

1991—No. 198

PIPELINES ACT 1967—REGULATION

(Relating to authorities to survey)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Pipelines Act 1967, has been please to make the Regulation set forth hereunder.

NEIL PICKARD

Minister for Minerals and Energy.

Commencement

1. This Regulation commences on 1st May, 1991.

Amendments

2. The Pipelines Regulations 1968 are amended:

- (a) by inserting in the heading to Part 2 before the word "PERMITS" the words "AUTHORITIES TO SURVEY AND";
- (b) by inserting before Regulation 5 the following Regulation:

Authorities to survey

4A. (1) For the purposes of section 5E (2) (a) and (b) of the Act:

- (a) the prescribed form of application for an authority to survey is a form in or to the effect of Form 1C of the First Schedule; and
- (b) the prescribed manner of making such an application is by lodging it with the Director-General for transmission to the Minister.

(2) For the purposes of section 5E (2) (c) of the Act, the lands to which an authority to survey relates are to be specified in a schedule listing the lands in a continuous geographic sequence, each parcel of land being identified by the corresponding land description shown on the maps accompanying the application.

(3) For the purposes of section 5E (2) (d) of the Act, a prescribed map is a map that clearly indicates (by means of distinctive colouring or edging) the area of land concerned, being:

(a) a cadastral map at the scale of:

(i) 1:2,000; or

(ii) if a map at the scale of 1:2,000 is not available, 1:4,000; or

(iii) if maps at the scale of 1:2,000 or 1:4,000 are not available, 1:25,000; or

(iv) if maps at the scale of 1:2,000, 1:4,000 or 1:25,000 are not available, 1:50,000; or

(v) if maps at the scale of 1:2,000, 1:4,000, 1:25,000 or 1:50,000 are not available, 1:100,000,

published by the Department of Lands, the Department of Minerals and Energy or the Australian Land Information Group; or

(b) if maps referred to in paragraph (a) are not available, a cadastral map published by a Government Department or public authority, whether of New South Wales or the Commonwealth; or

(c) if maps referred to in paragraphs (a) and (b) are not available, aerial photographs or topographic maps of a standard acceptable to the Director-General.

(c) by omitting Regulation 6 (2) and by inserting instead the following clause:

(2) For the purposes of section 4 (2) (ci) of the Act, a prescribed map is a map that clearly indicates (by means of distinctive colouring or edging) the area of land concerned, being:

(a) a cadastral map at the scale of:

(i) 1:2,000; or

(ii) if a map at the scale of 1:2,000 is not available, 1:4,000; or

(iii) if maps at the scale of 1:2,000 or 1:4,000 are not available, 1:25,000; or

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- (iv) if maps at the scale of 1:2,000, 1:4,000 or 1:25,000 are not available, 1:50,000; or
- (v) if maps at the scale of 1:2,000, 1:4,000, 1:25,000 or 1:50,000 are not available, 1:100,000, published by the Department of Lands, the Department of Minerals and Energy or the Australian Land Information Group; or
- (b) if maps referred to in paragraph (a) are not available, a cadastral map published by a Government Department or public authority, whether of New South Wales or the Commonwealth; or
- (c) if maps referred to in paragraphs (a) and (b) are not available, aerial photographs or topographic maps of a standard acceptable to the Director-General.
- (d) by inserting in the First Schedule after Form 1B the following form:

PIPELINES ACT 1967

FORM 1C

(Sec. 5E (2))

To the Minister for Minerals and Energy, Sydney.

..... (name of applicant)
 hereby applies for an authority to survey for the purpose of investigating possible routes for a pipeline, the situation of any proposed apparatus or works and the lands (if any) to be used for the purpose of gaining access to the proposed pipeline.

