

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 2 March, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Pipelines Act, 1967, for the purpose of enabling applications for licences under that Act to be amended and for certain other purposes.

BE

Pipelines (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Pipelines (Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Pipelines Act, 1967, is amended—

Amendment of Act No. 90, 1967.

15 (a) by inserting after section 13 the following sections:—

Secs. 13A, 13B.

20 13A. (1) In this section, "minor variation", in relation to an area in respect of which an application for a licence is pending, means a variation of that area by including in that area additional lands (whether the applicant for the licence is or has been the holder of a permit in respect of those lands or not), being a variation which the Minister is satisfied is for the purpose only of making a minor variation of—

Amendment of application for licence by the inclusion of additional lands in, or the exclusion of lands from, the area to which the application relates.

25 (a) the route of the proposed pipeline;
(b) the situation of any proposed apparatus or works; or

(c)

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(c) the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or the proposed apparatus or works.

5 (2) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister,
10 make to the Minister an application (in this section referred to as a further application) to amend the application for the licence by varying the area in respect of which that application was made so as—

- 15 (a) to include additional lands in that area ;
(b) to exclude lands from that area ;
or
(c) both to include additional lands in and to exclude lands from that area.

(3) A further application shall—
20 (a) be in or to the effect of the prescribed form ;
(b) include particulars of the proposed variation ;
25 (c) specify the reasons for the proposed variation ; and
(d) be accompanied by the prescribed fee (if any).

(4) Where a further application is for a variation (not being a minor variation) of the area
30 in respect of which an application for a licence has

been

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been made by including additional lands in the area, the further application, in addition to complying with the requirements of subsection (3)—

5 (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on lands in respect of which the applicant is or has been the holder of a permit of—

10 (i) any proposed variation of the route of the proposed pipeline;

(ii) any proposed variation of the situation of any proposed apparatus or works; and

15 (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

20 and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

25 (b) shall be accompanied by particulars of any agreements entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

30 (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to

be

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be acquired or in respect of which no agreement for acquisition by the applicant has been reached;

- 5 (d) shall be accompanied by copies of the notification caused to be published by the applicant in accordance with subsection (7); and
- (e) may set out any other matters that the applicant wishes the Minister to consider.

10 (5) Where a further application is for a minor variation of the area in respect of which the application was made, the further application, in addition to complying with the requirements of subsection (3)—

- 15 (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on the additional lands of—
- (i) any proposed variation of the route of the proposed pipeline;
- 20 (ii) any proposed variation of the situation of any proposed apparatus or works; and
- (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,
- 25

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

30

(b)

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5 (b) shall be accompanied by particulars of any agreement entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

10 (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to be acquired or in respect of which no agreement for acquisition by the applicant has been reached; and

(d) may set out any other matters that the applicant wishes the Minister to consider.

15 (6) Where a further application is for the variation of the area in respect of which the application was made by excluding lands from that area, the further application, in addition to complying with the requirements of subsection (3), shall be
20 accompanied by a plan, drawn in the prescribed manner, which shows the location on the lands within the area of the lands proposed to be excluded.

25 (7) The applicant shall, not less than 7 days before he makes a further application for a variation (not being a minor variation) of the area in respect of which the application was made by including in that area additional lands, cause to be
30 published in 2 daily newspapers circulating throughout New South Wales a notification in or to the effect of the prescribed form setting forth the particulars provided for in that form in relation to the proposed further application.

(8)

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5 (8) A further application and each of the documents required to accompany it shall be submitted to the Minister in quintuplicate, and the Minister shall serve a copy of the further application and of each of those documents on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

10 (9) The applicant shall, if required to do so by an instrument in writing served on him at any time by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (8), within the time specified in the instrument, further information in writing in connection with his further application, as required by the instrument.

(10) The Minister—

- 20 (a) shall give notice of a further application for a minor variation of the area in respect of which the application was made to any person who is the owner or occupier of any land that may be affected by the further application;
- 25 (b) may give to such persons, if any, as he thinks fit notice of a further application for a minor variation of the area in respect of which the application was made or for a variation of that area by excluding lands from it; and
- 30 (c) shall specify in any such notice a period within which each person to whom notice is so given may submit to the Minister in writing any matters that he wishes to be considered in connection with the further application.

(11)

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5 (11) Where, with respect to a further
application which is for the variation of the area in
respect of which an application for a licence has
been made by including in that area additional
lands, the Minister is satisfied that the further
application was made and submitted in compliance
with such of the provisions of this section as are
applicable to the further application (except so far
10 as he is satisfied that any non-compliance with such
of the provisions of subsections (3), (4), (5) and
(9) as are applicable to the further application is
not materially significant), he shall cause—

- 15 (a) the application for the licence to be
amended in the manner applied for;
- 20 (b) the plan which accompanied the
application for the licence in accordance
with section 13 (1) (d) to be amended
in such manner as may be indicated or
warranted by reference to the plan
accompanying the further application in
accordance with subsection (4) (a) or
(5) (a) or, if the case so requires, to be
replaced by that plan; and
- 25 (c) such amendments to be made to the other
documents accompanying the application
for the licence in accordance with section
13 as may be necessary or appropriate
having regard to the further application
and the documents accompanying it in
30 accordance with this section,

and thereupon the lands specified in the application
shall, for the purposes of this Act, be deemed to
include the additional lands to which the further
application relates.

(12)

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5 (12) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by excluding lands from that area, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (6) and (9) as are applicable to the further application is not materially significant), he shall cause—

15 (a) the application for the licence to be amended in the manner applied for;

20 (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (6) or, if the case so requires, to be replaced by that plan; and

25 (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application,

30 and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed not to include the lands to which the further application relates.

35 (13) Where a further application is for the variation of the area in respect of which an application for a licence has been made for the

purpose

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purpose of both including additional lands in, and
excluding lands from, that area—

- 5 (a) such of the provisions of this section as
are applicable to an application for the
variation of an area in respect of which
an application has been made for the
purpose of including additional lands in
that area shall apply to and in respect of
10 so much of the further application as
relates to the variation of the area for
the purpose of including additional lands
in that area; and
- 15 (b) such of the provisions of this section as
are applicable to an application for the
variation of an area in respect of which
an application has been made for the
purpose of excluding lands from that area
shall apply to and in respect of so much
20 of the further application as relates to the
variation of the area for the purpose of
excluding lands from that area.

25 (14) Where the Minister is not satisfied
as referred to in subsection (11) or (12), he shall
refuse the further application and shall thereupon
notify the applicant of that refusal and of the
reasons for it.

30 (15) Where a further application is
refused, the whole of the fee (if any) referred to
in subsection (3) (d), or such part of it as the
Minister determines, shall be refunded to the
applicant.

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5 13B. (1) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister—

Amendment
of
application
for licence
in other
cases.

10 (a) amend any of the particulars referred to in paragraph (c) of section 13 (1) which accompanied the application pursuant to that paragraph, or substitute for any of those particulars new particulars;

(b) alter—

15 (i) the route of the proposed pipeline;
or

(ii) the situation of any proposed apparatus or works,

20 but only if the area in respect of which the application is made is not proposed to be varied by the inclusion of additional lands in, or the exclusion of lands from, that area;

25 (c) where particulars of any agreement referred to in paragraph (e) of section 13 (1) accompanied the application pursuant to that paragraph and that agreement has been varied or rescinded, or has been superseded by another agreement, amend those particulars by providing particulars of the variation,
30 rescission or other agreement, as the case may be; or

(d)

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(d) amend any matter set out in the application pursuant to section 13 (1) (h) or substitute for that matter any new matter.

5 (2) An instrument in writing relating to the alteration of the route of a proposed pipeline or of the situation of any proposed apparatus or works shall be accompanied by a plan showing the route or situation as altered, and on the service of that
10 plan on the Minister, he shall cause the plan which accompanied the application in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the first-mentioned plan or, if the case so requires,
15 to be replaced by that first-mentioned plan.

(3) The applicant shall, if required to do so by an instrument in writing served on him by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (4), within
20 the time specified in the instrument, further information in writing in connection with the instrument served on the Minister under subsection (1) and, where applicable, with the plan accompanying the instrument under subsection (2).

25 (4) The instrument referred to in subsection (1) and, where applicable, the plan accompanying the instrument under subsection (2) shall be served in quintuplicate, and the Minister shall serve a copy of the instrument and, where applicable,
30 a copy of the plan on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

35 (b) (i) by omitting section 14 (1) (a) and by inserting instead the following paragraph :— Sec. 14.
(Grant of licence.)

(a) that—

(i) an application for a licence has been made and submitted in

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5 in compliance with section 12
(1) and section 13 (1) and
(4) and the applicant has
10 complied with section 13 (2)
(where applicable) and section
13 (3) (except so far as the
Minister is satisfied that any
non-compliance with section
13 (1) or (2) is not materially
significant);

(ii) where that application has been
15 amended in accordance with
section 13A (11) or (12) pur-
suant to an application made
under section 13A, the last-
mentioned application was
20 made and submitted in com-
pliance with section 13A (2),
(3) and (8) and whichever
provision of section 13A (4),
(5) and (6) is applicable and
25 the applicant has complied
with section 13A (7) and (9),
where applicable (except so
far as the Minister is satisfied
that any non-compliance with
30 such of the provisions of
section 13A (3), (4), (5)
and (9) as are applicable to
the last-mentioned application
is not materially significant);
and

(iii) where an instrument has been
35 served on the Minister in ac-
cordance with section 13B, the
instrument complied with such

of

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5 of the provisions of that section as are applicable and the applicant has, where applicable, complied with section 13B (4) (except so far as the Minister is satisfied that any non-compliance with section 13B (4) is not materially significant);

10 (ii) by inserting in section 14 (1) (b) after the words "application for a licence" the words "(as may be from time to time amended in accordance with section 13A or 13B)";

15 (iii) by inserting in section 14 (1) after the words "specified in the application" where lastly occurring the words "(as may be from time to time so amended)";

(c) by omitting section 20 (1) (a) and by inserting instead the following paragraph :—

20 (a) showing the route of the proposed pipeline, the situation of any proposed apparatus or works, and the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or proposed apparatus or works, or, as the case may be, any proposed variation of the route of the pipeline, any proposed variation of the situation of any apparatus or works, and any proposed variation of the means of gaining access to the pipeline or any apparatus or works; and

Sec. 20.
(Plan to be lodged with Registrar-General.)

(d)

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- 5 (d) (i) by omitting from section 22 (a) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";
- 10 (ii) by omitting from section 22 (b) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";
- 15 (e) by omitting from section 37 (1) the matter "\$12.50" and by inserting instead the matter "\$100";
- 20 (f) by inserting in section 40 (b) after the words "or works" the words "of a prescribed class or description".
4. Each provision of the Pipelines Act, 1967, specified in Column 1 of Schedule 1 is amended in the manner specified opposite that provision in Column 2 of that Schedule.

Sec. 22.
(Availability of certain lands, etc., for compulsory acquisition.)

Sec. 37.
(Licence fees.)

Sec. 40.
(Section 171 and Parts XI and XIII of Local Government Act not to apply to pipelines, etc.)

Further amendment of Act No. 90, 1967.

Pipelines (Amendment).

SCHEDULE 1.

Sec. 4.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967.

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 3 (1), definition of "Crown Lands Acts".	Omit " , and any Act amending those Acts whether passed before or after the commencement of the Pipelines (Amendment) Act, 1973".
10 Section 3 (1), definition of "licence".	Omit "of this Act".
Section 3 (1), definition of "owner".	Omit "subparagraph (ii) of paragraph (a)" wherever occurring, insert instead "paragraph (a) (ii)".
Section 3 (1), definition of "permit".	Omit "of this Act".
15 Section 3 (1), definition of "prescribed".	Omit the definition.
Section 3 (1), definition of "public authority".	(a) Omit " , as amended by subsequent Acts".
20 Section 3 (1), definition of "register".	(b) Omit " , as so amended".
Section 3 (1), definition of "statutory body representing the Crown".	Omit "section forty-one of this Act", insert instead "section 41".
25 Section 5	Omit "section four of this Act", insert instead "section 4".
Section 5 (1) (g) ..	Omit " , as amended by subsequent Acts" wherever occurring.
30 Section 5 (1) (h) ..	(a) Omit "subsection two of this section", insert instead "subsection (2)".
..	(b) Omit "subsection three of this section", insert instead "subsection (3)".
35 Section 5 (6)	(a) Omit "subsection four of this section", insert instead "subsection (4)".
..	(b) Omit "subsection five of this section", insert instead "subsection (5)".
40 Section 5 (7)	Omit "paragraph (a) or (b) of subsection one of this section", insert instead "subsection (1) (a) or (b)".
..	(a) Omit "paragraph (e) of subsection one of this section", insert instead "subsection (1) (e)".
45 Section 5 (8)	(b) Omit "subsection eight of this section", insert instead "subsection (8)".
..	(c) Omit "subsection nine of this section", insert instead "subsection (9)".
Section 6	Omit "subsection seven of this section", insert instead "subsection (7)".
50 Section 6 (2) (d)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
..	Omit "subsection four of this section", insert instead "subsection (4)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 6 (2) (f) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 7 (a) ..	(a) Omit " , as amended by subsequent Acts".
10 Section 7A (2) ..	(b) Omit " , as so amended". (a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
15 Section 8 (1) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "paragraph (a) or (b) of section seven of this Act", insert instead "section 7 (a) or (b)". (c) Omit "subsection (1) of section 6" wherever occurring, insert instead "section 6 (1)".
20	(d) Omit "subsection (1) of section 7A" wherever occurring, insert instead "section 7A (1)".
Section 8 (2) (a) ..	Omit " , as amended by subsequent Acts".
25 Section 9 (1) (a) ..	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection two of this section", insert instead "subsection (2)".
Section 9A (2) ..	(a) Omit "subsection (2), (paragraph (e) excepted) and subsections (3), (4) and (5) of section 6", insert instead "section 6 (2) (paragraph (e) excepted), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
30	
Section 9A (3) ..	Omit "paragraphs (a) and (b) of subsection (1) of section 8", insert instead "section 8 (1) (a) and (b)".
35 Section 11 (2) (b) ..	Omit "section twenty-five of this Act", insert instead "section 25".
Section 12 (1) (b) (ii) ..	Omit "subsection two of this section", insert instead "subsection (2)".
40 Section 12 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 13 (1) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
45 Section 13 (1) (d) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 13 (1) (g) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 13 (3) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
50 Section 14 (2) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".

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SCHEDULE 1—continued.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—continued.

