

1 November 2019

APA Reference: 16236  
Your Reference: Amendment C241wsea

Att: Paul Cassidy  
Victorian Planning Authority  
Level 25, 35 Collins Street  
MELBOURNE VIC 3000

**EMAIL OUT:** amendments@vpa.vic.gov.au

Dear Paul,

**RE: Amendment 241wea to the Whittlesea Planning Scheme, Shenstone Park PSP**

Thank you for your referral request received on 7 October 2019 in relation to Amendment C241wea to the Whittlesea Planning Scheme, Shenstone Park PSP.

APA Group (APA) is Australia's largest natural gas infrastructure business and has direct management and operational control over its assets and investments. APA's gas transmission pipelines span across Australia, delivering approximately half of the nation's gas usage. APA owns and operates over 15,000 km's of high pressure gas transmission pipelines across Australia.

APA is the Pipeline Licensee for the Keon Park – Wodonga West, Victorian Northern Interconnect pipelines, (see table 1 for details):

**Table 1: Transmission gas pipelines in the area of consideration**

Pipeline	Pipeline Licence	Easement Width (m)	Diameter (mm)	Measurement Length (m)
Keon Park – Wodonga West	PI 101 (T074.2)	35	300	340
Victorian Northern Interconnect – Loop 1	PI 101 (T074.2)	35	400	590

**Note:** measurement length is applied to either side of the pipeline.

**APA's Role**

As a Licensee under the Pipelines Act 2005 (VIC), APA is required to operate high pressure gas transmission pipelines (**HPGTP**) in a manner that minimises adverse environmental impacts and protects the public and property from health and safety risks. Once a HPGTP is in place, APA is required to constantly monitor both the pipeline easement and also a broader area within which we are required to consider land use changes and development and to assess what such changes means to the risk profile of the HPGTP.

APA has a number of responsibilities and duties to perform under a complex framework of legislation, standards and controls across Federal, State and Local Government landscapes. In particular, our HPGTPs are required to be operated in accordance with Australian Standard 2885 (Pipelines – Gas

APA Group comprises two registered investment schemes, Australian Pipeline Trust (ARSN 091 678 778) and APT Investment Trust (ARSN 115 585 441), the securities in which are stapled together. Australian Pipeline Limited (ACN 091 344 704) is the responsible entity of those trusts. The registered office is HSBC building, Level 19, 580 George Street, Sydney NSW 2000.

and Liquid Petroleum) (AS2885). In discharging our regulatory responsibilities, APA needs to continuously review what is happening around its assets, what land use changes are occurring and what development is taking place to ensure it remains in a position to comply with applicable operational and safety standards and legislation whilst meeting its commercial obligations and imperatives.

### **Pipeline Risk Profile and the Measurement Length**

In managing HPGTP's and considering land use changes, APA must focus on that area geographically defined by AS2885 as the Measurement Length (**ML**). The ML area is the heat radiation zone associated with a full-bore pipeline rupture. APA is mandated to consider community safety in the ML due to the high consequences of pipeline rupture to life, property and the economy.

The ML is determined by taking account of a number of factors including the design criteria of the pipe (driven by the environment within which it was designed for at the time of construction) and the Maximum Allowable Operating Pressure (MAOP) of the pipe. APA must consider any changes of land uses within the ML area to determine the effect of a new use on the risk profile of the pipeline.

For reference, the ML of the Keon Park – Wodonga West is 340 metres and the Victorian Northern Interconnect is 590 metres. Note that the ML is a radial dimension, and therefore applies to both sides of the pipe.

### **Sensitive Uses**

APA seeks to limit sensitive uses from establishing within the ML so as to retain a high level of compliance with applicable safety standards. AS2885 defines a sensitive use as one which may increase the consequences of failure due to its use by members of the community who may be unable to protect themselves from the consequences of a pipeline failure.

