1:25 000.

17. Information required for renewal of licence

For the purposes of section 27B(1) of the Act, the information to be provided to the Minister at each renewal under section 13 of the Act is—

- (a) the expiry date of the current licence; and
- (b) details of any thing conveyed in the pipeline;
and
- (c) the reasons for renewing the licence; and
- (d) the things proposed to be conveyed in the pipeline; and
- (e) details of any alterations to the pipeline route.

**18. Application for variation of licence (other than
variation of authorized route)**

The form for the purposes of section 28A of the Act is set out in Schedule 7.

**PART 5—CONSTRUCTION, OPERATION AND TESTING OF
PIPELINES**

19. Construction, operation and maintenance standards

For the purposes of sections 30(1) and 35(1C) of the Act, a pipeline must be constructed, operated and maintained in accordance with the following Australian Standards published by Standards Australia as amended from time to time—

- (a) AS 2885.1—1997: Pipelines—Gas and liquid petroleum, Part 1: Design and Construction;
- (b) AS 2885.2—1995: Pipelines—Gas and liquid petroleum, Part 2: Welding;
- (c) AS 2885.3—1997: Pipelines—Gas and liquid petroleum, Part 3: Operation and maintenance.

20. Information required to obtain consent to operate

A licensee who applies for consent to operate a pipeline under section 35 of the Act must submit to the Minister—

- (a) the results of any pipeline tests and pressure and leak tests of the pipeline; and
- (b) any other information requested by the Minister in relation to the safe operation or the environmental impact of the pipeline.

21. Pipeline operation fee

For the purposes of section 35(2) of the Act, the pipeline operation fee is 16.2 fee units per kilometre or part of a kilometre of pipeline operated under the licence.

Reg. 21
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 32.3).

22. Escape or ignition of any thing conveyed in a pipeline

- (1) This regulation does not apply to a pipeline to which the **Gas Safety Act 1997** applies.
- (2) A licensee, upon becoming aware of the escape or ignition of any thing being conveyed in a pipeline, must immediately—
 - (a) take action to protect people and property; and
 - (b) take or cause to be taken such action as is necessary to prevent or, if it is not practicable to prevent, minimise—
 - (i) the ignition or escape of the thing in the pipeline; and
 - (ii) the pollution of the surrounding lands and waters by the thing.
- (3) Sub-regulation (2) applies in addition to any action the licensee is required to take under section 38 of the Act.
- (4) The licensee must, as soon as possible and not later than 24 hours after the pipeline is repaired, submit a written report to the Minister giving full information regarding—
 - (a) the time and place of the escape or ignition; and
 - (b) the nature of and the approximate quantity of the thing which escaped; and
 - (c) the damage resulting from the escape or ignition; and
 - (d) the conditions that caused or contributed to the escape or ignition (if known); and
 - (e) the methods adopted to carry out repairs.

23. Incident reporting

- (1) This regulation does not apply to a pipeline to which the **Gas Safety Act 1997** applies.
- (2) A licensee must immediately report to the Minister any incident which arises out of any work concerned with the construction and operation of a pipeline if—
 - (a) any person suffers a serious injury or is killed; or
 - (b) there is substantial damage to or destruction of property or the environment.
- (3) The report must be in writing and provide all relevant details and information relating to the incident.
- (4) A licensee must—
 - (a) keep a record of incidents which occur during the construction and operation of a pipeline; and
 - (b) submit to the Minister copies of the incident records at intervals not exceeding one month.

24. Interference with incident site

A person must not interfere with the place of an incident referred to in regulation 23 except as is necessary to provide—

- (a) immediate assistance to any person injured or to recover the body of any person killed as a result of the incident; or
- (b) for the immediate protection of property or the environment.