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 14 (3)	Omit "paragraph (i) of subsection one of section thirteen of this Act", insert instead "section 13 (1) (i)".
10 Section 15 (2) (b) ..	Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 15 (2) (c) ..	Omit "paragraph (b) of subsection (2) of section 20", insert instead "section 20 (2) (b)".
Section 16 (5)	Omit "paragraph (d) of subsection (2)", insert instead "subsection (2) (d)".
15 Section 17 (3)	(a) Omit "paragraph (c) of subsection (2)", insert instead "subsection (2) (c)". (b) Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
20 Section 18 (4) (a) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 19 (1) (d) ..	Omit "subsection (1) of section 18", insert instead "section 18 (1)".
Section 19 (1) (e) ..	(a) Omit "subsection (1) of section 18", insert instead "section 18 (1)". (b) Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
25 Section 19 (2)	Omit "subsection (4) of section 18", insert instead "section 18 (4)".
30 Section 19 (3)	Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (5)	(a) Omit "determines", insert instead "determines". (b) Omit "paragraph (d) of subsection (3)", insert instead "subsection (3) (d)".
35 Section 19 (7)	Omit "subsection (2) of section 15", insert instead "section 15 (2)".
Section 21 (1)	Omit "paragraph (a) of subsection (4) of section 19", insert instead "section 19 (4) (a)".
Section 22	Omit "subsection (1) of section 14 or subsection (1) of section 19" wherever occurring, insert instead "section 14 (1) or section 19 (1)".
40 Section 22A (2)	(a) Omit "of this Act" wherever occurring. (b) Omit "of this section".
Section 23 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
45 Section 23 (5), (6) ..	Omit "subsection four of this section" wherever occurring, insert instead "subsection (4)".
Section 24 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
50 Section 25 (2)	Omit "subsection one of this section", insert instead "subsection (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 28 (1)	Omit "subsection one of section sixty-nine of this Act", insert instead "section 69 (1)".
Section 28 (2), (3) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
10 Section 29 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 29 (3)	Omit "subsection two of this section", insert instead "subsection (2)".
15 Section 30 (1) (c) ..	Omit "section twenty-three of this Act", insert instead "section 23".
Section 30 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
20 Section 31 (2)	(a) Omit "subsection three of this section", insert instead "subsection (3)".
Section 31 (3), (4) ..	(b) Omit "subsection one of this section", insert instead "subsection (1)".
25 Section 31 (3), (4) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
25 Section 32 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 32 (2) (e) (ii) ..	Omit "of this subsection" wherever occurring.
Section 33 (1) (b)	Omit "subsection six of this section", insert instead "subsection (6)".
30 Section 33 (2), (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 35 (1) (b), (2) (b)	Omit "of this subsection" wherever occurring.
Section 35 (3)	Omit "paragraph (a) of subsection one or two of this section", insert instead "subsection (1) (a) or (2) (a)".
35 Section 35 (4)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 35 (4) (a)	Omit "subsection one of this section", insert instead "subsection (1)".
40 Section 35 (4) (b) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 36	(a) Omit "paragraph (a) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (a) or (2) (a)".
45	(b) Omit "paragraph (b) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (b) or (2) (b)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 36 (2)	Omit "paragraph (a) of subsection one of this section", insert instead "subsection (1) (a)".
10 Section 36 (3), (4)	Omit "subsection two of this section" wherever occurring, insert instead "subsection (2)".
Section 36 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 36 (5)	Omit "subsection four of this section", insert instead "subsection (4)".
15 Section 37 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Sections 38, 39	Omit "section thirty-seven of this Act" wherever occurring, insert instead "section 37".
Section 39	Omit "section thirty-eight of this Act", insert instead "section 38".
20 Section 40 (a)	(a) Omit "section one hundred and seventy-one", insert instead "section 171".
Section 40 (b)	(b) Omit " , as amended by subsequent Acts".
25 Section 41 (3) (b)	Omit " , as so amended,".
Section 41 (4)	Omit "of this subsection".
Section 41 (5)	Omit "subsection two or three of this section", insert instead "subsection (2) or (3)".
30 Section 41 (5)	Omit "subsection two or three, as the case may be, of this section", insert instead "subsection (2) or (3), as the case may be".
Section 42 (6)	Omit "subsection five of this section", insert instead "subsection (5)".
Section 42 (7)	Omit "subsection six of this section", insert instead "subsection (6)".
35 Section 45 (1)	Omit "section forty-two of this Act", insert instead "section 42".
Section 45 (2) (b)	Omit "subsection seven of this section", insert instead "subsection (7)".
40 Section 46	(a) Omit "section forty-two of this Act", insert instead "section 42".
Section 46	(b) Omit "section forty-five of this Act", insert instead "section 45".
Section 49 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
45 Section 50 (1)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 53	Omit "section fifty-two of this Act", insert instead "section 52".
50 Section 60 (1)	Omit "section fifty-nine of this Act", insert instead "section 59".
Section 62 (1)	Omit " , as amended by subsequent Acts".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

	Column 1.	Column 2.
5	Provision of the Pipelines Act, 1967.	Amendment.
	Section 62 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
10	Section 65	Omit "subsection three of this section" wherever occurring, insert instead "subsection (3)".
	Section 65 (3)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
	Section 66	Omit the section.
15	Section 67	Omit "section sixty-eight of this Act", insert instead "section 68".

BY AUTHORITY

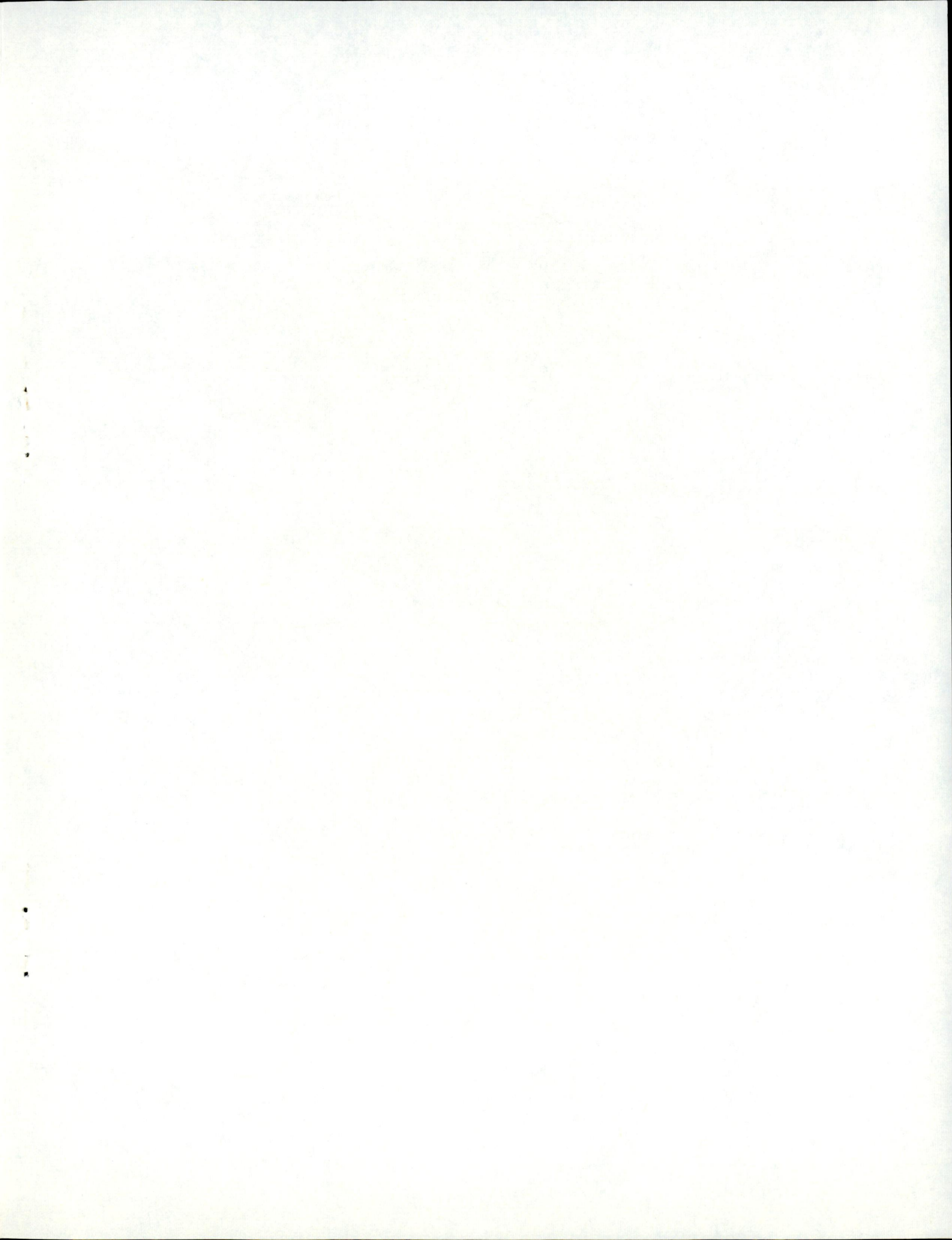
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

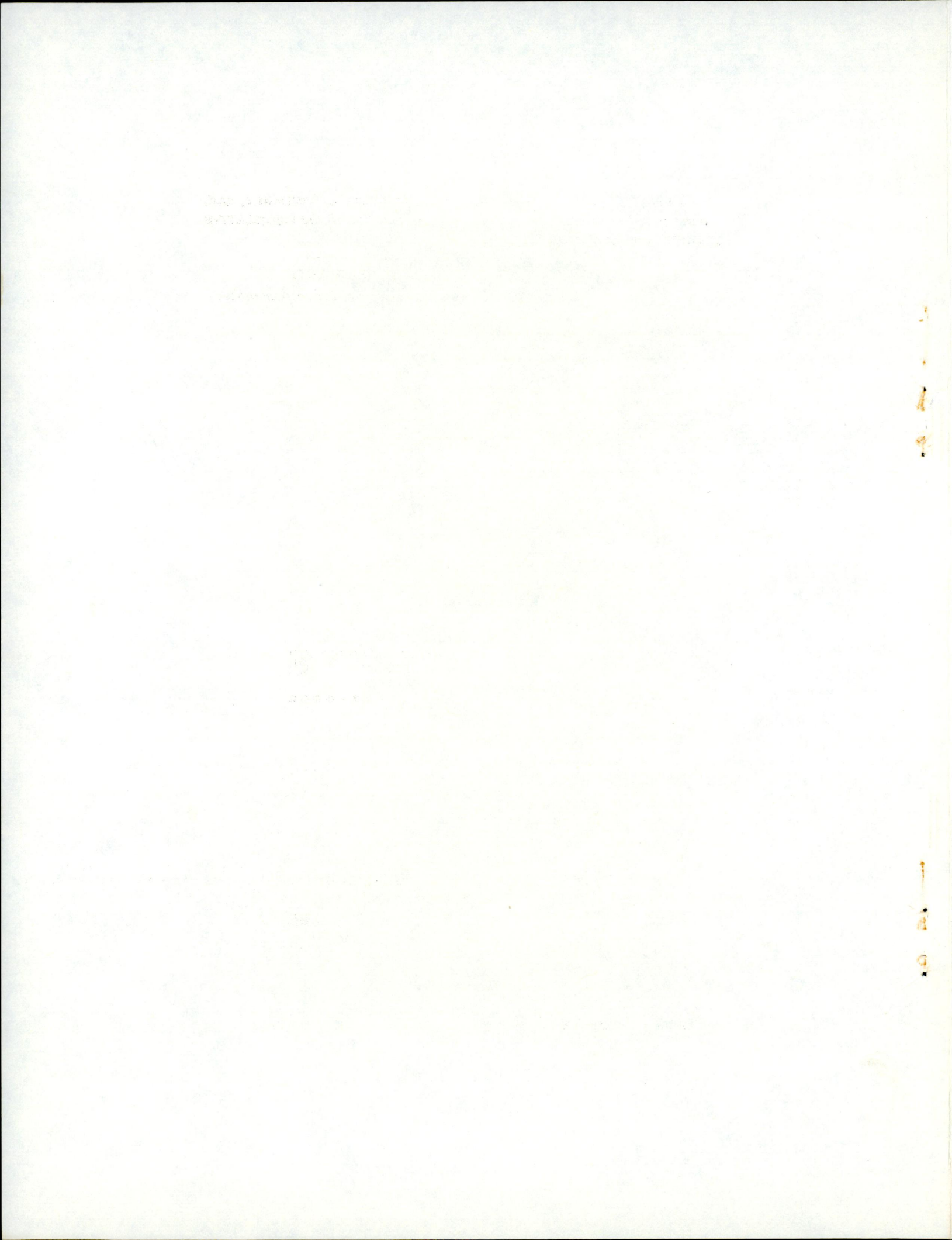
[24c]

SCHEDULE I - continued

STATUTE AMENDMENTS TO THE PUBLIC ACTS

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No. , 1977.

A BILL

To amend the Pipelines Act, 1967, for the purpose of enabling applications for licences under that Act to be amended and for certain other purposes.

[MR HILLS—23 February, 1977.]

BE

Pipelines (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Pipelines (Amendment) Act, 1977". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Pipelines Act, 1967, is amended— Amendment of Act No. 90, 1967.

15 (a) by inserting after section 13 the following sections:— Secs. 13A, 13B.

20 13A. (1) In this section, "minor variation", in relation to an area in respect of which an application for a licence is pending, means a variation of that area by including in that area additional lands (whether the applicant for the licence is or has been the holder of a permit in respect of those lands or not), being a variation which the Minister is satisfied is for the purpose only of making a minor variation of— Amendment of application for licence by the inclusion of additional lands in, or the exclusion of lands from, the area to which the application relates.

25 (a) the route of the proposed pipeline;

(b) the situation of any proposed apparatus or works; or

(c)

Pipelines (Amendment).

(c) the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or the proposed apparatus or works.

5 (2) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister, make to the Minister an application (in this section referred to as a further application) to amend the application for the licence by varying the area in respect of which that application was made so as—

- 10
- (a) to include additional lands in that area;
 - 15 (b) to exclude lands from that area;
 - or
 - (c) both to include additional lands in and to exclude lands from that area.

(3) A further application shall—

20 (a) be in or to the effect of the prescribed form;

(b) include particulars of the proposed variation;

25 (c) specify the reasons for the proposed variation; and

(d) be accompanied by the prescribed fee (if any).

30 (4) Where a further application is for a variation (not being a minor variation) of the area in respect of which an application for a licence has

been

Pipelines (Amendment).

been made by including additional lands in the area, the further application, in addition to complying with the requirements of subsection (3)—

5 (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on lands in respect of which the applicant is or has been the holder of a permit of—

10 (i) any proposed variation of the route of the proposed pipeline;

(ii) any proposed variation of the situation of any proposed apparatus or works; and

15 (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

20 and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

25 (b) shall be accompanied by particulars of any agreements entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

30 (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to

be

Pipelines (Amendment).

- be acquired or in respect of which no agreement for acquisition by the applicant has been reached;
- 5 (d) shall be accompanied by copies of the notification caused to be published by the applicant in accordance with subsection (7); and
- (e) may set out any other matters that the applicant wishes the Minister to consider.
- 10 (5) Where a further application is for a minor variation of the area in respect of which the application was made, the further application, in addition to complying with the requirements of subsection (3)—
- 15 (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on the additional lands of—
- 20 (i) any proposed variation of the route of the proposed pipeline;
- (ii) any proposed variation of the situation of any proposed apparatus or works; and
- 25 (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,
- 30 and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(a)

(b)

Pipelines (Amendment).

5 (b) shall be accompanied by particulars of any agreement entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

10 (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to be acquired or in respect of which no agreement for acquisition by the applicant has been reached; and

(d) may set out any other matters that the applicant wishes the Minister to consider.

15 (6) Where a further application is for the variation of the area in respect of which the application was made by excluding lands from that area, the further application, in addition to complying with the requirements of subsection (3), shall be
20 accompanied by a plan, drawn in the prescribed manner, which shows the location on the lands within the area of the lands proposed to be excluded.

25 (7) The applicant shall, not less than 7 days before he makes a further application for a variation (not being a minor variation) of the area in respect of which the application was made by
30 including in that area additional lands, cause to be published in 2 daily newspapers circulating throughout New South Wales a notification in or to the effect of the prescribed form setting forth the particulars provided for in that form in relation to the proposed further application.