To this end, APA's preferred position is that all land uses listed below be located outside of the ML:

- Aged Care Facilities.
- Retirement villages.
- Child care centres.
- Cinema based entertainment facility.
- Schools or other educational establishments.
- Prisons / corrective institutions.
- Hospitals
- Place of assembly or worship.
- Retail premises.
- Service station.
- Higher density residential uses.
- Other uses, as determined by the relevant decision maker, as substantially used by community members unable to protect themselves from the consequences of pipeline failure.

## **Safety Management Study**

AS2885 requires a Safety Management Study (**SMS**) to be undertaken whenever the land use classification of land within the ML changes. Although the current PSP is similar in nature to the Donnybrook/Woodstock PSP a new SMS is required given the Donnybrook/Woodstock PSP's SMS failed to adequately assess the risks associated with the City Gate Facility.

The purpose of an SMS is to assess the risk associated with a change in land use, including both construction risks and ongoing land use risks. The SMS will also develop appropriate controls to reduce risks to 'as low as reasonably practicable' (**ALARP**). The achievement of ALARP allows APA to ensure to both its license regulator (DELWP) and safety regulator (ESV) that issues of risk, pipeline integrity and ensuring security of gas supply associated with this asset of State and National significance have been adequately taken into account in this land use change process.

The cost of undertaking an SMS is to be borne by the proponent as the 'agent of change'. APA has developed a list of preferred SMS facilitators. This ensures facilitators are both independent and satisfactorily qualified to undertake this assessment. This list is available from APA on request.

This requirement was previously outlined in APA's letter to Whittlesea City Council dated 1 February 2018 (in response to agency consultation for the Shenstone Park PSP) and in later email correspondence to the VPA.

## **Easement Management**

APA, is the beneficiary of a gas transmission pipeline easement which runs through the precinct area. To ensure compliance with the safety requirements of AS2885, APA needs to ensure our easement is managed to an appropriate standard. This includes:

- Ensuring the easement is maintained free of inappropriate vegetation and structures.
- Place warning signs at various mandated points along the pipeline route, including any change in property description/boundaries.
- Maintain a constant line of sight between warning signs.
- Undertake physical patrols and inspections of the easement.

APA will not accept outcomes that do not enable us to achieve our safety responsibilities to the surrounding community.

Any works within the easement must be approved by APA through our Third Party Works Authorisation process. This process will ensure all works are undertaken in a safe manner that does not physically impact on the pipeline. If you are seeking to undertake works on property containing a pipeline, or are seeking details on the physical location of the pipeline, please contact Dial Before You Dig on 1100 or APA directly at [APApotection@apa.com.au](mailto:APApotection@apa.com.au).

## **Roads and services over easement**

It is APA's preference that roads being constructed over pipeline easements be avoided wherever possible. The creation of roads over pipeline easements results in the following issues:

- Loss of control over easement area which has been secured through a legally enforceable easement agreement.
- Increased potential for external interference with the pipeline due to other parties utilising the road reservation for infrastructure (water, sewer etc.) over or around the pipeline.
- Increased difficulty accessing the pipeline due to the need for access approval from Council or other roads authorities.
- Increased cost in accessing the pipeline due to the need to make good a road reserve.
- Loss of ability to duplicate or loop the pipeline in the future.

APA will consent, in principle (and subject to detailed assessment), to periodic road or services crossings over the easement on the basis that Council and other utility operators (as relevant) enter into an agreement with APA to maintain our existing easement rights in the area to be covered by road.

The proponent must demonstrate that the number of crossings has been minimised. Crossings are to be as perpendicular as possible to the pipeline to minimise the area of impact.

## **Comments**

On the basis of the information provided, APA does not object to the proposal subject to the following conditions being included within any approval issued for the proposal:

### **Shenstone Park Precinct Structure Plan Draft**

1. As outlined in APA's letter dated 1 February 2018 (response to agency consultation) and in later correspondence to the VPA, a SMS is required to be carried out preferably prior to exhibition of the PSP. Although the current PSP is similar in nature to the Donnybrook/Woodstock PSP a new SMS would be required given the Donnybrook/Woodstock PSP's SMS failed to adequately assess the risks associated with the City Gate facility.