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Part 5—Construction, Operation and Testing of Pipelines

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25. Security of pipeline

- (1) This regulation does not apply to a pipeline to which the **Gas Safety Act 1997** applies.
 - (2) For the purposes of establishing and maintaining the security and safe operation of the pipeline, the licensee must cause the pipeline to be patrolled on a regular basis.
 - (3) The licensee must—
 - (a) keep a written report of each patrol; and
 - (b) submit those reports to the Minister on request.
-

SCHEDULES

SCHEDULE 1

Reg. 7

Pipelines Act 1967

Pipelines Regulations 2000

**APPLICATION FOR A PERMIT TO OWN AND USE A
PIPELINE—S. 9**

To: Minister for Energy and Resources

I apply for a permit to own and use a pipeline and submit the following particulars:

1. Name of applicant.
2. Business address of applicant.
3. Applicant's principal place of business.
4. Applicant's ACN number (if applicable).
5. Applicant's contact details including telephone number, facsimile number and email address.
6. Agent's contact details (if applicable).
7. Use to which proposed pipeline will be placed.
8. Anticipated date of commencement of construction.
9. Expected date of completion of construction.
10. Brief description of route of pipeline—
to be accompanied by a map showing the proposed route of the pipeline, any significant landmarks and the Crown allotment number, drawn to a scale of not less than 1:25 000. The title details or particulars of land along the proposed route must be attached to this application.
11. Will the proposed pipeline be leased to, or used by, any other persons, organisation, company, etc.? If so, give full particulars, including purpose.
12. Brief description of proposed pipeline, e.g. length, pipe type and diameter, pumping stations, ancillary structure etc.

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Sch. 1

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13. Details of any environmental impacts of the proposed pipeline and the proposed measures to eliminate or minimise those impacts.

A fee of \$ is enclosed.

(Signature of applicant or company seal)

(Designation or position in organisation)

Date:

SCHEDULE 2

Reg. 9

Pipelines Act 1967

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**APPLICATION FOR CONSOLIDATION/REPLACEMENT
OF PERMIT—S. 12A**

To: Minister for Energy and Resources

I, _____, apply under section 12A of the **Pipelines Act 1967** for the
*consolidation/*replacement of pipeline permit no. _____ and submit the
following particulars:

1. Address of applicant.
2. Telephone no.
3. Particulars of permits to be *consolidated/*replaced
 - (1) Brief description of route of each pipeline (attach maps showing pipeline routes—scale not less than 1:25 000 and attach map showing proposed pipeline route for *consolidated/*replaced permits—scale not less than 1:25 000).
 - (2) Current use of each pipeline.
4. Will an additional length of authorised route of the pipeline be required?
If yes, provide details.
5. State reasons for *consolidation/*replacement of permit.

(Signature of applicant/company seal)

(Designation or position in organisation)

Date:

* Strike out whichever is inapplicable

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Sch. 3

SCHEDULE 3

Reg. 10

Pipelines Act 1967

Pipelines Regulations 2000

**APPLICATION FOR VARIATION OF PIPELINE PERMIT—
S. 12B(2)**

To: Minister for Energy and Resources

I, _____, apply for a variation of pipeline permit no. _____ issued to me.

The *particulars of the proposed variation are:

The reasons for the proposed variation are:

(Signature of applicant/company seal)

(Designation or position in organisation)

Date:

*A map showing the proposed variation is to be attached.

SCHEDULE 4

Reg. 11

Pipelines Act 1967

Pipelines Regulations 2000

NOTICE OF APPLICATION FOR PIPELINE PERMIT—S. 12D

Take notice that _____ of _____
(name of person or company) (address)
applied on _____ for a permit to own and use a pipeline under the
(date)

Pipelines Act 1967.

1. The particulars of the proposed pipeline are:

(Insert details of—

- (a) the use to which pipeline will be put;
- (b) the anticipated date of commencement/completion of construction).

2. The proposed authorised route of the pipeline is—

All persons who may be affected by the grant of this application may send to the Minister for Energy and Resources on or before _____ (date) submissions which they may wish to make with respect to the application. The submission may state that the person making the submission wishes to be heard with respect to that submission.

The application and details relevant to it may be inspected at—

- (a) relevant offices of the Department of Natural Resources and Environment;
- (b) (insert business address of company/person applying for permit);
- (c) relevant Council or Municipal offices.

