

APA Ref: 170310\_LO\_Draft Far West Regional Plan 2036

10<sup>th</sup> March 2017

Director, Regions  
Department of Planning and Environment  
PO Box 58  
Dubbo NSW 2830

Dear Director,

**RE: Submission on the Draft Far West Regional Plan 2036**

Thank you for opportunity to review and provide comment on the *Draft Far West Regional Plan 2036* (the *Plan*). APA Group (APA) takes great interest in the New South Wales (NSW) planning system, and strategic documents, as they have key implications for the way APA maintains and operates its high pressure gas transmission pipelines (HPGTPs).

A key issue is that, like other critical infrastructure, HPGTPs should be clearly identified (in both mapping and policy intent) in the highest level planning documents (including the *Plan*) and subsequently in more detailed planning documents. As planning documents become more detailed, greater guidance, and more specific controls should be included in relation to HPGTPs. APA seeks planning policy and strategic planning support to ensure the operation of HPGTP's is not adversely affected by land use and development decisions so that, amongst other matters, new development is prevented from:

- being subject to hazards and emissions from existing and planned pipeline uses and activities, and
- adversely affecting the effective and efficient operation of existing pipelines and activities.

Because the Far West Region is sparsely populated, there are no obvious areas of issue, which generally occur where the pipeline runs through urban areas (existing and planned). However, there are a number of activities that can affect the operation of HPGTP's and proximate development in any environment, including the development or upgrade of other linear infrastructure (roads, electricity, drainage for example). This submission outlines our general planning position and seeks minor amendments to the *Plan* to recognise the critical role the transmission pipeline network has in the social and economic well-being of the region, State and country.

This submission contains two parts. Firstly, background information on APA, and our obligations in managing and operating HPGTPs. This background is important to understand in relation to the submissions we are making. The second part contains specific submissions in relation to elements of the *Plan*.

**1 Background to APA and HPGTPs**

**About APA**

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. In the Far West Region APA owns and

operates the Moomba to Sydney Ethane Pipeline system (MSEP) and the Moomba to Wilton Natural Gas Pipeline system (MWNGP). Both pipelines follow the same alignment and are located in a common easement. It is important to note that in addition to the underground pipelines, APA owns and maintains associated facilities including block valves and compressor stations, which have the potential to create noise emissions. These pipelines are critical sources of gas supply to areas throughout NSW.

These pipelines play an important role in:

- supplying energy needs to residential customers
- supplying power generators
- providing energy needs to business and industry and thereby supporting economic activity in New South Wales.

### **APA's statutory obligations**

As a licence holder for high pressure gas transmission pipelines APA has statutory obligations under the *Pipelines Act 1967 (the Act)*. The *Pipelines Regulation 2013* states a licensee must ensure the design, construction, operation and maintenance is in accordance with Australian Standards 2885 (AS2885).

The State Environmental Planning Policy (Infrastructure) 2007, includes Clause 55 'Development adjacent to corridor' in Division 9, which states:

*(1) Before determining an application (or any application for modification of a consent) for development adjacent to a gas pipeline corridor, the consent authority must:*

- (a) be satisfied that the potential safety risks or risks to the integrity of the pipeline that are associated with the development or modification to which the application relates have been identified, and*
- (b) take those risks into consideration.*

In considering a land use and/or development proposal, APA is obligated to ensure its pipelines are not at risk of direct damage, nor subject to land use and/or development proximate to the pipeline which may increase the risk profile of the pipeline and those incoming developments. Furthermore, APA must ensure the pipeline is designed to "*reflect the threats to pipeline integrity, and risks to people, property and the environment*" (AS2885, s4.3.1). Land use 'location classes' are used in determining the appropriate pipeline design and management for the environment within which it is planned. If the surrounding land use changes significantly post pipeline construction a Safety Management Study is required to reassess the risk profile of the pipeline and ensure any identified risks are managed or reduced to an acceptable level.

Specifically, Part 1, Section 1, Clause 4.7.4 of AS2885 deals with the requirement to consider changes in land uses and undertake Safety Management Studies (SMSs) where necessary. Under AS2885, APA is not only responsible for activities or development on its easements, or land which includes an easement in favour of APA. APA has responsibilities for managing the risks associated with land use well outside of the pipeline easements. This includes both increased risk of physical damage to the pipeline from development and ongoing land use activities, as well as the risk to surrounding development from a loss of containment of gas within the pipeline. The two risks are related, with measures to protect the integrity of the pipeline also reducing risk to surrounding people and development in the event of pipeline rupture. These issues are explained in more detail below under the heading 'Measurement Length (ML) and Safety'.