APA still requires that an SMS be carried out and its findings be incorporated into any amendment prior to adoption.

2. As outlined in APA's letter dated 1 February 2018 (response to agency consultation), Plan 3 "Future urban structure" needs to clearly show the measurement length. It is shown on plan 14 "Buffers, Noise Amenity Area and Measurement Length", however recent PSP's have shown the measurement length on both the future urban structure plan and the utilities plan – See Plumpton/Kororoit and Sunbury South PSP's.
3. As outlined in APA's letter dated 1 February 2018 (response to agency consultation), an existing "City Gate" gas facility owned by AGN (Australian Gas Networks) and managed by APT O&M Services is located near Donnybrook Road. These types of facilities may impact upon the amenity of surrounding uses (noise, smell, safety etc, APA VTS suggests that APT O&M Services is consulted with regard to this facility and any SMS process.

4. As outlined in APA's letter dated 1 February 2018 please Include the following requirement "Landscaping and development adjacent to the existing gas transmission pipeline easement shown on Plans 3, 13 and 14 must not jeopardise the integrity of the pipeline."
5. As outlined in APA's letter dated 1 February 2018 , an additional requirement outlining the following is to be included "The APA VTS gas transmission pipeline easement is not to be utilised by other infrastructure/utilities services, other than service crossings which are required to be approved by the gas transmission pipeline owner or operator (APA VTS)".
6. As outlined in APA's letter dated 1 February 2018, the cross section in appendix 4.4 which refers to the APA gas pipeline needs to include the following notes "Any footpaths or cycling paths within the easement for gas pipeline are not to be encumbered with a road (R1) or carriageway easement status. Any vegetation within the easement for gas pipeline must be approved by the gas pipeline owner or operator. Please note that the large depicted 10m high street trees are unlikely to be acceptable within the gas pipeline easement".
7. As per the Plumpton PSP, include an objective in the PSP stating the following "Ensure sensitive land uses are located outside the measurement length of the high pressure gas transmission pipeline where possible and that construction is managed to minimise risk of adverse impacts."

### **Draft Controls**

8. As outlined in APA's letter dated 1 February 2018, Map 1 to Schedule 7 to clause 37.07 needs to include the Gas Transmission Pipeline Measurement length. This will ensure a clear point of reference is provided in the Planning Scheme and has also been the practice in a number of recent PSP's including Kororoit/Plumpton and Sunbury South.
9. Please note APA would prefer that it be a recommending referral authority for relevant application types within the pipeline consequence area. In a number of recent panel hearings, Planning Panels have recommended that APA become a recommending referral authority (see Plumpton PSP and Sunbury South PSP). However DELWP have thought otherwise and decided to give APA notice of these applications only. As such APA will not continue to pursue its preferred outcome.

APA would be happy to discuss and work through these matters further with both the VPA and Council. The planning controls proposed generally reflect the outcomes of two of the most recent planning panels that dealt with high pressure gas pipelines within a PSP being Sunbury South and Plumpton/Kororoit. Please feel free to contact me on (03) 8533 2141 or via email [michael.mielczarek@apa.com.au](mailto:michael.mielczarek@apa.com.au) if you wish to arrange a time to discuss these matters further.

APA VTS notes that an APA subsidiary company, APT O&M Services Pty Ltd (APT) may have interests in the study area. APA VTS recommends that you refer the proposal onto APT for assessment. This response in no way represents the views or interests of APT O&M Services.

Yours faithfully,



**MICHAEL MIELCZAREK**  
**SENIOR URBAN PLANNER**  
**INFRASTRUCTURE PLANNING AND PROTECTION**  
**APA GROUP**