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Sch. 5

SCHEDULE 5

Regulation 13

Pipelines Act 1967

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**APPLICATION FOR THE RENEWAL OF A PERMIT TO OWN AND
USE A PIPELINE—S. 13**

To: Minister for Energy and Resources

I apply for the renewal of permit no. _____ to own and use a pipeline
and submit the following particulars:

1. Name of permittee.
2. Business address of permittee.
3. Current permit _____ Date issued: _____
Date expires: _____
4. Is the pipeline for which the current permit is issued still in use?
5. What is the pipeline carrying at present?
6. State reasons for requiring renewal of permit and what the pipeline will be used to carry.
7. Detail any alterations to the pipeline route. A plan of the pipeline as constructed and operating showing all route variations or amendments must be attached whether there are alterations to the pipeline route or not.
8. Period for which renewal of permit is required (in years or to a specified date). Note: Section 13(4) of the Act allows the Minister to determine the period for which the permit is renewed.

(Signature of applicant/company seal)

(Designation or position in organisation)

Date: _____

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Sch. 6

SCHEDULE 6

Reg. 16

Pipelines Act 1967

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APPLICATION FOR PIPELINE LICENCE—S. 26

To: Minister for Energy and Resources

I apply for a licence to construct and operate a pipeline and submit the following particulars:

1. Name of applicant.
2. Business address of applicant.
3. Things *authorised to be conveyed/*being conveyed through pipeline.
4. Brief description of authorised route of pipeline (including starting and finishing points). A plan drawn to a scale of not less than 1:25 000 showing all particulars required must be attached.
5. Number and date of issue of permit

permit no.

date issued

(Signature of applicant/company seal)

(Designation or position in organisation)

Date:

* Strike out whichever is inapplicable

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Sch. 7

SCHEDULE 7

Reg. 18

Pipelines Act 1967

Pipelines Regulations 2000

**APPLICATION FOR VARIATION OF PIPELINE LICENCE—
S. 28A(2)**

To: Minister for Energy and Resources

I, _____, apply for a variation of pipeline licence no. _____ issued to me.

The *particulars of the proposed variation are:

The reasons for the proposed variation are:

(Signature of applicant/company seal)

(Designation or position in organisation)

Date:

* A plan showing the proposed variation is to be attached.

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Endnotes

ENDNOTES

1. General Information

The Pipelines Regulations 2000, S.R. No. 90/2000 were made on 26 September 2000 by the Governor in Council under section 47 of the **Pipelines Act 1967**, No. 7541/1967 and came into operation on 26 September 2000.

The Pipelines Regulations 2000 will sunset 10 years after the day of making on 26 September 2010 (see section 5 of the **Subordinate Legislation Act 1994**).

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Endnotes

2. Table of Amendments

This Version incorporates amendments made to the Pipelines Regulations 2000 by statutory rules, subordinate instruments and Acts.

Monetary Units Regulations 2004, S.R. No. 88/2004

Date of Making: 29.6.04

Date of Commencement: 1.7.04: reg. 3

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Endnotes

3. Explanatory Details

¹ Reg. 3: The Pipelines Regulations 1988 (S.R. No. 243/1988) as extended by the Subordinate Legislation (Pipelines Regulations 1988—Extension of Operation) Regulations 1999 (S.R. No. 67/1999) were revoked on 30 June 2000 by virtue of the operation of section 5 of the **Subordinate Legislation Act 1994**.

² Reg. 3: S.R. No. 375/1990.

³ Reg. 3: S.R. No. 320/1991.

⁴ Reg. 3: S.R. No. 285/1992.

⁵ Reg. 3: S.R. No. 177/1995.

Table/s of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 90/2000 in accordance with the requirements of regulation 6 of the Subordinate Legislation Regulations 1994.

Table of Applied, Adopted or Incorporated Matter

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 19	Australian Standard AS 2885.1—1997: Pipelines—Gas and liquid petroleum, Part 1: Design and construction. Published by Standards Australia on 5 May 1997	The whole document
Regulation 19	Australian Standard AS 2885.2—1995: Pipelines—Gas and liquid petroleum, Part 2: Welding. Published by Standards Australia on 5 February 1995	The whole document

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Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 19	Australian Standard AS 2885.3—1997: Pipelines—Gas and liquid petroleum, Part 3: Operation and maintenance. Published by Standards Australia on 5 May 1997	The whole document