A key issue in meeting APA's statutory pipeline management obligations is the general awareness of these obligations by the planning and land development industries, to ensure HPGTPs are properly considered in planning processes. In our experience, a combination of appropriate policy controls and early engagement with the pipeline operator provides this awareness and facilitates consultation early

in the planning process, avoiding the time and cost associated with any changes required to planning proposals at an advanced stage.

### **APA's role**

When considering land use and development proximate to HPGTP's and associated infrastructure, APA must consider safety as a key priority. It is APA's duty to ensure HPGTP's and local communities are safely protected.

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 discharging these duties, 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. In this regard APA has a particular interest in proposed changes to land use within the *Plan*.

In order to maintain pipeline safety, it is essential APA is directly consulted on proposed land use changes in areas potentially affected by a pipeline failure so the risk profile of the pipeline and its changing surrounding environment can be reviewed and plans to control new threats and consequences can be developed and implemented. These measures can be costly and require substantial forward planning. Therefore, it is in the interests of the plan makers and development proponents to communicate with the pipeline operator as early as possible in the planning process. The earlier that notice of planning proposals affecting APA's pipelines is provided to APA, the better the information available to address public safety and the better equipped planners and APA will be to design efficient and effective outcomes, including ensuring safety near transmission pipelines both during development and after public settlement in the new areas.

In addition to the consideration of safety, APA has a legal responsibility, and commercial and social imperative, to provide a continuous flow of gas to service a number of end users, including business and industry critical to the NSW economy. APA therefore has a responsibility to ensure pipeline corridors can be utilised for future growth either by pipeline duplication or augmentation. For this reason it is critical that pipeline corridors are protected from the encroachment of land use, and development that may inhibit the ability to respond to increased market needs over time.

### **Measurement Length (ML) and Safety**

In managing HPGTP's and considering land use changes APA must focus on that area geographically defined by the ML. The ML area is the heat radiation zone in the event of 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:

- design criteria of the pipe (driven by the environment within which it was designed for at the time of construction), and
- Maximum Allowable Operating Pressure (MAOP) of the pipe.

The ML in relation to the two existing HPGTP's in the region range between 660m and 700m either side of the pipelines. Therefore, licence holders must discharge their statutory obligations over a significant area well beyond the extent of any pipeline easements.

AS2885 requires APA to consider community and operational safety aspects in the event of a change in land use or significant increase in population density within the ML of the pipeline. This consideration is typically addressed through a Safety Management Study (SMS). Where an SMS is required, we strongly recommend that Council, the proponent and APA coordinate to undertake this process so future land

use and construction within the ML can be undertaken taking account of any identified safety considerations and in compliance with AS2885 and APA Pipeline Licence statutory obligations.

### **Australian Pipeline Database**

State and local government can access pipeline information via the Australian Pipelines and Gas Association which maintain an online mapping database from which data can be exported as an ESRI Shapefile or Google KML file.

This includes the location and measurement length for all APA transmission pipelines as well as other pipelines. Registration is available at <https://maps.landpartners.com.au/apd/APGALogin.aspx>.

## **2 Submission Specifics**

APA's high pressure pipeline assets in the Far West Region include the MSEP, MWNGP, and associated infrastructure (e.g. block valves, compressor stations). The pipelines are located within the following local government areas of the Far West Region:

- Central Darling Shire Council
- Cobar Shire Council
- Unincorporated Area.

APA appreciates the high level, strategic nature of the *Plan* and considers minor amendments will add significant value and facilitate achieving its goals. Below are details of our comments on the draft *Plan*.

### **Direction 1: Grow the economic potential of the agribusiness sector**

This section details the plan to map highly productive agricultural land to assist in land use planning and its protection. This is detailed in Action 1.1:

*Map and protect important agricultural land from land use conflict arising from inappropriate and incompatible surrounding land uses, prevent fragmentation and manage the interface between agricultural lands and other land uses.*

### **Comment**

APA supports the protection of important agricultural land. Underground pipelines and associated above-ground infrastructure can be safely located and maintained in such areas without affecting the productivity of this land. Policy relating to important agricultural land should recognise that critical linear infrastructure, including HPGTP's amongst others, may need to traverse such areas from time to time for reasons of cost and efficiency and can do so without significant impact.

