

PIPELINES (AMENDMENT) ACT 1989 No. 209

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Pipelines Act 1967 No. 90
4. Validations

SCHEDULE 1 - AMENDMENTS
SCHEDULE 2 - VALIDATIONS

PIPELINES (AMENDMENT) ACT 1989 No. 209

NEW SOUTH WALES



Act No. 209, 1989

An Act to amend the Pipelines Act 1967 with respect to the lodgment and registration of plans for pipelines; to validate the lodgment and registration of a certain plan and the vesting of certain easements; and for other purposes. [Assented to 21 December 1989]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Pipelines (Amendment) Act 1989.

Commencement

2. This Act commences on the date of assent.

Amendment of Pipelines Act 1967 No. 90

3. The Pipelines Act 1967 is amended as set out in Schedule 1.

Validations

4. Schedule 2 has effect.

SCHEDULE 1 - AMENDMENTS

(Sec. 3)

- (1) Section 20 (**Plan to be lodged with Registrar-General**):

From section 20 (1), omit all words down to and including "granted", insert instead:

At any time after the making of an application for a licence under section 14 or of an application under section 18 for the variation of a licence area by including additional lands in the licence area and before publication of the notification referred to in section 21, the Minister is to cause to be lodged with the Registrar-General a plan of the lands to which the application relates:

- (2) Section 62 (**Application of section 88A of Conveyancing Act to easements for pipelines etc.**):

Omit section 62 (2) (b) and the preceding "and".

SCHEDULE 2 - VALIDATIONS

(Sec. 4)

Definition

1. In this Schedule, "**the Pipeline Licence**" means Pipeline Licence No. 12 granted to ICI Australia Operations Pty Limited on 24 December 1986.

Validation of lodgment and registration of Deposited Plan

2. The lodgment with and registration by the Registrar-General of Deposited Plan 499028 in respect of the lands described in the Schedule to the Pipeline Licence are to be taken to have been validly effected for the purposes of section 20 of the Pipelines Act 1967 even though the Deposited Plan was lodged and registered before the grant of the Pipeline Licence.

Validation of vesting of easements

3. The notification purporting to be made under the Pipelines Act 1967 and published in Gazette No. 70 of 24 April 1987 at page 2071 is to be taken to have been a valid notification under section 21 of the Pipelines Act 1967 declaring the easements for pipeline described in the Schedule to Part 2 of the Instrument annexed to Deposited Plan 499028 (excepting thereout the lands described in item 41 (a) and item 251 of that Schedule) over the lands described in the Schedule to the Pipeline Licence to be vested in the licensee, and the easements are to be taken to have vested in the licensee accordingly.

[*Minister's second reading speech made in -
Legislative Assembly on 28 November 1989
Legislative Council on 29 November 1989*]

FIRST PRINT

PIPELINES (AMENDMENT) BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are:

- (a) to amend the Pipelines Act 1967:
 - * to enable plans in relation to pipelines to be lodged at any time after an application for a licence or variation of a licence area is made but before publication of the notification of the vesting of the pipeline; and
 - * to remove the necessity for a Ministerial certificate to be lodged with an instrument creating an easement for a pipeline; and
- (b) to validate the lodgment and registration of a Deposited Plan in relation to the Botany to Clyde Ethylene Pipeline even though that Plan was lodged and registered before the grant of the pipeline licence; and
- (c) to validate the notification of the vesting of the easements for that pipeline in ICI Australia Operations Pty Limited.

Clause 1 specifies the short title of the proposed Act.