Pipelines (Amendment).

5 (8) A further application and each of the documents required to accompany it shall be submitted to the Minister in quintuplicate, and the Minister shall serve a copy of the further application and of each of those documents on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

10 (9) The applicant shall, if required to do so by an instrument in writing served on him at any time by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (8), within the time specified in the instrument, further information in writing in connection with his further application, as required by the instrument.

15 (10) The Minister—

20 (a) shall give notice of a further application for a minor variation of the area in respect of which the application was made to any person who is the owner or occupier of any land that may be affected by the further application;

25 (b) may give to such persons, if any, as he thinks fit notice of a further application for a minor variation of the area in respect of which the application was made or for a variation of that area by excluding lands from it; and

30 (c) shall specify in any such notice a period within which each person to whom notice is so given may submit to the Minister in writing any matters that he wishes to be considered in connection with the further application.

(11)

Pipelines (Amendment).

5 (11) Where, with respect to a further
application which is for the variation of the area in
respect of which an application for a licence has
been made by including in that area additional
lands, the Minister is satisfied that the further
application was made and submitted in compliance
with such of the provisions of this section as are
applicable to the further application (except so far
10 as he is satisfied that any non-compliance with such
of the provisions of subsections (3), (4), (5) and
(9) as are applicable to the further application is
not materially significant), he shall cause—

- 15 (a) the application for the licence to be
amended in the manner applied for;
- 20 (b) the plan which accompanied the
application for the licence in accordance
with section 13 (1) (d) to be amended
in such manner as may be indicated or
warranted by reference to the plan
accompanying the further application in
accordance with subsection (4) (a) or
(5) (a) or, if the case so requires, to be
replaced by that plan; and
- 25 (c) such amendments to be made to the other
documents accompanying the application
for the licence in accordance with section
13 as may be necessary or appropriate
having regard to the further application
and the documents accompanying it in
30 accordance with this section,

and thereupon the lands specified in the application
shall, for the purposes of this Act, be deemed to
include the additional lands to which the further
application relates.

Pipelines (Amendment).

5 (12) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by excluding lands from that area, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (6) and (9) as are applicable to the further application is not materially significant), he shall cause—

15 (a) the application for the licence to be amended in the manner applied for;

20 (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (6) or, if the case so requires, to be replaced by that plan; and

25 (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application,

30 and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed not to include the lands to which the further application relates.

35 (13) Where a further application is for the variation of the area in respect of which an application for a licence has been made for the

purpose

Pipelines (Amendment).

purpose of both including additional lands in, and excluding lands from, that area—

5 (a) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of including additional lands in that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of including additional lands in that area; and

10 (b) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of excluding lands from that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of excluding lands from that area.

15 (14) Where the Minister is not satisfied as referred to in subsection (11) or (12), he shall refuse the further application and shall thereupon notify the applicant of that refusal and of the reasons for it.

20 (15) Where a further application is refused, the whole of the fee (if any) referred to in subsection (3) (d), or such part of it as the Minister determines, shall be refunded to the applicant.

Pipelines (Amendment).

5 13B. (1) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister—

10 (a) amend any of the particulars referred to in paragraph (c) of section 13 (1) which accompanied the application pursuant to that paragraph, or substitute for any of those particulars new particulars;

(b) alter—

15 (i) the route of the proposed pipeline; or

(ii) the situation of any proposed apparatus or works,

20 but only if the area in respect of which the application is made is not proposed to be varied by the inclusion of additional lands in, or the exclusion of lands from, that area;

25 (c) where particulars of any agreement referred to in paragraph (e) of section 13 (1) accompanied the application pursuant to that paragraph and that agreement has been varied or rescinded, or has been superseded by another agreement, amend those particulars by providing particulars of the variation, rescission or other agreement, as the case may be; or

30 (d)

Pipelines (Amendment).

(d) amend any matter set out in the application pursuant to section 13 (1) (h) or substitute for that matter any new matter.

5 (2) An instrument in writing relating to the alteration of the route of a proposed pipeline or of the situation of any proposed apparatus or works shall be accompanied by a plan showing the route or situation as altered, and on the service of that
10 plan on the Minister, he shall cause the plan which accompanied the application in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the first-mentioned plan or, if the case so requires,
15 to be replaced by that first-mentioned plan.

(3) The applicant shall, if required to do so by an instrument in writing served on him by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (4), within
20 the time specified in the instrument, further information in writing in connection with the instrument served on the Minister under subsection (1) and, where applicable, with the plan accompanying the instrument under subsection (2).

25 (4) The instrument referred to in subsection (1) and, where applicable, the plan accompanying the instrument under subsection (2) shall be served in quintuplicate, and the Minister shall serve a copy of the instrument and, where applic-
30 able, a copy of the plan on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

35 (b) (i) by omitting section 14 (1) (a) and by inserting instead the following paragraph :— Sec. 14.
(Grant of licence.)

(a) that—

(i) an application for a licence has been made and submitted
in

Pipelines (Amendment).

5 in compliance with section 12
(1) and section 13 (1) and
(4) and the applicant has
10 complied with section 13 (2)
(where applicable) and section
13 (3) (except so far as the
Minister is satisfied that any
non-compliance with section
13 (1) or (2) is not materially
significant);

15 (ii) where that application has been
amended in accordance with
section 13A (11) or (12) pur-
suant to an application made
under section 13A, the last-
mentioned application was
20 made and submitted in com-
pliance with section 13A (2),
(3) and (8) and whichever
provision of section 13A (4),
(5) and (6) is applicable and
the applicant has complied
with section 13A (7) and (9),
25 where applicable (except so
far as the Minister is satisfied
that any non-compliance with
such of the provisions of
section 13A (3), (4), (5)
and (9) as are applicable to
30 the last-mentioned application
is not materially significant);
and

35 (iii) where an instrument has been
served on the Minister in ac-
cordance with section 13B, the
instrument complied with such

of

Pipelines (Amendment).

- 5 of the provisions of that section as are applicable and the applicant has, where applicable, complied with section 13B (4) (except so far as the Minister is satisfied that any non-compliance with section 13B (4) is not materially significant);
- 10 (ii) by inserting in section 14 (1) (b) after the words "application for a licence" the words "(as may be from time to time amended in accordance with section 13A or 13B)";
- 15 (iii) by inserting in section 14 (1) after the words "specified in the application" where lastly occurring the words "(as may be from time to time so amended)";
- (c) by omitting section 20 (1) (a) and by inserting instead the following paragraph :—
- 20 (a) showing the route of the proposed pipeline, the situation of any proposed apparatus or works, and the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or proposed apparatus
- 25 or works, or, as the case may be, any proposed variation of the route of the pipeline, any proposed variation of the situation of any apparatus or works, and any proposed variation of the means of gaining access to the pipeline or any apparatus or
- 30 works; and
- (d)
- Sec. 20.
(Plan to be lodged with Registrar-General.)

Pipelines (Amendment).

- 5 (d) (i) by omitting from section 22 (a) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";
- 10 (ii) by omitting from section 22 (b) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";
- 15 (e) by omitting from section 37 (1) the matter "\$12.50" and by inserting instead the matter "\$100";
- 20 (f) by inserting in section 40 (b) after the words "or works" the words "of a prescribed class or description".
4. Each provision of the Pipelines Act, 1967, specified in Column 1 of Schedule 1 is amended in the manner specified opposite that provision in Column 2 of that Schedule.

Sec. 22.
(Availability of certain lands, etc., for compulsory acquisition.)

Sec. 37.
(Licence fees.)

Sec. 40.
(Section 171 and Parts XI and XIIA of Local Government Act not to apply to pipelines, etc.)

Further amendment of Act No. 90, 1967.

Pipelines (Amendment).

SCHEDULE 1.

Sec. 4.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967.

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
10 Section 3 (1), definition of "Crown Lands Acts".	Omit " , and any Act amending those Acts whether passed before or after the commencement of the Pipelines (Amendment) Act, 1973".
Section 3 (1), definition of "licence".	Omit "of this Act".
Section 3 (1), definition of "owner".	Omit "subparagraph (ii) of paragraph (a)" wherever occurring, insert instead "paragraph (a) (ii)".
15 Section 3 (1), definition of "permit".	Omit "of this Act".
Section 3 (1), definition of "prescribed".	Omit the definition.
Section 3 (1), definition of "public authority".	(a) Omit " , as amended by subsequent Acts". (b) Omit " , as so amended".
20 Section 3 (1), definition of "register".	Omit "section forty-one of this Act", insert instead "section 41".
Section 3 (1), definition of "statutory body representing the Crown".	Omit "section four of this Act", insert instead "section 4".
25 Section 5	Omit " , as amended by subsequent Acts" wherever occurring.
Section 5 (1) (g)	(a) Omit "subsection two of this section", insert instead "subsection (2)".
30 Section 5 (1) (h)	(b) Omit "subsection three of this section", insert instead "subsection (3)".
Section 5 (1) (h)	(a) Omit "subsection four of this section", insert instead "subsection (4)".
35 Section 5 (6)	(b) Omit "subsection five of this section", insert instead "subsection (5)".
Section 5 (6)	Omit "paragraph (a) or (b) of subsection one of this section", insert instead "subsection (1) (a) or (b)".
40 Section 5 (7)	(a) Omit "paragraph (e) of subsection one of this section", insert instead "subsection (1) (e)".
Section 5 (7)	(b) Omit "subsection eight of this section", insert instead "subsection (8)".
45 Section 5 (8)	(c) Omit "subsection nine of this section", insert instead "subsection (9)".
Section 5 (8)	Omit "subsection seven of this section", insert instead "subsection (7)".
Section 6	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
50 Section 6 (2) (d)	Omit "subsection four of this section", insert instead "subsection (4)".

SCHEDULE

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 6 (2) (f) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 7 (a) ..	(a) Omit "as amended by subsequent Acts". (b) Omit "as so amended".
10 Section 7A (2) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
15 Section 8 (1) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "paragraph (a) or (b) of section seven of this Act", insert instead "section 7 (a) or (b)". (c) Omit "subsection (1) of section 6" wherever occurring, insert instead "section 6 (1)". (d) Omit "subsection (1) of section 7A" wherever occurring, insert instead "section 7A (1)".
20 Section 8 (2) (a) ..	Omit "as amended by subsequent Acts".
25 Section 9 (1) (a) ..	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection two of this section", insert instead "subsection (2)".
Section 9A (2) ..	(a) Omit "subsection (2), (paragraph (e) excepted) and subsections (3), (4) and (5) of section 6", insert instead "section 6 (2) (paragraph (e) excepted), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
30 Section 9A (3) ..	Omit "paragraphs (a) and (b) of subsection (1) of section 8", insert instead "section 8 (1) (a) and (b)".
35 Section 11 (2) (b) ..	Omit "section twenty-five of this Act", insert instead "section 25".
Section 12 (1) (b) (ii) ..	Omit "subsection two of this section", insert instead "subsection (2)".
40 Section 12 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 13 (1) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
45 Section 13 (1) (d) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 13 (1) (g) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 13 (3) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
50 Section 14 (2) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 14 (3)	Omit "paragraph (i) of subsection one of section thirteen of this Act", insert instead "section 13 (1) (i)".
10 Section 15 (2) (b)	Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 15 (2) (c)	Omit "paragraph (b) of subsection (2) of section 20", insert instead "section 20 (2) (b)".
Section 16 (5)	Omit "paragraph (d) of subsection (2)", insert instead "subsection (2) (d)".
15 Section 17 (3)	(a) Omit "paragraph (c) of subsection (2)", insert instead "subsection (2) (c)". (b) Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
20 Section 18 (4) (a) (i)	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 19 (1) (d)	Omit "subsection (1) of section 18", insert instead "section 18 (1)".
Section 19 (1) (e)	(a) Omit "subsection (1) of section 18", insert instead "section 18 (1)". (b) Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
25 Section 19 (2)	Omit "subsection (4) of section 18", insert instead "section 18 (4)".
30 Section 19 (3)	Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (5)	(a) Omit "determines", insert instead "determines,". (b) Omit "paragraph (d) of subsection (3)", insert instead "subsection (3) (d)".
35 Section 19 (7)	Omit "subsection (2) of section 15", insert instead "section 15 (2)".
Section 21 (1)	Omit "paragraph (a) of subsection (4) of section 19", insert instead "section 19 (4) (a)".
Section 22	Omit "subsection (1) of section 14 or subsection (1) of section 19" wherever occurring, insert instead "section 14 (1) or section 19 (1)".
40 Section 22A (2)	(a) Omit "of this Act" wherever occurring. (b) Omit "of this section".
Section 23 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
45 Section 23 (5), (6)	Omit "subsection four of this section" wherever occurring, insert instead "subsection (4)".
Section 24 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
50 Section 25 (2)	Omit "subsection one of this section", insert instead "subsection (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 28 (1)	Omit "subsection one of section sixty-nine of this Act", insert instead "section 69 (1)".
Section 28 (2), (3) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
10 Section 29 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 29 (3)	Omit "subsection two of this section", insert instead "subsection (2)".
15 Section 30 (1) (c) ..	Omit "section twenty-three of this Act", insert instead "section 23".
Section 30 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
20 Section 31 (2)	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (3), (4) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
25 Section 32 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 32 (2) (e) (ii) ..	Omit "of this subsection" wherever occurring.
Section 33 (1) (b)	Omit "subsection six of this section", insert instead "subsection (6)".
30 Section 33 (2), (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 35 (1) (b), (2) (b)	Omit "of this subsection" wherever occurring.
Section 35 (3)	Omit "paragraph (a) of subsection one or two of this section", insert instead "subsection (1) (a) or (2) (a)".
35 Section 35 (4)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 35 (4) (a)	Omit "subsection one of this section", insert instead "subsection (1)".
40 Section 35 (4) (b) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 36	(a) Omit "paragraph (a) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (a) or (2) (a)". (b) Omit "paragraph (b) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (b) or (2) (b)".
45	

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 36 (2) ..	Omit "paragraph (a) of subsection one of this section", insert instead "subsection (1) (a)".
10 Section 36 (3), (4) ..	Omit "subsection two of this section" wherever occurring, insert instead "subsection (2)".
Section 36 (4) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 36 (5) ..	Omit "subsection four of this section", insert instead "subsection (4)".
15 Section 37 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Sections 38, 39 ..	Omit "section thirty-seven of this Act" wherever occurring, insert instead "section 37".
20 Section 39 ..	Omit "section thirty-eight of this Act", insert instead "section 38".
Section 40 (a) ..	(a) Omit "section one hundred and seventy-one", insert instead "section 171".
Section 40 (b) ..	(b) Omit " , as amended by subsequent Acts".
25 Section 41 (3) (b) ..	Omit " , as so amended,".
Section 41 (4) ..	Omit "of this subsection".
Section 41 (5) ..	Omit "subsection two or three of this section", insert instead "subsection (2) or (3)".
30 Section 41 (5) ..	Omit "subsection two or three, as the case may be, of this section", insert instead "subsection (2) or (3), as the case may be".
Section 42 (6) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 42 (7) ..	Omit "subsection six of this section", insert instead "subsection (6)".
35 Section 45 (1) ..	Omit "section forty-two of this Act", insert instead "section 42".
Section 45 (2) (b) ..	Omit "subsection seven of this section", insert instead "subsection (7)".
40 Section 46 ..	(a) Omit "section forty-two of this Act", insert instead "section 42".
Section 49 (2) ..	(b) Omit "section forty-five of this Act", insert instead "section 45".
Section 49 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
45 Section 50 (1) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 53 ..	Omit "section fifty-two of this Act", insert instead "section 52".
50 Section 60 (1) ..	Omit "section fifty-nine of this Act", insert instead "section 59".
Section 62 (1) ..	Omit " , as amended by subsequent Acts".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.		Column 2.
5	Provision of the Pipelines Act, 1967.	Amendment.
	Section 62 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
	Section 65	Omit "subsection three of this section" wherever occurring, insert instead "subsection (3)".
10	Section 65 (3)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
	Section 66	Omit the section.
15	Section 67	Omit "section sixty-eight of this Act", insert instead "section 68".

