Petroleum (Submerged Lands) (Pipelines) Amendment Regulations 2009 (No. 1)

Select Legislative Instrument 2009 No. 384

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Offshore Petroleum and Greenhouse Gas Storage Act 2006.

Dated 14 December 2009

QUENTIN BRYCE
Governor-General

By Her Excellency’s Command

MARTIN FERGUSON
Minister for Resources and Energy
1 Name of Regulations
These Regulations are the Petroleum (Submerged Lands) (Pipelines) Amendment Regulations 2009 (No. 1).

2 Commencement
These Regulations commence on 1 January 2010.

3 Amendment of Petroleum (Submerged Lands) (Pipelines) Regulations 2001
Schedule 1 amends the Petroleum (Submerged Lands) (Pipelines) Regulations 2001.

Schedule 1 Amendments
(regulation 3)
(c) risks to the integrity of the pipelines are reduced to levels as low as reasonably practicable.

[1] Subregulation 4 (1), definition of OHS inspector
omit

[2] Subregulation 4 (1), definition of operator
omit

substitute
pipeline:
(a) means a pipeline licensed under Division 4 of Part III of the Act; and
(b) includes a pipeline, that would be a pipeline of that kind, that is:
   (i) proposed to be constructed; or
   (ii) proposed to be operated; or
   (iii) being constructed.

   omit

[5] Subregulation 4 (1), definition of reportable incident, paragraph (b)
   omit
   1999.
   insert
   1999; and

[6] Subregulation 4 (1), definition of reportable incident, after paragraph (b)
   insert
   (c) that is not a reportable incident within the meaning of the Offshore Petroleum (Safety) Regulations 2009.

[7] Subregulation 4 (1), definition of Safety Authority
   omit

[8] Subregulation 4 (1), definition of significant pipeline accident event
   omit
[9] **Subregulation 5 (1), note 2**

*substitute*

*Note 2* A pipeline management system description describes the risk of risks to the integrity of the pipeline. The description also describes measures to reduce those risks to levels that are as low as reasonably practicable: see regulation 26.

[10] **Part 1A**

*omit*


*omit*

[12] **Regulation 20A**

*omit*

[13] **Subregulations 22 (1) and (1A)**

*substitute*

(1) The Designated Authority must accept the pipeline management plan only if there are reasonable grounds for believing that:

(a) the plan is appropriate for the nature and proposed use of the pipeline; and

(b) the plan complies with regulations 25, 26, 27 and 29 for the stages connected with the life of the pipeline mentioned in regulation 20 for which the plan is submitted; and

(c) the plan, or a part of a pipeline management plan in force for the pipeline, complies with regulation 28.

[14] **Paragraph 23 (a)**

*omit*

24,
[15] Regulation 24

omit

[16] Paragraph 26 (a)

substitute

(a) risks to the integrity of the pipeline associated with the design, construction, modification and decommissioning of the pipeline; and

[17] Paragraphs 30 (3) (a) to (e)

substitute

(a) there are reasonable grounds for believing that the technical knowledge relied upon to formulate the plan is outdated and accordingly the plan no longer adequately provides for:

(i) the matters mentioned in regulations 25, 26, 27 and 29 for the stages connected with the life of the pipeline mentioned in regulation 20 for which the plan is in force; or

(ii) the matters mentioned in regulation 28; or

(b) developments in systems for identifying and evaluating risks to the integrity of the pipeline make it appropriate to revise the plan; or

(c) there are reasonable grounds for believing that a series of proposed modifications to the pipeline would result in a significant cumulative change in the overall level of risk to the integrity of the pipeline; or

(d) there are reasonable grounds for believing that a proposed modification to the pipeline would:

(i) significantly influence the level of a risk to the integrity of the pipeline; or

(ii) significantly change the ranking of factors contributing to those risks; or
(e) the licensee proposes to significantly change the pipeline management system mentioned in regulation 26 for identifying, evaluating and managing risks to the integrity of the pipeline; or

[18] Subregulations 35 (1) and (1A)

substitute

(1) The Designated Authority must accept the proposed revision of the pipeline management plan only if there are reasonable grounds for believing that:

(a) the revision is appropriate for the nature and proposed use of the pipeline; and

(b) the pipeline management plan, as revised by the proposed revision, would comply with regulations 25, 26, 27 and 29 for the stages connected with the life of the pipeline mentioned in regulation 20 for which the revision is submitted; and

(c) the pipeline management plan, as revised by the proposed revision, would comply with regulation 28; and

(d) in the case that the revision relates to a proposal to modify or decommission the pipeline — a validation of the proposal is in force.

[19] Part 3A

omit

[20] Regulations 39M and 39N

omit

[21] Subregulation 40 (7), note

omit
[22] Subregulation 45 (3)

*omit*

[23] Part 5, Division 5.4

*omit*

**Note**