It is recommended that an additional action 1.7 be introduced as follows:

- *Recognise that critical linear infrastructure with limited above ground features, such as water pipelines, high pressure energy transmission pipelines and electricity conveyancing infrastructure may need to periodically traverse high value agricultural land.*

### **Direction 3: Sustainably manage mineral resources**

This section details the importance of the benefits of mining and the need to undertake such activities in a sustainable manner. This section also mentions energy resources and the *NSW Gas Plan (2014)*, and is therefore relevant to APA.

This section includes Action 3.4:

*Protect infrastructure that facilitates mining industries, such as road and rail freight.*

### **Comment**

APA's existing and planned infrastructure is critical to gas production and supply in the broader region and is fundamental in supporting economic activity in NSW. APA recommends Action 3.4 be amended as follows:

*Protect infrastructure that facilitates mining and gas industries, such as road and rail freight and transmission pipelines.*

APA also recommends that HPGTP's, being socially and economically critical infrastructure, be added to Figure 3: Mineral resources and renewable energy, which currently includes "Key Transmission Lines" and "Electricity Network Connection Opportunity". The title of Figure 3 could be amended to 'Mineral resources and energy' to cover all important energy sources and activities in the region. APA is able to provide the necessary GIS data for the location of its pipelines.

### **Direction 4: Diversify energy supply through renewable energy generation**

This section highlights the opportunities for solar and renewable energy investment in the region.

### **Comment**

APA owns and operates a number of renewable energy facilities and will continue to seek opportunities in this sector. The Region is considered highly suitable for renewable energy generation, subject to the availability of suitable network connections. APA supports a balanced focus on renewable energy generation in the Far West Region.

### **Direction 6: Unlock economic potential through improved freight transport and other enabling infrastructure**

This section focuses on the need for enabling infrastructure for the region, primarily through transport infrastructure.

This section includes Action 6.5:

*Implement the Department of Planning and Environment's *Planning Guideline for Major Infrastructure Corridors* (2016).*

### **Comment**

The focus on enabling infrastructure is supported, and should be broadened to include other major infrastructure. This Direction should include the need to preserve the integrity of existing infrastructure corridors, including HPGTPs. Action 6.5 cites the *Planning Guideline for Major Infrastructure Corridors* which is a valuable document relating to planned new infrastructure. APA considers NSW should have stronger statutory planning controls to protect the integrity of existing infrastructure, particularly HPGTPs. This should include, at a minimum, the following planning controls, supported by high-level recognition of HPGTPs in strategic planning documents (such as the *Plan*):

- mapping of the pipeline, associated easement, and ML in a suitable overlay map (e.g. may be included with oil pipelines)
- an accompanying overlay code to apply appropriate development controls including:
  - reference to requirements of AS2885
  - avoid damaging or adversely affecting the pipeline's operations
  - in the case of reconfiguration, preservation of the pipeline easement as linear open space reserve with limited embellishment held in single title
  - any new road is located outside of the easement with any necessary crossings at 90 degrees (road located adjoining an easement is a preferred outcome)
  - list of sensitive uses which are not supported within the ML.

Such planning controls would support the effective implementation of SEPP Infrastructure. These are intended as general requirements for local planning instruments.

## **Direction 12: Support new planning and land management arrangements**

This section includes general directions for changes in planning and land management in the Far West Region. This section includes Action 12.1:

*Prepare a local plan for the Unincorporated Area.*

### **Comment**

Because APA has important strategic assets in the Unincorporated Area, we request stakeholder involvement in the development of the local plan for the area.

APA supports the vision for the Far West Region and considers the *Plan* should be amended, as recommended, to have appropriate consideration for HPGTPs. Recognition of both the societal value and risk profile of HPGTP's in higher level strategic plans provides for greater transparency of critical pipelines in the planning framework. This ensures subsequent statutory planning tools benefit from this strategic guidance and recognition. Such an outcome ultimately facilitates the early consideration of pipelines and related land use planning issues in detailed planning applications. This in turn better ensures that development and land use change can be planned and controlled to:

- protect the operational integrity of pipelines
- ensure the safety of both pipelines and proximate land uses
- preserve the growth potential of the high pressure gas transmission network.

APA wishes to be kept informed of the status of the *Plan* and any further opportunities to represent this submission. We would also be pleased to meet with the Department to discuss this submission and provide clarifications around the issue of land use planning and development around HPGTP's if it would be of benefit to you.

Please contact Ross Larsen on 07 3223 3382 or [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au) should you wish to discuss the contents of this correspondence.

Yours faithfully,



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