1. The following particulars are supplied:

- (a) Place of incorporation
- (b) Business address
-
- (c) Place of registered office in New South Wales
- (d) Date of incorporation or registration in New South Wales
-
- (e) The purpose of the pipeline, with approximate throughputs
-
- (f) Expected date of commencement of surveys
- (g) Expected date of completion of surveys

2. Accompanying this application are:

- (a) maps showing the location of the lands in respect of which this application is made, indicating the starting and finishing points of the proposed pipeline; and
- (b) a schedule showing particulars of:
 - (i) the technical qualifications of the applicant and the applicant's employees; and
 - (ii) the technical advice available to the applicant; and
 - (iii) the financial resources available to the applicant; and
 - (iv) the names of 2 representatives of the applicant with whom the Department of Minerals and Energy may liaise for the purpose of processing this application; and
- (c) the prescribed fee.

3. The application and all accompanying documents are submitted in triplicate.

.....
Signature of applicant

(e) by inserting at the end of the Second Schedule the following matter:

14. Application for authority to survey	1,170
15. Application to vary register under section 43 (2) of the Act	40

Further amendments (law revision)

3. The Pipelines Regulations 1968 are further amended:

- (a) by omitting Regulation 2;
- (b) by inserting in Regulation 3 before the definition of "the Act" the following definition:

"Director-General" means the Director-General of the Department of Minerals and Energy;
- (c) by omitting from Regulations 5 (2) (b), 6 (1), 7 (2), 8 (2) and (3), 32 (1) (b) and (2) (b), 39 (1) and 40 (4) the words "Under Secretary" wherever occurring and by inserting instead the words "Director-General";

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- (d) by omitting from Regulation 6 (4) (a) the words "Crown Lands Consolidation Act 1913, as subsequently amended, the Mining Act 1906, as subsequently amended," and by inserting instead the words "the Crown Lands Act 1989, the Mining Act 1973";
 - (e) by omitting from Regulations 8 (1), 21 and 30 (2) the words "as subsequently amended" wherever occurring;
 - (f) by omitting from Regulation 18 (3) the words "Mining Act 1906" and by inserting instead the words "Mining Act 1973";
 - (g) by omitting from Regulation 21 the words "(as subsequently amended)";
 - (h) by omitting from Regulation 22 (2) the words ", as subsequently amended";
 - (i) by omitting from Regulation 25 (d) the words "Survey Practice Regulations 1933, as subsequently amended" and by inserting instead the words "Survey Practice Regulation 1990";
 - (j) by omitting from Regulation 47 the words "Survey Practice Regulations 1933, as in force for the time being," and by inserting instead the words "Survey Practice Regulation 1990";
 - (k) by omitting from Regulation 47 the words "those Regulations" and by inserting instead the words "that Regulation";
 - (l) by omitting from Forms 1, 1A, 1B, 3, 6B and 8 the words "Under Secretary, Department of Mines, State Office Block, Phillip Street, Sydney 2000" wherever occurring and by inserting instead the words "Director-General, Department of Minerals and Energy";
 - (m) by omitting from Forms 1A, 1B, 2A, 2B, 3, 5, 7 and 10 the words "Minister for Mines" wherever occurring and by inserting instead the words "Minister for Minerals and Energy";
 - (n) by omitting from Forms 2, 6, 6A, 9 and 10 the words "TO THE MINISTER FOR MINES, SYDNEY" wherever occurring and by inserting instead the words "To the Minister for Minerals and Energy, Sydney";
 - (o) by omitting from Forms 2, 28 and 2B the words "Minister for Highways" wherever occurring and by inserting instead the words "Minister for Roads";
 - (p) by omitting from Form 3 the words ", State Office Block, Phillip Street, Sydney 2000" where secondly occurring;
 - (q) by omitting from Form 5 the words "Under Secretary, Department of Mines, State Office Block, Phillip Street, Sydney 2001" and by inserting instead the words "Director-General, Department of Minerals and Energy".
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EXPLANATORY NOTE

The object of this Regulation is to amend the Pipelines Regulations 1968 so as:

- (a) to prescribe matters relating to applications for authorities to survey under Division 1 of Part 2 of the Pipelines Act 1967; and
- (b) to prescribe fees in relation to such applications and in relation to applications under section 43 (2) of the Act for the variation of particulars entered in the register kept under that Act; and
- (c) to effect minor law revision.

The amendments referred to in paragraphs (a) and (b) are made in connection with the proposed commencement of the uncommenced provisions of the Pipelines (Amendment) Act 1985.