BY AUTHORITY

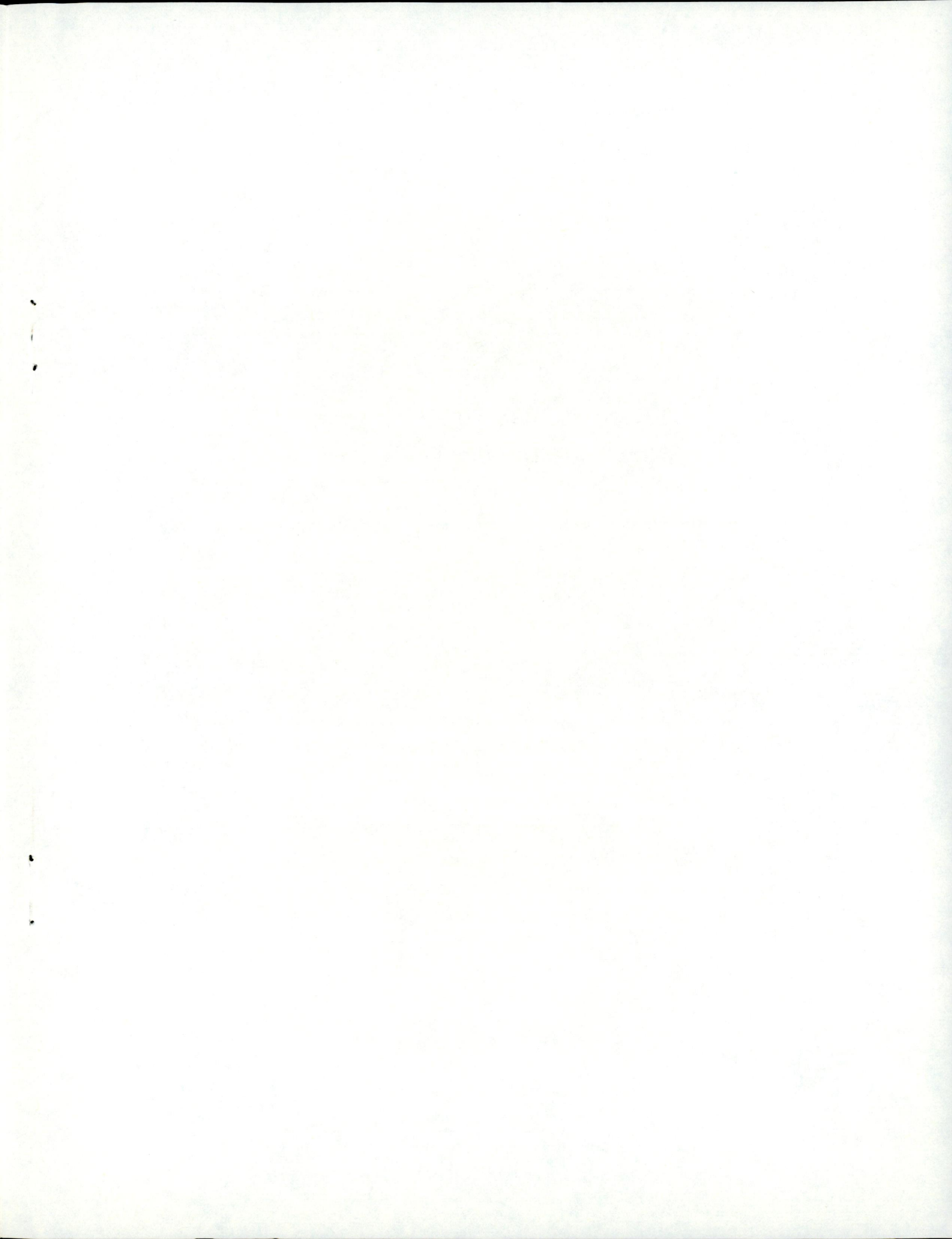
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

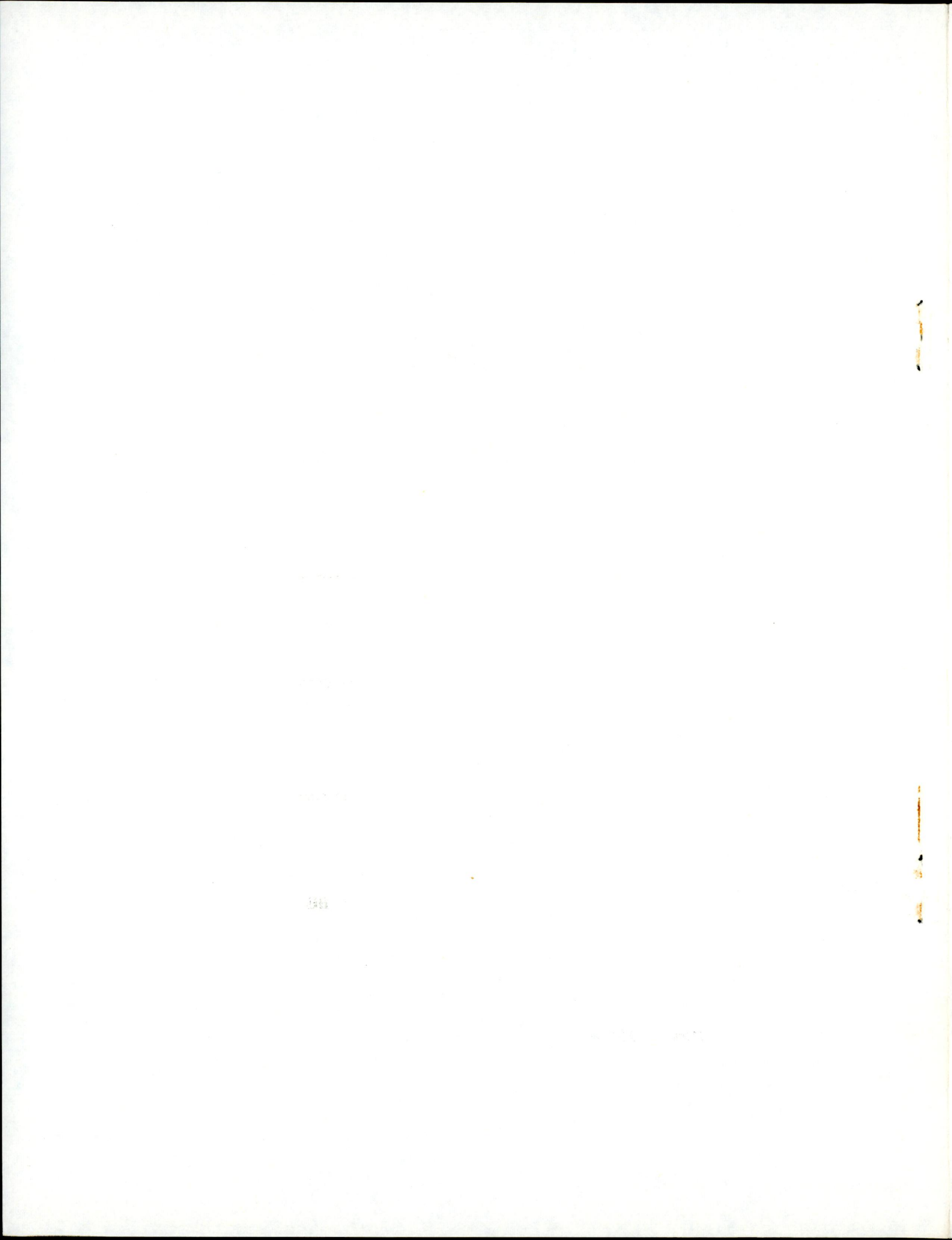
[24c]

Section 1. The Board of Education of the State of Florida shall have the honor to certify to the Governor the names of the members of the Board of Education of the State of Florida for the term ending on the 31st day of December, 1911.

2
30
12

BY AUTHORITY OF THE BOARD OF EDUCATION OF THE STATE OF FLORIDA
1911





PIPELINES (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

THE object of this Bill is to amend the Pipelines Act, 1967—

- (a) by inserting in the Act a new section, 13A, which will enable a person whose application for a licence under section 12 (1) of the Act is pending to make a further application in order to vary the area in respect of which the application was made—
 - (i) by including additional lands in the area;
 - (ii) by excluding lands from the area; or
 - (iii) by both including additional lands in, and excluding lands from, the area; and
- (b) by inserting in the Act a new section, 13B, which will enable a person who has made an application for a licence under section 12 (1) of the Act to amend the application in cases where the amendment does not involve the inclusion of additional lands in, or the exclusion of lands from, the area in respect of which the application was made;
- (c) by increasing the maximum annual fee which may be imposed under section 37 (1) of the Act for a pipeline licence from \$12.50 per kilometre to \$100 per kilometre; and
- (d) by providing that Parts XI and XIIA of the Local Government Act, 1919 (which relate to building approvals and planning schemes) apply to apparatus or works (as defined in section 3 (1) of the Pipelines Act, 1967) of a class or description prescribed in regulations made under the Pipelines Act, 1967,

and to make other amendments to the Act of a minor, consequential, ancillary or revisionary nature.

PROOF

No. , 1977.

A BILL

To amend the Pipelines Act, 1967, for the purpose of enabling applications for licences under that Act to be amended and for certain other purposes.

[MR HILLS—23 February, 1977.]

BE

Pipelines (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Pipelines (Amendment) Act, 1977". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Pipelines Act, 1967, is amended—

Amendment
of Act No.
90, 1967.

15 (a) by inserting after section 13 the following sections :— Secs. 13A,
13B.

20 13A. (1) In this section, "minor variation", in relation to an area in respect of which an application for a licence is pending, means a variation of that area by including in that area additional lands (whether the applicant for the licence is or has been the holder of a permit in respect of those lands or not), being a variation which the Minister is satisfied is for the purpose only of making a minor variation of—

Amendment
of applica-
tion for
licence by
the inclusion
of additional
lands in, or
the exclusion
of lands
from, the
area to
which the
application
relates.

25 (a) the route of the proposed pipeline;
(b) the situation of any proposed apparatus or works; or

(c)

Pipelines (Amendment).

(c) the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or the proposed apparatus or works.

5 (2) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister,
10 make to the Minister an application (in this section referred to as a further application) to amend the application for the licence by varying the area in respect of which that application was made so as—

- 15 (a) to include additional lands in that area ;
(b) to exclude lands from that area ;
or
(c) both to include additional lands in and to exclude lands from that area.

(3) A further application shall—
20 (a) be in or to the effect of the prescribed form ;
(b) include particulars of the proposed variation ;
(c) specify the reasons for the proposed variation ; and
25 (d) be accompanied by the prescribed fee (if any).

(4) Where a further application is for a variation (not being a minor variation) of the area
30 in respect of which an application for a licence has

been

Pipelines (Amendment).

been made by including additional lands in the area, the further application, in addition to complying with the requirements of subsection (3)—

5

(a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on lands in respect of which the applicant is or has been the holder of a permit of—

10

(i) any proposed variation of the route of the proposed pipeline;

(ii) any proposed variation of the situation of any proposed apparatus or works; and

15

(iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

20

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

25

(b) shall be accompanied by particulars of any agreements entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

30

(c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to

be

Pipelines (Amendment).

be acquired or in respect of which no agreement for acquisition by the applicant has been reached;

5 (d) shall be accompanied by copies of the notification caused to be published by the applicant in accordance with subsection (7); and

(e) may set out any other matters that the applicant wishes the Minister to consider.

10 (5) Where a further application is for a minor variation of the area in respect of which the application was made, the further application, in addition to complying with the requirements of subsection (3)—

15 (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on the additional lands of—

(i) any proposed variation of the route of the proposed pipeline;

20 (ii) any proposed variation of the situation of any proposed apparatus or works; and

25 (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

30 and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(b)

Pipelines (Amendment).

- 5 (b) shall be accompanied by particulars of any agreement entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);
- 10 (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to be acquired or in respect of which no agreement for acquisition by the applicant has been reached; and
- (d) may set out any other matters that the applicant wishes the Minister to consider.

15 (6) Where a further application is for the variation of the area in respect of which the application was made by excluding lands from that area, the further application, in addition to complying with the requirements of subsection (3), shall be

20 accompanied by a plan, drawn in the prescribed manner, which shows the location on the lands within the area of the lands proposed to be excluded.

25 (7) The applicant shall, not less than 7 days before he makes a further application for a variation (not being a minor variation) of the area in respect of which the application was made by including in that area additional lands, cause to be published in 2 daily newspapers circulating throughout New South Wales a notification in or to the

30 effect of the prescribed form setting forth the particulars provided for in that form in relation to the proposed further application.

(8)

Pipelines (Amendment).

5 (8) A further application and each of the documents required to accompany it shall be submitted to the Minister in quintuplicate, and the Minister shall serve a copy of the further application and of each of those documents on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

10 (9) The applicant shall, if required to do so by an instrument in writing served on him at any time by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (8), within the time specified in the instrument, further information in writing in connection with his further application, as required by the instrument.

(10) The Minister—

- 20 (a) shall give notice of a further application for a minor variation of the area in respect of which the application was made to any person who is the owner or occupier of any land that may be affected by the further application;
- 25 (b) may give to such persons, if any, as he thinks fit notice of a further application for a minor variation of the area in respect of which the application was made or for a variation of that area by excluding lands from it; and
- 30 (c) shall specify in any such notice a period within which each person to whom notice is so given may submit to the Minister in writing any matters that he wishes to be considered in connection with the further application.

(11)

Pipelines (Amendment).

5 (11) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by including in that area additional lands, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such 10 of the provisions of subsections (3), (4), (5) and (9) as are applicable to the further application is not materially significant), he shall cause—

- 15 (a) the application for the licence to be amended in the manner applied for;
- 20 (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (4) (a) or (5) (a) or, if the case so requires, to be replaced by that plan; and
- 25 (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application and the documents accompanying it in 30 accordance with this section,

and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed to include the additional lands to which the further application relates.

(12)

Pipelines (Amendment).

5 (12) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by excluding lands from that area, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (6) and (9) as are applicable to the further application is not materially significant), he shall cause—

10 (a) the application for the licence to be amended in the manner applied for;

15 (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (6) or, if the case so requires, to be replaced by that plan; and

20 (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application,

25 and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed not to include the lands to which the further application relates.

30 (13) Where a further application is for the variation of the area in respect of which an application for a licence has been made for the

purpose

Pipelines (Amendment).

purpose of both including additional lands in, and excluding lands from, that area—

5 (a) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of including additional lands in that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of including additional lands in that area; and

15 (b) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of excluding lands from that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of excluding lands from that area.

25 (14) Where the Minister is not satisfied as referred to in subsection (11) or (12), he shall refuse the further application and shall thereupon notify the applicant of that refusal and of the reasons for it.