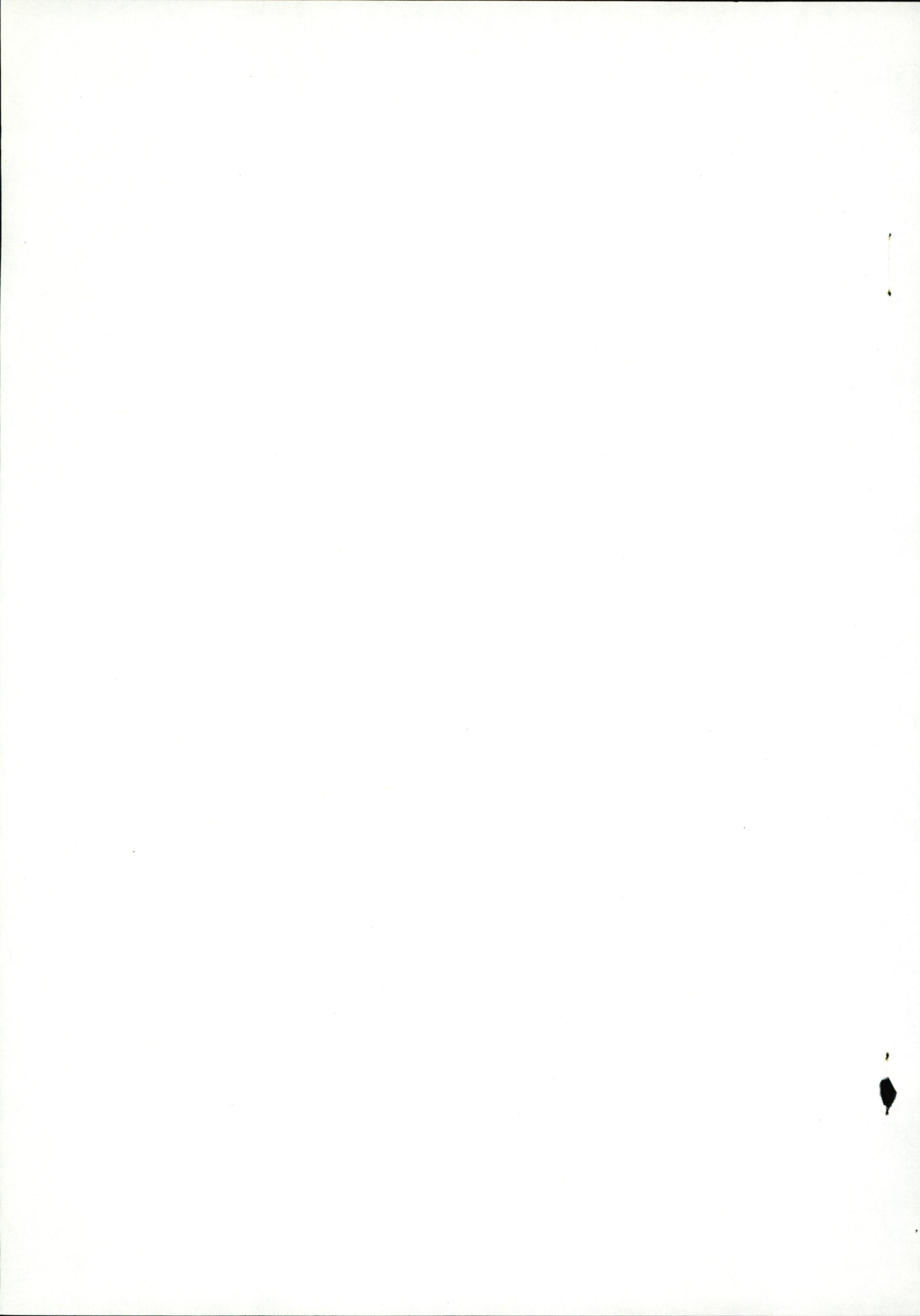
Clause 2 provides that the proposed Act is to commence on assent.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Clause 4 is a formal provision that gives effect to the Schedule of validations.

Schedule 1 makes the amendments referred to above.

Schedule 2 effects the validations referred to above.