30 (15) Where a further application is refused, the whole of the fee (if any) referred to in subsection (3) (d), or such part of it as the Minister determines, shall be refunded to the applicant.

Pipelines (Amendment).

13B. (1) Where an application made under ^{Amendment} section 12 (1), whether before or after the ^{of} commencement of section 3 of the ^{application} Pipelines ^{for licence} (Amendment) Act, 1977, is pending, the ^{in other} applicant may, by instrument in writing served on ^{cases.} the Minister—

5

(a) amend any of the particulars referred to in paragraph (c) of section 13 (1) which accompanied the application pursuant to that paragraph, or substitute for any of those particulars new particulars;

10

(b) alter—

15

(i) the route of the proposed pipeline; or

(ii) the situation of any proposed apparatus or works,

20

but only if the area in respect of which the application is made is not proposed to be varied by the inclusion of additional lands in, or the exclusion of lands from, that area;

25

(c) where particulars of any agreement referred to in paragraph (e) of section 13 (1) accompanied the application pursuant to that paragraph and that agreement has been varied or rescinded, or has been superseded by another agreement, amend those particulars by providing particulars of the variation, rescission or other agreement, as the case may be; or

30

(d)

Pipelines (Amendment).

(d) amend any matter set out in the application pursuant to section 13 (1) (h) or substitute for that matter any new matter.

5 (2) An instrument in writing relating to the alteration of the route of a proposed pipeline or of the situation of any proposed apparatus or works shall be accompanied by a plan showing the route or situation as altered, and on the service of that
10 plan on the Minister, he shall cause the plan which accompanied the application in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to
15 the first-mentioned plan or, if the case so requires, to be replaced by that first-mentioned plan.

(3) The applicant shall, if required to do so by an instrument in writing served on him by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (4), within
20 the time specified in the instrument, further information in writing in connection with the instrument served on the Minister under subsection (1) and, where applicable, with the plan accompanying the instrument under subsection (2).

25 (4) The instrument referred to in subsection (1) and, where applicable, the plan accompanying the instrument under subsection (2) shall be served in quintuplicate, and the Minister shall serve a copy of the instrument and, where applicable,
30 a copy of the plan on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

35 (b) (i) by omitting section 14 (1) (a) and by inserting instead the following paragraph :—
(a) that—
(i) an application for a licence has been made and submitted in

Sec. 14.
(Grant of licence.)

Pipelines (Amendment).

5 in compliance with section 12
(1) and section 13 (1) and
(4) and the applicant has
complied with section 13 (2)
(where applicable) and section
13 (3) (except so far as the
Minister is satisfied that any
non-compliance with section
13 (1) or (2) is not materially
10 significant);

(ii) where that application has been
amended in accordance with
section 13A (11) or (12) pur-
suant to an application made
15 under section 13A, the last-
mentioned application was
made and submitted in com-
pliance with section 13A (2),
(3) and (8) and whichever
20 provision of section 13A (4),
(5) and (6) is applicable and
the applicant has complied
with section 13A (7) and (9),
where applicable (except so
25 far as the Minister is satisfied
that any non-compliance with
such of the provisions of
section 13A (3), (4), (5)
and (9) as are applicable to
30 the last-mentioned application
is not materially significant);
and

(iii) where an instrument has been
35 served on the Minister in ac-
cordance with section 13B, the
instrument complied with such

of

Pipelines (Amendment).

- 5 of the provisions of that section as are applicable and the applicant has, where applicable, complied with section 13B (4) (except so far as the Minister is satisfied that any non-compliance with section 13B (4) is not materially significant);
- 10 (ii) by inserting in section 14 (1) (b) after the words "application for a licence" the words "(as may be from time to time amended in accordance with section 13A or 13B)";
- 15 (iii) by inserting in section 14 (1) after the words "specified in the application" where lastly occurring the words "(as may be from time to time so amended)";
- (c) by omitting section 20 (1) (a) and by inserting instead the following paragraph :—
- 20 (a) showing the route of the proposed pipeline, the situation of any proposed apparatus or works, and the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or proposed apparatus
- 25 or works, or, as the case may be, any proposed variation of the route of the pipeline, any proposed variation of the situation of any apparatus or works, and any proposed variation of the means of gaining access to the pipeline or any apparatus or
- 30 works; and
- (d)

Sec. 20.
(Plan to
be lodged
with
Registrar-
General.)

Pipelines (Amendment).

5 (d) (i) by omitting from section 22 (a) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";

Sec. 22.
(Availability of certain lands, etc., for compulsory acquisition.)

10 (ii) by omitting from section 22 (b) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";

15 (e) by omitting from section 37 (1) the matter "\$12.50" and by inserting instead the matter "\$100";

Sec. 37.
(Licence fees.)

20 (f) by inserting in section 40 (b) after the words "or works" the words "of a prescribed class or description".

Sec. 40.
(Section 171 and Parts XI and XIII of Local Government Act not to apply to pipelines, etc.)

4. Each provision of the Pipelines Act, 1967, specified in Column 1 of Schedule 1 is amended in the manner specified opposite that provision in Column 2 of that Schedule.

Further amendment of Act No. 90, 1967.

Pipelines (Amendment).

SCHEDULE 1.

Sec. 4.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967.

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 3 (1), definition of "Crown Lands Acts".	Omit " , and any Act amending those Acts whether passed before or after the commencement of the Pipelines (Amendment) Act, 1973".
10 Section 3 (1), definition of "licence".	Omit "of this Act".
Section 3 (1), definition of "owner".	Omit "subparagraph (ii) of paragraph (a)" wherever occurring, insert instead "paragraph (a) (ii)".
Section 3 (1), definition of "permit".	Omit "of this Act".
15 Section 3 (1), definition of "prescribed".	Omit the definition.
Section 3 (1), definition of "public authority".	(a) Omit " , as amended by subsequent Acts". (b) Omit " , as so amended".
20 Section 3 (1), definition of "register".	Omit "section forty-one of this Act", insert instead "section 41".
Section 3 (1), definition of "statutory body representing the Crown".	Omit "section four of this Act", insert instead "section 4".
25 Section 5	Omit " , as amended by subsequent Acts" wherever occurring.
Section 5 (1) (g) ..	(a) Omit "subsection two of this section", insert instead "subsection (2)".
30	(b) Omit "subsection three of this section", insert instead "subsection (3)".
Section 5 (1) (h) ..	(a) Omit "subsection four of this section", insert instead "subsection (4)".
35	(b) Omit "subsection five of this section", insert instead "subsection (5)".
Section 5 (6)	Omit "paragraph (a) or (b) of subsection one of this section", insert instead "subsection (1) (a) or (b)".
40 Section 5 (7)	(a) Omit "paragraph (e) of subsection one of this section", insert instead "subsection (1) (e)".
	(b) Omit "subsection eight of this section", insert instead "subsection (8)".
	(c) Omit "subsection nine of this section", insert instead "subsection (9)".
45 Section 5 (8)	Omit "subsection seven of this section", insert instead "subsection (7)".
Section 6	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
50 Section 6 (2) (d) ..	Omit "subsection four of this section", insert instead "subsection (4)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 6 (2) (f) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 7 (a) ..	(a) Omit ", as amended by subsequent Acts".
10 Section 7A (2) ..	(b) Omit ", as so amended". (a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
15 Section 8 (1) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)". (b) Omit "paragraph (a) or (b) of section seven of this Act", insert instead "section 7 (a) or (b)". (c) Omit "subsection (1) of section 6" wherever occurring, insert instead "section 6 (1)". (d) Omit "subsection (1) of section 7A" wherever occurring, insert instead "section 7A (1)".
20 Section 8 (2) (a) ..	Omit ", as amended by subsequent Acts".
25 Section 9 (1) (a) ..	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection two of this section", insert instead "subsection (2)".
Section 9A (2) ..	(a) Omit "subsection (2), (paragraph (e) excepted) and subsections (3), (4) and (5) of section 6", insert instead "section 6 (2) (paragraph (e) excepted), (3), (4) and (5)". (b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
30 Section 9A (3) ..	Omit "paragraphs (a) and (b) of subsection (1) of section 8", insert instead "section 8 (1) (a) and (b)".
35 Section 11 (2) (b) ..	Omit "section twenty-five of this Act", insert instead "section 25".
Section 12 (1) (b) (ii) ..	Omit "subsection two of this section", insert instead "subsection (2)".
40 Section 12 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 13 (1) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
45 Section 13 (1) (d) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 13 (1) (g) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 13 (3) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
50 Section 14 (2) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 14 (3) ..	Omit "paragraph (i) of subsection one of section thirteen of this Act", insert instead "section 13 (1) (i)".
10 Section 15 (2) (b) ..	Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 15 (2) (c) ..	Omit "paragraph (b) of subsection (2) of section 20", insert instead "section 20 (2) (b)".
Section 16 (5) ..	Omit "paragraph (d) of subsection (2)", insert instead "subsection (2) (d)".
15 Section 17 (3) ..	(a) Omit "paragraph (c) of subsection (2)", insert instead "subsection (2) (c)".
	(b) Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
20 Section 18 (4) (a) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 19 (1) (d) ..	Omit "subsection (1) of section 18", insert instead "section 18 (1)".
Section 19 (1) (e) ..	(a) Omit "subsection (1) of section 18", insert instead "section 18 (1)".
25	(b) Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (2) ..	Omit "subsection (4) of section 18", insert instead "section 18 (4)".
30 Section 19 (3) ..	Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (5) ..	(a) Omit "determines", insert instead "determines,".
	(b) Omit "paragraph (d) of subsection (3)", insert instead "subsection (3) (d)".
35 Section 19 (7) ..	Omit "subsection (2) of section 15", insert instead "section 15 (2)".
Section 21 (1) ..	Omit "paragraph (a) of subsection (4) of section 19", insert instead "section 19 (4) (a)".
Section 22 ..	Omit "subsection (1) of section 14 or subsection (1) of section 19" wherever occurring, insert instead "section 14 (1) or section 19 (1)".
40	(a) Omit "of this Act" wherever occurring.
Section 22A (2) ..	(b) Omit "of this section".
Section 23 (4) ..	Omit "subsection three of this section", insert instead "subsection (3)".
45	Omit "subsection four of this section" wherever occurring, insert instead "subsection (4)".
Section 23 (5), (6) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 24 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
50 Section 25 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 28 (1)	Omit "subsection one of section sixty-nine of this Act", insert instead "section 69 (1)".
10 Section 28 (2), (3)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 29 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 29 (3)	Omit "subsection two of this section", insert instead "subsection (2)".
15 Section 30 (1) (c)	Omit "section twenty-three of this Act", insert instead "section 23".
Section 30 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
20 Section 31 (2)	(a) Omit "subsection three of this section", insert instead "subsection (3)".
	(b) Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
25 Section 32 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 32 (2) (e) (ii)	Omit "of this subsection" wherever occurring.
Section 33 (1) (b)	Omit "subsection six of this section", insert instead "subsection (6)".
30 Section 33 (2), (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 35 (1) (b), (2) (b)	Omit "of this subsection" wherever occurring.
Section 35 (3)	Omit "paragraph (a) of subsection one or two of this section", insert instead "subsection (1) (a) or (2) (a)".
35 Section 35 (4)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 35 (4) (a)	Omit "subsection one of this section", insert instead "subsection (1)".
40 Section 35 (4) (b)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 36	(a) Omit "paragraph (a) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (a) or (2) (a)".
45	(b) Omit "paragraph (b) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (b) or (2) (b)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
5 Provision of the Pipelines Act, 1967.	Amendment.
Section 36 (2)	Omit "paragraph (a) of subsection one of this section", insert instead "subsection (1) (a)".
10 Section 36 (3), (4)	Omit "subsection two of this section" wherever occurring, insert instead "subsection (2)".
Section 36 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 36 (5)	Omit "subsection four of this section", insert instead "subsection (4)".
15 Section 37 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Sections 38, 39	Omit "section thirty-seven of this Act" wherever occurring, insert instead "section 37".
Section 39	Omit "section thirty-eight of this Act", insert instead "section 38".
20 Section 40 (a)	(a) Omit "section one hundred and seventy-one", insert instead "section 171".
Section 40 (b)	(b) Omit "as amended by subsequent Acts".
25 Section 41 (3) (b)	Omit "as so amended".
Section 41 (4)	Omit "of this subsection".
Section 41 (5)	Omit "subsection two or three of this section", insert instead "subsection (2) or (3)".
30 Section 41 (5)	Omit "subsection two or three, as the case may be, of this section", insert instead "subsection (2) or (3), as the case may be".
Section 42 (6)	Omit "subsection five of this section", insert instead "subsection (5)".
Section 42 (7)	Omit "subsection six of this section", insert instead "subsection (6)".
35 Section 45 (1)	Omit "section forty-two of this Act", insert instead "section 42".
Section 45 (2) (b)	Omit "subsection seven of this section", insert instead "subsection (7)".
40 Section 46	(a) Omit "section forty-two of this Act", insert instead "section 42".
Section 49 (2)	(b) Omit "section forty-five of this Act", insert instead "section 45".
Section 49 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
45 Section 50 (1)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 53	Omit "section fifty-two of this Act", insert instead "section 52".
50 Section 60 (1)	Omit "section fifty-nine of this Act", insert instead "section 59".
Section 62 (1)	Omit "as amended by subsequent Acts".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

	Column 1.	Column 2.
5	Provision of the Pipelines Act, 1967.	Amendment.
	Section 62 (2)	Omit "subsection one of this section", insert "subsection (1)".
10	Section 65	Omit "subsection three of this section" wherever occurring, insert instead "subsection (3)".
	Section 65 (3)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
	Section 66	Omit the section.
15	Section 67	Omit "section sixty-eight of this Act", insert instead "section 68".

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On the structure of the active site of the enzyme chymotrypsin. I. A study of the interaction of the active site with the substrate, N-acyl-L-phenylalanine ethylester, by means of X-ray crystallography and infrared spectroscopy. J. Drenth, R. M. Waymouth, and D. Moras. 1-10

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New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

***** : *****

Act No. 17, 1977.

An Act to amend the Pipelines Act, 1967, for the purpose of enabling applications for licences under that Act to be amended and for certain other purposes. [Assented to, 21st March, 1977.]

BE

Pipelines (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. 1. This Act may be cited as the "Pipelines (Amendment) Act, 1977".

Commence- 2. (1) Except as provided in subsection (2), this Act
ment. shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment 3. The Pipelines Act, 1967, is amended—
of Act No.
90, 1967.

Secs. 13A, (a) by inserting after section 13 the following
13B. sections :—

Amendment
of applica-
tion for
licence by
the inclusion
of additional
lands in, or
the exclusion
of lands
from, the
area to
which the
application
relates.

13A. (1) In this section, "minor variation", in relation to an area in respect of which an application for a licence is pending, means a variation of that area by including in that area additional lands (whether the applicant for the licence is or has been the holder of a permit in respect of those lands or not), being a variation which the Minister is satisfied is for the purpose only of making a minor variation of—

- (a) the route of the proposed pipeline;
- (b) the situation of any proposed apparatus or works; or

(c)

Pipelines (Amendment).

(c) the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or the proposed apparatus or works.

(2) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister, make to the Minister an application (in this section referred to as a further application) to amend the application for the licence by varying the area in respect of which that application was made so as—

- (a) to include additional lands in that area;
- (b) to exclude lands from that area;
- or
- (c) both to include additional lands in and to exclude lands from that area.

(3) A further application shall—

- (a) be in or to the effect of the prescribed form;
- (b) include particulars of the proposed variation;
- (c) specify the reasons for the proposed variation; and
- (d) be accompanied by the prescribed fee (if any).

(4) Where a further application is for a variation (not being a minor variation) of the area in respect of which an application for a licence has

been

Pipelines (Amendment).

been made by including additional lands in the area, the further application, in addition to complying with the requirements of subsection (3)—

(a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on lands in respect of which the applicant is or has been the holder of a permit of—

(i) any proposed variation of the route of the proposed pipeline;

(ii) any proposed variation of the situation of any proposed apparatus or works; and

(iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(b) shall be accompanied by particulars of any agreements entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

(c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to

be

Pipelines (Amendment).

be acquired or in respect of which no agreement for acquisition by the applicant has been reached;

- (d) shall be accompanied by copies of the notification caused to be published by the applicant in accordance with subsection (7); and
- (e) may set out any other matters that the applicant wishes the Minister to consider.

(5) Where a further application is for a minor variation of the area in respect of which the application was made, the further application, in addition to complying with the requirements of subsection (3)—

- (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on the additional lands of—
 - (i) any proposed variation of the route of the proposed pipeline;
 - (ii) any proposed variation of the situation of any proposed apparatus or works; and
 - (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(b)

Pipelines (Amendment).

(b) shall be accompanied by particulars of any agreement entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

(c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to be acquired or in respect of which no agreement for acquisition by the applicant has been reached; and

(d) may set out any other matters that the applicant wishes the Minister to consider.

(6) Where a further application is for the variation of the area in respect of which the application was made by excluding lands from that area, the further application, in addition to complying with the requirements of subsection (3), shall be accompanied by a plan, drawn in the prescribed manner, which shows the location on the lands within the area of the lands proposed to be excluded.

(7) The applicant shall, not less than 7 days before he makes a further application for a variation (not being a minor variation) of the area in respect of which the application was made by including in that area additional lands, cause to be published in 2 daily newspapers circulating throughout New South Wales a notification in or to the effect of the prescribed form setting forth the particulars provided for in that form in relation to the proposed further application.

Pipelines (Amendment).

(8) A further application and each of the documents required to accompany it shall be submitted to the Minister in quintuplicate, and the Minister shall serve a copy of the further application and of each of those documents on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

(9) The applicant shall, if required to do so by an instrument in writing served on him at any time by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (8), within the time specified in the instrument, further information in writing in connection with his further application, as required by the instrument.

(10) The Minister—

- (a) shall give notice of a further application for a minor variation of the area in respect of which the application was made to any person who is the owner or occupier of any land that may be affected by the further application;
- (b) may give to such persons, if any, as he thinks fit notice of a further application for a minor variation of the area in respect of which the application was made or for a variation of that area by excluding lands from it; and
- (c) shall specify in any such notice a period within which each person to whom notice is so given may submit to the Minister in writing any matters that he wishes to be considered in connection with the further application.

(11)

Pipelines (Amendment).

(11) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by including in that area additional lands, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (4), (5) and (9) as are applicable to the further application is not materially significant), he shall cause—

- (a) the application for the licence to be amended in the manner applied for;
- (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (4) (a) or (5) (a) or, if the case so requires, to be replaced by that plan; and
- (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application and the documents accompanying it in accordance with this section,

and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed to include the additional lands to which the further application relates.

Pipelines (Amendment).

(12) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by excluding lands from that area, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (6) and (9) as are applicable to the further application is not materially significant), he shall cause—

- (a) the application for the licence to be amended in the manner applied for;
- (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (6) or, if the case so requires, to be replaced by that plan; and
- (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application,

and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed not to include the lands to which the further application relates.

(13) Where a further application is for the variation of the area in respect of which an application for a licence has been made for the

purpose

Pipelines (Amendment).

purpose of both including additional lands in, and excluding lands from, that area—

(a) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of including additional lands in that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of including additional lands in that area; and

(b) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of excluding lands from that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of excluding lands from that area.

(14) Where the Minister is not satisfied as referred to in subsection (11) or (12), he shall refuse the further application and shall thereupon notify the applicant of that refusal and of the reasons for it.

(15) Where a further application is refused, the whole of the fee (if any) referred to in subsection (3) (d), or such part of it as the Minister determines, shall be refunded to the applicant.

Pipelines (Amendment).

13B. (1) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister—

Amendment of application for licence in other cases.

(a) amend any of the particulars referred to in paragraph (c) of section 13 (1) which accompanied the application pursuant to that paragraph, or substitute for any of those particulars new particulars;

(b) alter—

- (i) the route of the proposed pipeline; or
- (ii) the situation of any proposed apparatus or works,

but only if the area in respect of which the application is made is not proposed to be varied by the inclusion of additional lands in, or the exclusion of lands from, that area;

(c) where particulars of any agreement referred to in paragraph (e) of section 13 (1) accompanied the application pursuant to that paragraph and that agreement has been varied or rescinded, or has been superseded by another agreement, amend those particulars by providing particulars of the variation, rescission or other agreement, as the case may be; or

(d)

Pipelines (Amendment).

(d) amend any matter set out in the application pursuant to section 13 (1) (h) or substitute for that matter any new matter.

(2) An instrument in writing relating to the alteration of the route of a proposed pipeline or of the situation of any proposed apparatus or works shall be accompanied by a plan showing the route or situation as altered, and on the service of that plan on the Minister, he shall cause the plan which accompanied the application in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the first-mentioned plan or, if the case so requires, to be replaced by that first-mentioned plan.

(3) The applicant shall, if required to do so by an instrument in writing served on him by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (4), within the time specified in the instrument, further information in writing in connection with the instrument served on the Minister under subsection (1) and, where applicable, with the plan accompanying the instrument under subsection (2).

(4) The instrument referred to in subsection (1) and, where applicable, the plan accompanying the instrument under subsection (2) shall be served in quintuplicate, and the Minister shall serve a copy of the instrument and, where applicable, a copy of the plan on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

Sec. 14.
(Grant of
licence.)

(b) (i) by omitting section 14 (1) (a) and by inserting instead the following paragraph :—

(a) that—

(i) an application for a licence
has been made and submitted
in

Pipelines (Amendment).

in compliance with section 12 (1) and section 13 (1) and (4) and the applicant has complied with section 13 (2) (where applicable) and section 13 (3) (except so far as the Minister is satisfied that any non-compliance with section 13 (1) or (2) is not materially significant);

- (ii) where that application has been amended in accordance with section 13A (11) or (12) pursuant to an application made under section 13A, the last-mentioned application was made and submitted in compliance with section 13A (2), (3) and (8) and whichever provision of section 13A (4), (5) and (6) is applicable and the applicant has complied with section 13A (7) and (9), where applicable (except so far as the Minister is satisfied that any non-compliance with such of the provisions of section 13A (3), (4), (5) and (9) as are applicable to the last-mentioned application is not materially significant); and

- (iii) where an instrument has been served on the Minister in accordance with section 13B, the instrument complied with such

of

Pipelines (Amendment).

of the provisions of that section as are applicable and the applicant has, where applicable, complied with section 13B (4) (except so far as the Minister is satisfied that any non-compliance with section 13B (4) is not materially significant);

(ii) by inserting in section 14 (1) (b) after the words "application for a licence" the words "(as may be from time to time amended in accordance with section 13A or 13B)";

(iii) by inserting in section 14 (1) after the words "specified in the application" where lastly occurring the words "(as may be from time to time so amended)";

(c) by omitting section 20 (1) (a) and by inserting instead the following paragraph :—

(a) showing the route of the proposed pipeline, the situation of any proposed apparatus or works, and the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or proposed apparatus or works, or, as the case may be, any proposed variation of the route of the pipeline, any proposed variation of the situation of any apparatus or works, and any proposed variation of the means of gaining access to the pipeline or any apparatus or works; and

(d)

Sec. 20.
(Plan to
be lodged
with
Registrar-
General.)

Pipelines (Amendment).

- (d) (i) by omitting from section 22 (a) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area"; Sec. 22. (Availability of certain lands, etc., for compulsory acquisition.)
- (ii) by omitting from section 22 (b) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";
- (e) by omitting from section 37 (1) the matter "\$12.50" and by inserting instead the matter "\$100"; Sec. 37. (Licence fees.)
- (f) by inserting in section 40 (b) after the words "or works" the words "of a prescribed class or description"; Sec. 40. (Section 171 and Parts XI and XIIA of Local Government Act not to apply to pipelines, etc.)
- 4.** Each provision of the Pipelines Act, 1967, specified in Column 1 of Schedule 1 is amended in the manner specified opposite that provision in Column 2 of that Schedule. Further amendment of Act No. 90, 1967.

Pipelines (Amendment).

Sec. 4.

SCHEDULE 1.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967.

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 3 (1), definition of "Crown Lands Acts".	Omit " , and any Act amending those Acts whether passed before or after the commencement of the Pipelines (Amendment) Act, 1973".
Section 3 (1), definition of "licence".	Omit "of this Act".
Section 3 (1), definition of "owner".	Omit "subparagraph (ii) of paragraph (a)" wherever occurring, insert instead "paragraph (a) (ii)".
Section 3 (1), definition of "permit".	Omit "of this Act".
Section 3 (1), definition of "prescribed".	Omit the definition.
Section 3 (1), definition of "public authority".	(a) Omit " , as amended by subsequent Acts". (b) Omit " , as so amended".
Section 3 (1), definition of "register".	Omit "section forty-one of this Act", insert instead "section 41".
Section 3 (1), definition of "statutory body representing the Crown".	Omit "section four of this Act", insert instead "section 4".
Section 5	Omit " , as amended by subsequent Acts" wherever occurring.
Section 5 (1) (g) ..	(a) Omit "subsection two of this section", insert instead "subsection (2)". (b) Omit "subsection three of this section", insert instead "subsection (3)".
Section 5 (1) (h) ..	(a) Omit "subsection four of this section", insert instead "subsection (4)". (b) Omit "subsection five of this section", insert instead "subsection (5)".
Section 5 (6)	Omit "paragraph (a) or (b) of subsection one of this section", insert instead "subsection (1) (a) or (b)".
Section 5 (7)	(a) Omit "paragraph (e) of subsection one of this section", insert instead "subsection (1) (e)". (b) Omit "subsection eight of this section", insert instead "subsection (8)". (c) Omit "subsection nine of this section", insert instead "subsection (9)".
Section 5 (8)	Omit "subsection seven of this section", insert instead "subsection (7)".
Section 6	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 6 (2) (d) ..	Omit "subsection four of this section", insert instead "subsection (4)".

SCHEDULE

*Pipelines (Amendment).***SCHEDULE 1—continued.****FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—continued.**

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 6 (2) (f) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 7 (a) ..	(a) Omit ", as amended by subsequent Acts".
Section 7A (2) ..	(b) Omit ", as so amended".
	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)".
	(b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
Section 8 (1) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)".
	(b) Omit "paragraph (a) or (b) of section seven of this Act", insert instead "section 7 (a) or (b)".
	(c) Omit "subsection (1) of section 6" wherever occurring, insert instead "section 6 (1)".
	(d) Omit "subsection (1) of section 7A" wherever occurring, insert instead "section 7A (1)".
Section 8 (2) (a) ..	Omit ", as amended by subsequent Acts".
Section 9 (1) (a) ..	(a) Omit "subsection three of this section", insert instead "subsection (3)".
	(b) Omit "subsection two of this section", insert instead "subsection (2)".
Section 9A (2) ..	(a) Omit "subsection (2), (paragraph (e) excepted) and subsections (3), (4) and (5) of section 6", insert instead "section 6 (2) (paragraph (e) excepted), (3), (4) and (5)".
	(b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
Section 9A (3) ..	Omit "paragraphs (a) and (b) of subsection (1) of section 8", insert instead "section 8 (1) (a) and (b)".
Section 11 (2) (b) ..	Omit "section twenty-five of this Act", insert instead "section 25".
Section 12 (1) (b) (ii) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 12 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 13 (1) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
Section 13 (1) (d) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 13 (1) (g) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 13 (3) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
Section 14 (2) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 14 (3)	Omit "paragraph (i) of subsection one of section thirteen of this Act", insert instead "section 13 (1) (i)".
Section 15 (2) (b) ..	Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 15 (2) (c) ..	Omit "paragraph (b) of subsection (2) of section 20", insert instead "section 20 (2) (b)".
Section 16 (5)	Omit "paragraph (d) of subsection (2)", insert instead "subsection (2) (d)".
Section 17 (3)	(a) Omit "paragraph (c) of subsection (2)", insert instead "subsection (2) (c)". (b) Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 18 (4) (a) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 19 (1) (d) ..	Omit "subsection (1) of section 18", insert instead "section 18 (1)".
Section 19 (1) (e) ..	(a) Omit "subsection (1) of section 18", insert instead "section 18 (1)". (b) Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (2)	Omit "subsection (4) of section 18", insert instead "section 18 (4)".
Section 19 (3)	Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (5)	(a) Omit "determines", insert instead "determines,". (b) Omit "paragraph (d) of subsection (3)", insert instead "subsection (3) (d)".
Section 19 (7)	Omit "subsection (2) of section 15", insert instead "section 15 (2)".
Section 21 (1)	Omit "paragraph (a) of subsection (4) of section 19", insert instead "section 19 (4) (a)".
Section 22	Omit "subsection (1) of section 14 or subsection (1) of section 19" wherever occurring, insert instead "section 14 (1) or section 19 (1)".
Section 22A (2)	(a) Omit "of this Act" wherever occurring. (b) Omit "of this section".
Section 23 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 23 (5), (6) ..	Omit "subsection four of this section" wherever occurring, insert instead "subsection (4)".
Section 24 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 25 (2)	Omit "subsection one of this section", insert instead "subsection (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 28 (1)	Omit "subsection one of section sixty-nine of this Act", insert instead "section 69 (1)".
Section 28 (2), (3)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 29 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 29 (3)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 30 (1) (c)	Omit "section twenty-three of this Act", insert instead "section 23".
Section 30 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (2)	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 32 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 32 (2) (e) (ii)	Omit "of this subsection" wherever occurring.
Section 33 (1) (b)	Omit "subsection six of this section", insert instead "subsection (6)".
Section 33 (2), (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 35 (1) (b), (2) (b)	Omit "of this subsection" wherever occurring.
Section 35 (3)	Omit "paragraph (a) of subsection one or two of this section", insert instead "subsection (1) (a) or (2) (a)".
Section 35 (4)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 35 (4) (a)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 35 (4) (b)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 36	(a) Omit "paragraph (a) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (a) or (2) (a)". (b) Omit "paragraph (b) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (b) or (2) (b)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 36 (2)	Omit "paragraph (a) of subsection one of this section", insert instead "subsection (1) (a)".
Section 36 (3), (4) ..	Omit "subsection two of this section" wherever occurring, insert instead "subsection (2)".
Section 36 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 36 (5)	Omit "subsection four of this section", insert instead "subsection (4)".
Section 37 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Sections 38, 39	Omit "section thirty-seven of this Act" wherever occurring, insert instead "section 37".
Section 39	Omit "section thirty-eight of this Act", insert instead "section 38".
Section 40 (a)	(a) Omit "section one hundred and seventy-one", insert instead "section 171". (b) Omit " , as amended by subsequent Acts".
Section 40 (b)	Omit " , as so amended",
Section 41 (3) (b) ..	Omit "of this subsection".
Section 41 (4)	Omit "subsection two or three of this section", insert instead "subsection (2) or (3)".
Section 41 (5)	Omit "subsection two or three, as the case may be, of this section", insert instead "subsection (2) or (3), as the case may be".
Section 42 (6)	Omit "subsection five of this section", insert instead "subsection (5)".
Section 42 (7)	Omit "subsection six of this section", insert instead "subsection (6)".
Section 45 (1)	Omit "section forty-two of this Act", insert instead "section 42".
Section 45 (2) (b) ..	Omit "subsection seven of this section", insert instead "subsection (7)".
Section 46	(a) Omit "section forty-two of this Act", insert instead "section 42". (b) Omit "section forty-five of this Act", insert instead "section 45".
Section 49 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 50 (1)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 53	Omit "section fifty-two of this Act", insert instead "section 52".
Section 60 (1)	Omit "section fifty-nine of this Act", insert instead "section 59".
Section 62 (1)	Omit " , as amended by subsequent Acts".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 62 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 65	Omit "subsection three of this section" wherever occurring, insert instead "subsection (3)".
Section 65 (3)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 66	Omit the section.
Section 67	Omit "section sixty-eight of this Act", insert instead "section 68".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