FIRST PRINT

PIPELINES (AMENDMENT) BILL 1989

NEW SOUTH WALES

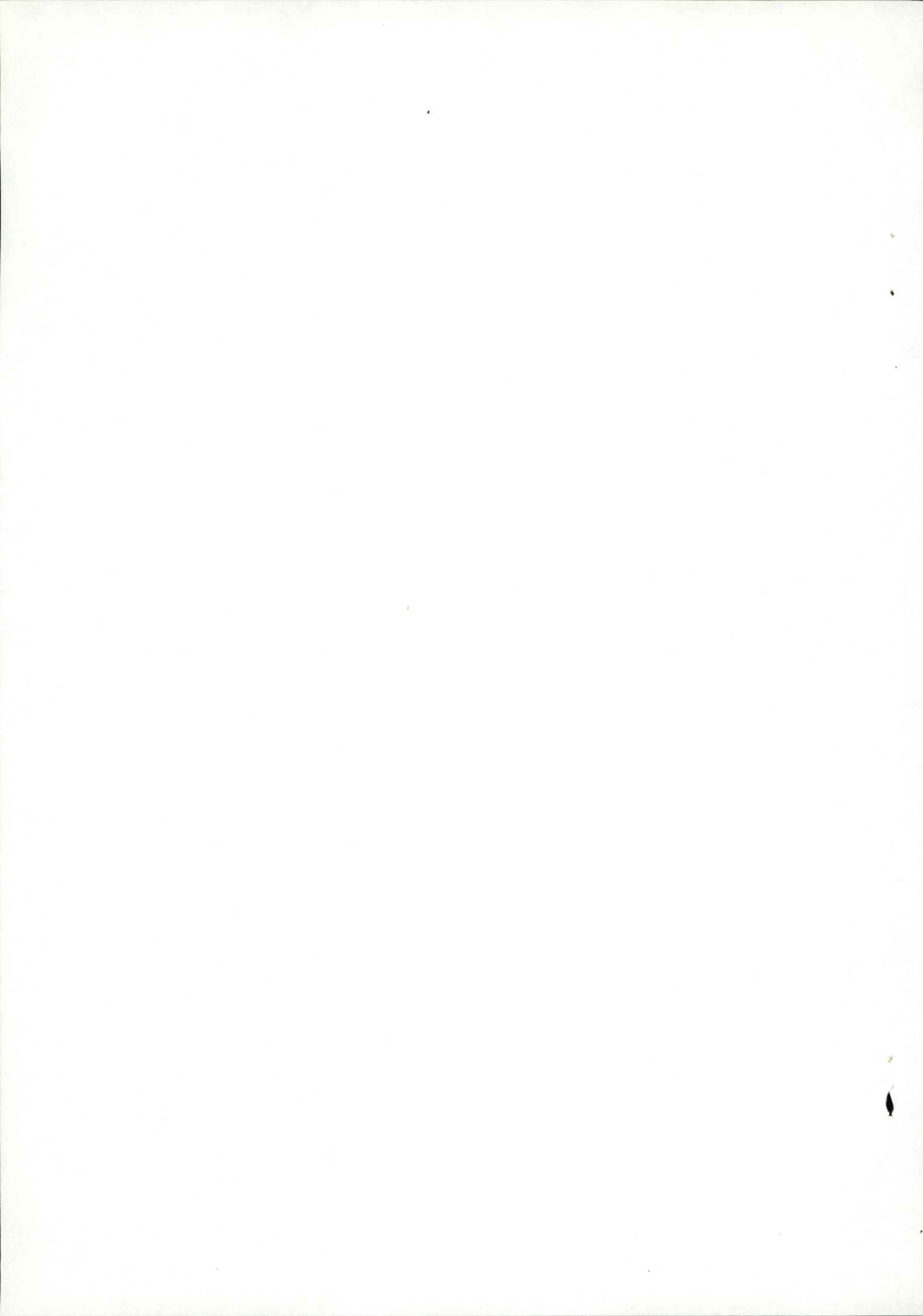


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PIPELINES (AMENDMENT) BILL 1989

NEW SOUTH WALES



No. , 1989

A BILL FOR

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Pipelines (Amendment) 1989

The Legislature of New South Wales enacts:

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Commencement

2. This Act commences on the date of assent.

Amendment of Pipelines Act 1967 No. 90

3. The Pipelines Act 1967 is amended as set out in Schedule 1.

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SCHEDULE 1 - AMENDMENTS

(Sec. 3)

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- (2) Section 62 (**Application of section 88A of Conveyancing Act to easements for pipelines etc.**):

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SCHEDULE 2 - VALIDATIONS

(Sec. 4)

Definition

1. In this Schedule, "**the Pipeline Licence**" means Pipeline Licence No. 12 granted to ICI Australia Operations Pty Limited on 24 December 1986.

Validation of lodgment and registration of Deposited Plan

2. The lodgment with and registration by the Registrar-General of Deposited Plan 499028 in respect of the lands described in the Schedule to the Pipeline Licence are to be taken to have been validly effected for the purposes of section 20 of the Pipelines Act 1967 even though the Deposited Plan was lodged and registered before the grant of the Pipeline Licence.

Validation of vesting of easements

3. The notification purporting to be made under the Pipelines Act 1967 and published in Gazette No. 70 of 24 April 1987 at page 2071 is to be taken to have been a valid notification under section 21 of the Pipelines Act 1967 declaring the easements for pipeline described in the Schedule to Part 2 of the Instrument annexed to Deposited Plan 499028 (excepting thereout the lands described in item 41 (a) and item 251 of that Schedule) over the lands described in the Schedule to the Pipeline Licence to be vested in the licensee, and the easements are to be taken to have vested in the licensee accordingly.