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PHYSICS DEPARTMENT

PHYSICS 309

LECTURE NOTES

BY

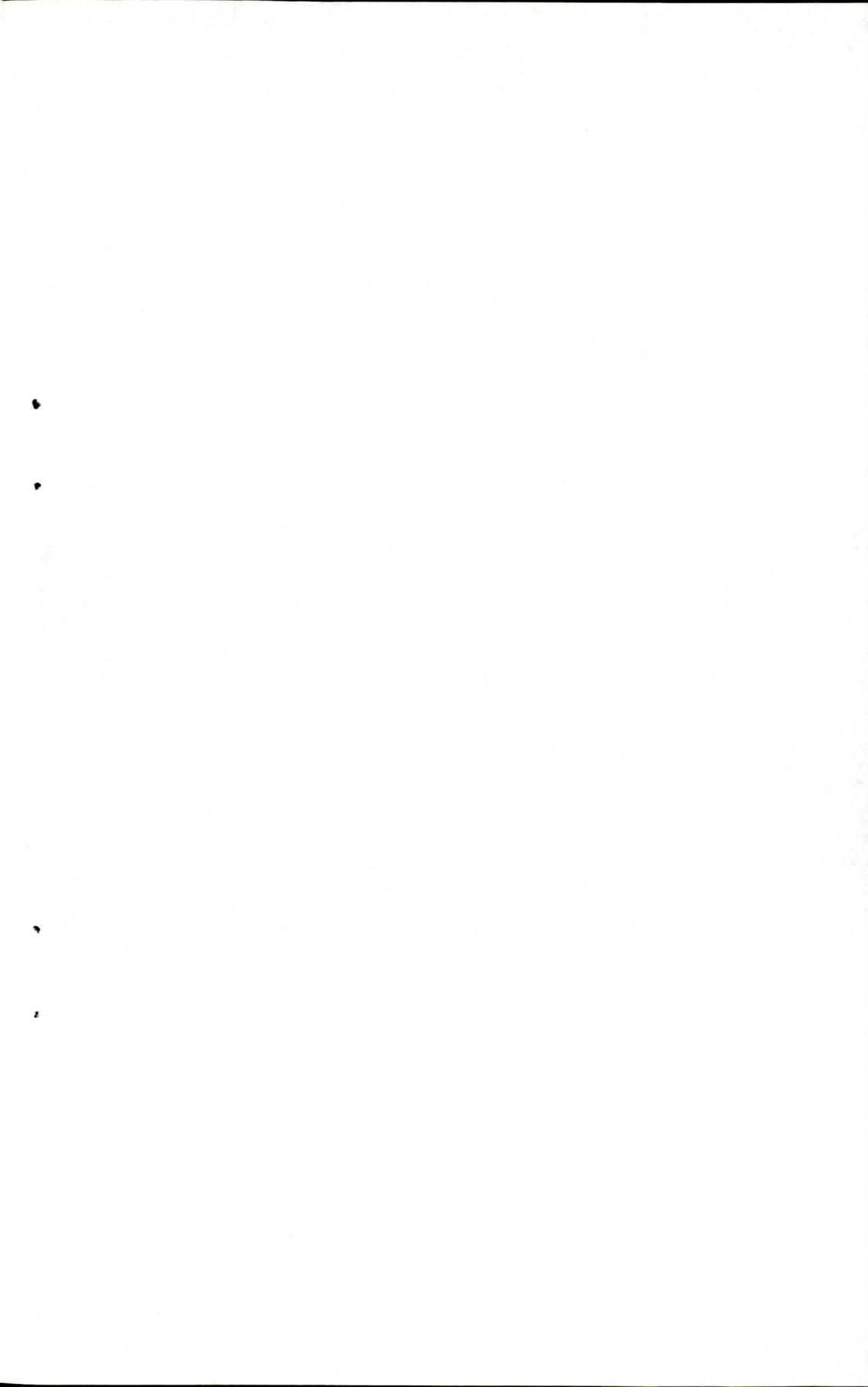
ROBERT H. COHEN

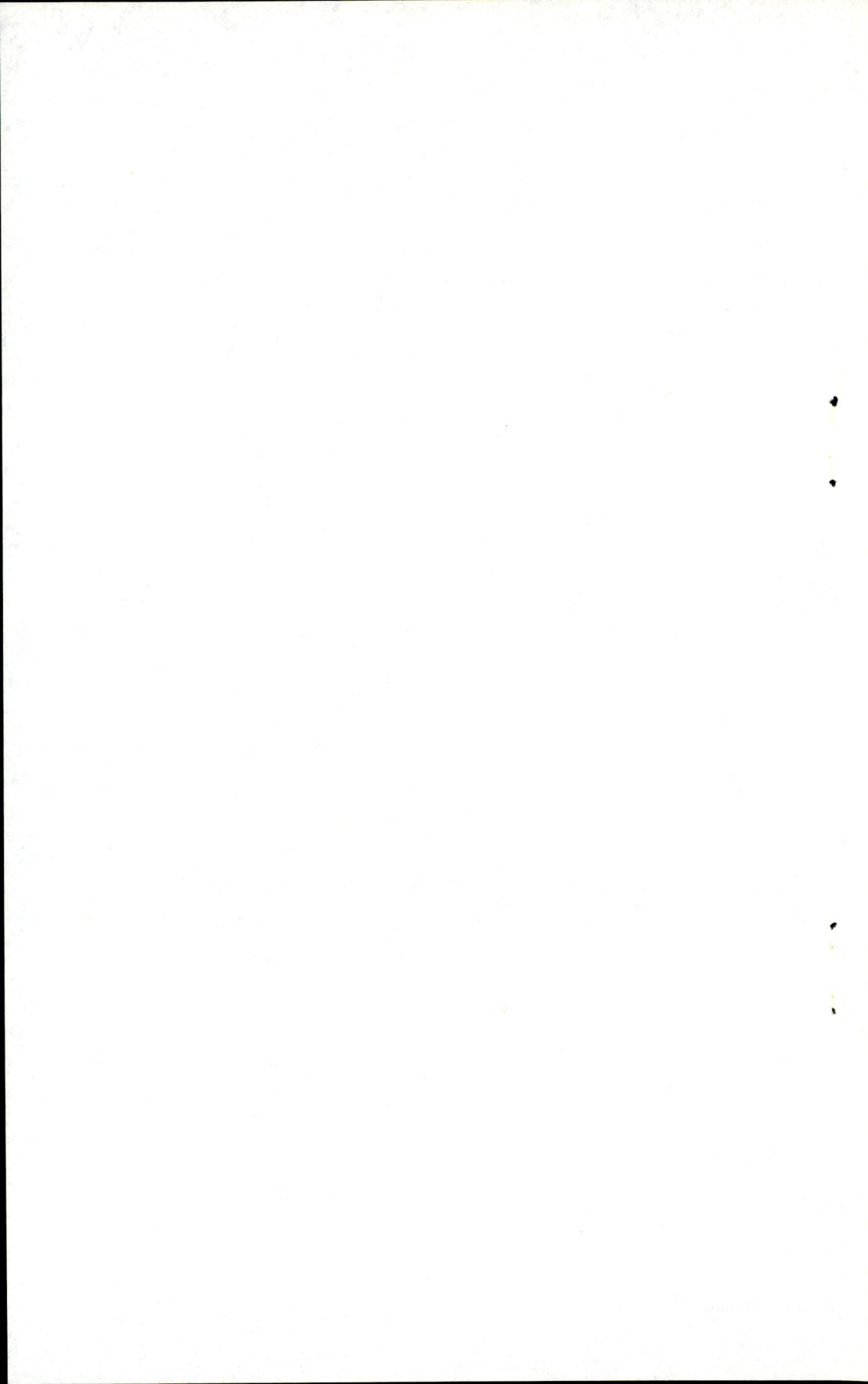
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1963





I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 9 March, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 17, 1977.

An Act to amend the Pipelines Act, 1967, for the purpose of enabling applications for licences under that Act to be amended and for certain other purposes. [Assented to, 21st March, 1977.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Pipelines (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Pipelines (Amendment) Act, 1977".

Commence-
ment. **2.** (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
90, 1967. **3.** The Pipelines Act, 1967, is amended—

Secs. 13A,
13B. (a) by inserting after section 13 the following sections:—

Amendment
of applica-
tion for
licence by
the inclusion
of additional
lands in, or
the exclusion
of lands
from, the
area to
which the
application
relates.

13A. (1) In this section, "minor variation", in relation to an area in respect of which an application for a licence is pending, means a variation of that area by including in that area additional lands (whether the applicant for the licence is or has been the holder of a permit in respect of those lands or not), being a variation which the Minister is satisfied is for the purpose only of making a minor variation of—

(a) the route of the proposed pipeline;

(b) the situation of any proposed apparatus or works; or

(c)

Pipelines (Amendment).

(c) the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or the proposed apparatus or works.

(2) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister, make to the Minister an application (in this section referred to as a further application) to amend the application for the licence by varying the area in respect of which that application was made so as—

- (a) to include additional lands in that area;
- (b) to exclude lands from that area;
- or
- (c) both to include additional lands in and to exclude lands from that area.

(3) A further application shall—

- (a) be in or to the effect of the prescribed form;
- (b) include particulars of the proposed variation;
- (c) specify the reasons for the proposed variation; and
- (d) be accompanied by the prescribed fee (if any).

(4) Where a further application is for a variation (not being a minor variation) of the area in respect of which an application for a licence has

been

Pipelines (Amendment).

been made by including additional lands in the area, the further application, in addition to complying with the requirements of subsection (3)—

(a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on lands in respect of which the applicant is or has been the holder of a permit of—

(i) any proposed variation of the route of the proposed pipeline;

(ii) any proposed variation of the situation of any proposed apparatus or works; and

(iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(b) shall be accompanied by particulars of any agreements entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);

(c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to

be

Pipelines (Amendment).

be acquired or in respect of which no agreement for acquisition by the applicant has been reached;

- (d) shall be accompanied by copies of the notification caused to be published by the applicant in accordance with subsection (7); and
- (e) may set out any other matters that the applicant wishes the Minister to consider.

(5) Where a further application is for a minor variation of the area in respect of which the application was made, the further application, in addition to complying with the requirements of subsection (3)—

- (a) shall be accompanied by a plan, drawn in the prescribed manner, which shows the locations on the additional lands of—
 - (i) any proposed variation of the route of the proposed pipeline;
 - (ii) any proposed variation of the situation of any proposed apparatus or works; and
 - (iii) any proposed variation of the lands proposed to be used for the purpose of gaining access to the proposed pipeline or any proposed apparatus or works,

and on which there shall be identified the lands, or easements over lands, referred to in paragraph (c);

(b)

Pipelines (Amendment).

- (b) shall be accompanied by particulars of any agreement entered into, or proposed to be entered into, by the applicant for the acquisition by him of, or of easements over, the additional lands shown in the plan referred to in paragraph (a);
- (c) shall specify particulars of the additional lands, or of the easements over the additional lands, acquired or agreed to be acquired or in respect of which no agreement for acquisition by the applicant has been reached; and
- (d) may set out any other matters that the applicant wishes the Minister to consider.

(6) Where a further application is for the variation of the area in respect of which the application was made by excluding lands from that area, the further application, in addition to complying with the requirements of subsection (3), shall be accompanied by a plan, drawn in the prescribed manner, which shows the location on the lands within the area of the lands proposed to be excluded.

(7) The applicant shall, not less than 7 days before he makes a further application for a variation (not being a minor variation) of the area in respect of which the application was made by including in that area additional lands, cause to be published in 2 daily newspapers circulating throughout New South Wales a notification in or to the effect of the prescribed form setting forth the particulars provided for in that form in relation to the proposed further application.

(8)

Pipelines (Amendment).

(8) A further application and each of the documents required to accompany it shall be submitted to the Minister in quintuplicate, and the Minister shall serve a copy of the further application and of each of those documents on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

(9) The applicant shall, if required to do so by an instrument in writing served on him at any time by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (8), within the time specified in the instrument, further information in writing in connection with his further application, as required by the instrument.

(10) The Minister—

- (a) shall give notice of a further application for a minor variation of the area in respect of which the application was made to any person who is the owner or occupier of any land that may be affected by the further application;
- (b) may give to such persons, if any, as he thinks fit notice of a further application for a minor variation of the area in respect of which the application was made or for a variation of that area by excluding lands from it; and
- (c) shall specify in any such notice a period within which each person to whom notice is so given may submit to the Minister in writing any matters that he wishes to be considered in connection with the further application.

(11)

Pipelines (Amendment).

(11) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by including in that area additional lands, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (4), (5) and (9) as are applicable to the further application is not materially significant), he shall cause—

- (a) the application for the licence to be amended in the manner applied for;
- (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (4) (a) or (5) (a) or, if the case so requires, to be replaced by that plan; and
- (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application and the documents accompanying it in accordance with this section,

and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed to include the additional lands to which the further application relates.

Pipelines (Amendment).

(12) Where, with respect to a further application which is for the variation of the area in respect of which an application for a licence has been made by excluding lands from that area, the Minister is satisfied that the further application was made and submitted in compliance with such of the provisions of this section as are applicable to the further application (except so far as he is satisfied that any non-compliance with such of the provisions of subsections (3), (6) and (9) as are applicable to the further application is not materially significant), he shall cause—

- (a) the application for the licence to be amended in the manner applied for;
- (b) the plan which accompanied the application for the licence in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the plan accompanying the further application in accordance with subsection (6) or, if the case so requires, to be replaced by that plan; and
- (c) such amendments to be made to the other documents accompanying the application for the licence in accordance with section 13 as may be necessary or appropriate having regard to the further application,

and thereupon the lands specified in the application shall, for the purposes of this Act, be deemed not to include the lands to which the further application relates.

(13) Where a further application is for the variation of the area in respect of which an application for a licence has been made for the

purpose

Pipelines (Amendment).

purpose of both including additional lands in, and excluding lands from, that area—

(a) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of including additional lands in that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of including additional lands in that area; and

(b) such of the provisions of this section as are applicable to an application for the variation of an area in respect of which an application has been made for the purpose of excluding lands from that area shall apply to and in respect of so much of the further application as relates to the variation of the area for the purpose of excluding lands from that area.

(14) Where the Minister is not satisfied as referred to in subsection (11) or (12), he shall refuse the further application and shall thereupon notify the applicant of that refusal and of the reasons for it.

(15) Where a further application is refused, the whole of the fee (if any) referred to in subsection (3) (d), or such part of it as the Minister determines, shall be refunded to the applicant.

Pipelines (Amendment).

13B. (1) Where an application made under section 12 (1), whether before or after the commencement of section 3 of the Pipelines (Amendment) Act, 1977, is pending, the applicant may, by instrument in writing served on the Minister—

Amendment
of
application
for licence
in other
cases.

(a) amend any of the particulars referred to in paragraph (c) of section 13 (1) which accompanied the application pursuant to that paragraph, or substitute for any of those particulars new particulars;

(b) alter—

(i) the route of the proposed pipeline;
or

(ii) the situation of any proposed apparatus or works,

but only if the area in respect of which the application is made is not proposed to be varied by the inclusion of additional lands in, or the exclusion of lands from, that area;

(c) where particulars of any agreement referred to in paragraph (e) of section 13 (1) accompanied the application pursuant to that paragraph and that agreement has been varied or rescinded, or has been superseded by another agreement, amend those particulars by providing particulars of the variation, rescission or other agreement, as the case may be; or

(d)

Pipelines (Amendment).

- (d) amend any matter set out in the application pursuant to section 13 (1) (h) or substitute for that matter any new matter.

(2) An instrument in writing relating to the alteration of the route of a proposed pipeline or of the situation of any proposed apparatus or works shall be accompanied by a plan showing the route or situation as altered, and on the service of that plan on the Minister, he shall cause the plan which accompanied the application in accordance with section 13 (1) (d) to be amended in such manner as may be indicated or warranted by reference to the first-mentioned plan or, if the case so requires, to be replaced by that first-mentioned plan.

(3) The applicant shall, if required to do so by an instrument in writing served on him by the Minister, furnish to the Minister and to each of the Ministers referred to in subsection (4), within the time specified in the instrument, further information in writing in connection with the instrument served on the Minister under subsection (1) and, where applicable, with the plan accompanying the instrument under subsection (2).

(4) The instrument referred to in subsection (1) and, where applicable, the plan accompanying the instrument under subsection (2) shall be served in quintuplicate, and the Minister shall serve a copy of the instrument and, where applicable, a copy of the plan on the Minister for Transport, the Minister for Local Government, the Minister for Public Works and the Minister for Highways.

Sec. 14.
(Grant of
licence.)

- (b) (i) by omitting section 14 (1) (a) and by inserting instead the following paragraph :—
- (a) that—
- (i) an application for a licence has been made and submitted **in**

Pipelines (Amendment).

in compliance with section 12 (1) and section 13 (1) and (4) and the applicant has complied with section 13 (2) (where applicable) and section 13 (3) (except so far as the Minister is satisfied that any non-compliance with section 13 (1) or (2) is not materially significant);

(ii) where that application has been amended in accordance with section 13A (11) or (12) pursuant to an application made under section 13A, the last-mentioned application was made and submitted in compliance with section 13A (2), (3) and (8) and whichever provision of section 13A (4), (5) and (6) is applicable and the applicant has complied with section 13A (7) and (9), where applicable (except so far as the Minister is satisfied that any non-compliance with such of the provisions of section 13A (3), (4), (5) and (9) as are applicable to the last-mentioned application is not materially significant); and

(iii) where an instrument has been served on the Minister in accordance with section 13B, the instrument complied with such

of

Pipelines (Amendment).

of the provisions of that section as are applicable and the applicant has, where applicable, complied with section 13B (4) (except so far as the Minister is satisfied that any non-compliance with section 13B (4) is not materially significant);

(ii) by inserting in section 14 (1) (b) after the words "application for a licence" the words "(as may be from time to time amended in accordance with section 13A or 13B)";

(iii) by inserting in section 14 (1) after the words "specified in the application" where lastly occurring the words "(as may be from time to time so amended)";

Sec. 20.
(Plan to
be lodged
with
Registrar-
General.)

(c) by omitting section 20 (1) (a) and by inserting instead the following paragraph :—

(a) showing the route of the proposed pipeline, the situation of any proposed apparatus or works, and the lands (if any) proposed to be used for the purpose of gaining access to the proposed pipeline or proposed apparatus or works, or, as the case may be, any proposed variation of the route of the pipeline, any proposed variation of the situation of any apparatus or works, and any proposed variation of the means of gaining access to the pipeline or any apparatus or works; and

(d)

Pipelines (Amendment).

(d) (i) by omitting from section 22 (a) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";

Sec. 22.
(Availability of certain lands, etc., for compulsory acquisition.)

(ii) by omitting from section 22 (b) (i) the words "or variation of the licence area" and by inserting instead the words "and of any amendment to that application made in accordance with section 13A (11) or, as the case may be, the application for the variation of the licence area";

(e) by omitting from section 37 (1) the matter "\$12.50" and by inserting instead the matter "\$100";

Sec. 37.
(Licence fees.)

(f) by inserting in section 40 (b) after the words "or works" the words "of a prescribed class or description".

Sec. 40.
(Section 171 and Parts XI and XIIA of Local Government Act not to apply to pipelines, etc.)

4. Each provision of the Pipelines Act, 1967, specified in Column 1 of Schedule 1 is amended in the manner specified opposite that provision in Column 2 of that Schedule.

Further amendment of Act No. 90, 1967.

Pipelines (Amendment).

Sec. 4.

SCHEDULE 1.

FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967.

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 3 (1), definition of "Crown Lands Acts".	Omit "and any Act amending those Acts whether passed before or after the commencement of the Pipelines (Amendment) Act, 1973".
Section 3 (1), definition of "licence".	Omit "of this Act".
Section 3 (1), definition of "owner".	Omit "subparagraph (ii) of paragraph (a)" wherever occurring, insert instead "paragraph (a) (ii)".
Section 3 (1), definition of "permit".	Omit "of this Act".
Section 3 (1), definition of "prescribed".	Omit the definition.
Section 3 (1), definition of "public authority".	(a) Omit "as amended by subsequent Acts".
Section 3 (1), definition of "register".	(b) Omit "as so amended".
Section 3 (1), definition of "statutory body representing the Crown".	Omit "section forty-one of this Act", insert instead "section 41".
Section 5	Omit "section four of this Act", insert instead "section 4".
Section 5 (1) (g) ..	Omit "as amended by subsequent Acts" wherever occurring.
Section 5 (1) (h) ..	(a) Omit "subsection two of this section", insert instead "subsection (2)".
Section 5 (6)	(b) Omit "subsection three of this section", insert instead "subsection (3)".
Section 5 (7)	(a) Omit "subsection four of this section", insert instead "subsection (4)".
Section 5 (8)	(b) Omit "subsection five of this section", insert instead "subsection (5)".
Section 6	Omit "paragraph (a) or (b) of subsection one of this section", insert instead "subsection (1) (a) or (b)".
Section 6 (2) (d) ..	(a) Omit "paragraph (e) of subsection one of this section", insert instead "subsection (1) (e)".
	(b) Omit "subsection eight of this section", insert instead "subsection (8)".
	(c) Omit "subsection nine of this section", insert instead "subsection (9)".
	Omit "subsection seven of this section", insert instead "subsection (7)".
	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
	Omit "subsection four of this section", insert instead "subsection (4)".

SCHEDULE

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 6 (2) (f) ..	Omit "subsection five of this section", insert instead "subsection (5)".
Section 7 (a) ..	(a) Omit "as amended by subsequent Acts".
Section 7A (2) ..	(b) Omit "as so amended".
	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)".
	(b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
Section 8 (1) ..	(a) Omit "subsections (2), (3), (4) and (5) of section 6", insert instead "section 6 (2), (3), (4) and (5)".
	(b) Omit "paragraph (a) or (b) of section seven of this Act", insert instead "section 7 (a) or (b)".
	(c) Omit "subsection (1) of section 6" wherever occurring, insert instead "section 6 (1)".
	(d) Omit "subsection (1) of section 7A" wherever occurring, insert instead "section 7A (1)".
Section 8 (2) (a) ..	Omit "as amended by subsequent Acts".
Section 9 (1) (a) ..	(a) Omit "subsection three of this section", insert instead "subsection (3)".
	(b) Omit "subsection two of this section", insert instead "subsection (2)".
Section 9A (2) ..	(a) Omit "subsection (2), (paragraph (e) excepted) and subsections (3), (4) and (5) of section 6", insert instead "section 6 (2) (paragraph (e) excepted), (3), (4) and (5)".
	(b) Omit "subsection (1) of section 6", insert instead "section 6 (1)".
Section 9A (3) ..	Omit "paragraphs (a) and (b) of subsection (1) of section 8", insert instead "section 8 (1) (a) and (b)".
Section 11 (2) (b) ..	Omit "section twenty-five of this Act", insert instead "section 25".
Section 12 (1) (b) (ii) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 12 (2) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 13 (1) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
Section 13 (1) (d) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 13 (1) (g) ..	Omit "subsection three of this section", insert instead "subsection (3)".
Section 13 (3) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".
Section 14 (2) ..	Omit "subsection one of section twelve of this Act", insert instead "section 12 (1)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 14 (3)	Omit "paragraph (i) of subsection one of section thirteen of this Act", insert instead "section 13 (1) (i)".
Section 15 (2) (b) ..	Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 15 (2) (c) ..	Omit "paragraph (b) of subsection (2) of section 20", insert instead "section 20 (2) (b)".
Section 16 (5)	Omit "paragraph (d) of subsection (2)", insert instead "subsection (2) (d)".
Section 17 (3)	(a) Omit "paragraph (c) of subsection (2)", insert instead "subsection (2) (c)". (b) Omit "paragraph (b) of subsection (2) of section 11", insert instead "section 11 (2) (b)".
Section 18 (4) (a) (i) ..	Omit "subsection (1) of section 12", insert instead "section 12 (1)".
Section 19 (1) (d) ..	Omit "subsection (1) of section 18", insert instead "section 18 (1)".
Section 19 (1) (e) ..	(a) Omit "subsection (1) of section 18", insert instead "section 18 (1)". (b) Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (2)	Omit "subsection (4) of section 18", insert instead "section 18 (4)".
Section 19 (3)	Omit "paragraph (c) of subsection (10) of section 18", insert instead "section 18 (10) (c)".
Section 19 (5)	(a) Omit "determines", insert instead "determines". (b) Omit "paragraph (d) of subsection (3)", insert instead "subsection (3) (d)".
Section 19 (7)	Omit "subsection (2) of section 15", insert instead "section 15 (2)".
Section 21 (1)	Omit "paragraph (a) of subsection (4) of section 19", insert instead "section 19 (4) (a)".
Section 22	Omit "subsection (1) of section 14 or subsection (1) of section 19" wherever occurring, insert instead "section 14 (1) or section 19 (1)".
Section 22A (2)	(a) Omit "of this Act" wherever occurring. (b) Omit "of this section".
Section 23 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 23 (5), (6) ..	Omit "subsection four of this section" wherever occurring, insert instead "subsection (4)".
Section 24 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 25 (2)	Omit "subsection one of this section", insert instead "subsection (1)".

*Pipelines (Amendment).***SCHEDULE 1—continued.****FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—continued.**

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 28 (1)	Omit "subsection one of section sixty-nine of this Act", insert instead "section 69 (1)".
Section 28 (2), (3) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 29 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 29 (3)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 30 (1) (c) ..	Omit "section twenty-three of this Act", insert instead "section 23".
Section 30 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (2)	(a) Omit "subsection three of this section", insert instead "subsection (3)". (b) Omit "subsection one of this section", insert instead "subsection (1)".
Section 31 (3), (4) ..	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 32 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 32 (2) (e) (ii) ..	Omit "of this subsection" wherever occurring.
Section 33 (1) (b) ..	Omit "subsection six of this section", insert instead "subsection (6)".
Section 33 (2), (3), (4)	Omit "subsection one of this section" wherever occurring, insert instead "subsection (1)".
Section 35 (1) (b), (2) (b)	Omit "of this subsection" wherever occurring.
Section 35 (3)	Omit "paragraph (a) of subsection one or two of this section", insert instead "subsection (1) (a) or (2) (a)".
Section 35 (4)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 35 (4) (a) ..	Omit "subsection one of this section", insert instead "subsection (1)".
Section 35 (4) (b) ..	Omit "subsection two of this section", insert instead "subsection (2)".
Section 36	(a) Omit "paragraph (a) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (a) or (2) (a)". (b) Omit "paragraph (b) of subsection one, or of subsection two, of section thirty-five of this Act" wherever occurring, insert instead "section 35 (1) (b) or (2) (b)".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 36 (2)	Omit "paragraph (a) of subsection one of this section", insert instead "subsection (1) (a)".
Section 36 (3), (4) ..	Omit "subsection two of this section" wherever occurring, insert instead "subsection (2)".
Section 36 (4)	Omit "subsection three of this section", insert instead "subsection (3)".
Section 36 (5)	Omit "subsection four of this section", insert instead "subsection (4)".
Section 37 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Sections 38, 39	Omit "section thirty-seven of this Act" wherever occurring, insert instead "section 37".
Section 39	Omit "section thirty-eight of this Act", insert instead "section 38".
Section 40 (a)	(a) Omit "section one hundred and seventy-one", insert instead "section 171". (b) Omit ", as amended by subsequent Acts".
Section 40 (b)	Omit ", as so amended,".
Section 41 (3) (b) ..	Omit "of this subsection".
Section 41 (4)	Omit "subsection two or three of this section", insert instead "subsection (2) or (3)".
Section 41 (5)	Omit "subsection two or three, as the case may be, of this section", insert instead "subsection (2) or (3), as the case may be".
Section 42 (6)	Omit "subsection five of this section", insert instead "subsection (5)".
Section 42 (7)	Omit "subsection six of this section", insert instead "subsection (6)".
Section 45 (1)	Omit "section forty-two of this Act", insert instead "section 42".
Section 45 (2) (b) ..	Omit "subsection seven of this section", insert instead "subsection (7)".
Section 46	(a) Omit "section forty-two of this Act", insert instead "section 42". (b) Omit "section forty-five of this Act", insert instead "section 45".
Section 49 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 50 (1)	Omit "subsection two of this section", insert instead "subsection (2)".
Section 53	Omit "section fifty-two of this Act", insert instead "section 52".
Section 60 (1)	Omit "section fifty-nine of this Act", insert instead "section 59".
Section 62 (1)	Omit ", as amended by subsequent Acts".

*Pipelines (Amendment).*SCHEDULE 1—*continued.*FURTHER AMENDMENTS TO THE PIPELINES ACT, 1967—*continued.*

Column 1.	Column 2.
Provision of the Pipelines Act, 1967.	Amendment.
Section 62 (2)	Omit "subsection one of this section", insert instead "subsection (1)".
Section 65	Omit "subsection three of this section" wherever occurring, insert instead "subsection (3)".
Section 65 (3)	Omit "subsection one or two of this section", insert instead "subsection (1) or (2)".
Section 66	Omit the section.
Section 67	Omit "section sixty-eight of this Act", insert instead "section 68".

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 21st March, 1977.*

1977

Executive Order

SCHUBERT

THE PUBLIC SERVICE ACT, 1967

Section 1

Appointment

Where a person is appointed to a post in the public service, he shall be appointed to that post on such terms and conditions as may be determined by the Public Service Commission.

in the name and on the behalf of the President

A. R. CHILIB

Governor

Government House,
Nairobi, 21st March, 1977.

