



APA Ref: 170320_LO_Draft New England North West Regional Plan 2036

20th March 2017

Director Regions (Northern)
Department of Planning and Environment
Locked Bag 9022
Grafton NSW 2460

Dear Director,

RE: Submission on the Draft New England North West Regional Plan 2036

Thank you for opportunity to review and provide comment on the *Draft New England North 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 (HPGTs).

A key issue is that, like other critical infrastructure, HPGTs 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 HPGTs. APA seeks planning policy and strategic planning support to ensure the operation of HPGT'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.

This submission contains two parts. Firstly, background information on APA, and our obligations in managing and operating HPGTs. 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 HPGTs

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 New England and North West Regions APA owns and operates the Central Ranges Pipeline system (CRP). This pipeline extends from the Moomba to Sydney Pipeline. 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. This pipeline is a critical source of gas supply to areas throughout regional NSW.

The pipeline plays 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. This 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 CRP the ML is approximately 500m 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 New England North West Region include the CRP and associated infrastructure (e.g. block valves, compressor stations). The pipeline is located within the following local government areas of the New England and North West Regions:

- Tamworth Regional Council
- Gunnedah Council
- Liverpool Plains Council.

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*.

Delivering the Plan: Infrastructure Coordination

This section details the need to provide the infrastructure necessary to service new development. Such infrastructure mentioned includes water, transport, and electricity.

Comment

APA supports the need to coordinate the provision of infrastructure to service growth within the Region. However, it is also critical that growth plans acknowledge existing infrastructure (including corridors), and ensure development won't impact its safe and efficient operation. Such consideration must also extend to planned infrastructure and protection of corridors for future augmentation. In this regard existing and planned HPGTPs should be shown on regional plan mapping, and the *Plan* should acknowledge the need for development to avoid encroachment on existing infrastructure and impacting on its efficient and safe operation.

These issues need to be acknowledged at a Regional Plan level so that more detailed planning controls support this approach.

Delivering the Plan: Local planning initiatives

This section details the need for local planning initiatives to be consistent with the policies and actions in the final plan.

Comment

APA supports the need for local planning to be consistent with the Regional Plan. Addressing the importance and protection of HPGTPs in the Regional Plan will support this approach. In this way such important infrastructure will be considered early in planning processes and regional development can be facilitated, while maintaining community safety and pipeline integrity.

Direction 1.3: Protect agricultural land from urban encroachment and fragmentation

This section details the need to protect valuable and productive rural land, by limiting subdivision and the introduction of sensitive uses. Action 1.3.1 is specifically concerned with mapping of and guidelines for protection important agricultural land.

Comment

APA supports the protection of important agricultural land. Avoiding fragmentation and sensitive uses avoids impacts on existing pipelines in agricultural land (where they are primarily located) as well as the agricultural land itself.

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 action 1.3.1 include an additional dot point 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 2.2: Manage competing and conflicting interests in rural and resource areas to provide greater certainty for investment

This section details the importance of investment in mineral and resource industries, and the need to undertake such activities in a sustainable manner.

Comment

While this direction is focused on the ongoing productive use of extractive resource lands, it does not mention linear infrastructure such as gas pipelines, which are required to efficiently transport extracted gas to markets.

Action 2.2.1 should include reference to planning for supporting infrastructure such as HPGTPs.

Action 2.2.2 should be expanded to avoid urban and rural residential encroachment on HPGTPs and their safe and effective functioning, to support the energy resource industry. 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. Such acknowledgment is vital to support NSW energy supply for households and industry. APA recommends the following be added to Action 2.2.2:

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

Direction 2.3: Increase opportunities for 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 Region.

Direction 3.4: Promote sustainable settlement growth with great places to live

This section highlights the need to provide for growth in appropriate locations, including access to infrastructure, jobs and services.

Comment

APA supports the need to cater for growth in the Region, and ensure growth areas are well serviced. However, growth must also be located to avoid encroachment on existing infrastructure and its effective operation.

Growth adjoining HPGTPs must have appropriate consideration for the pipeline to ensure community safety and pipeline integrity are maintained. As urbanisation occurs around HPGTPs there are a number of associated issues including:

- increased safety risk to emerging urban environments
- increased direct risk to the pipeline
- need for additional physical protection
- need to consider separation distances from particularly sensitive land uses introduced in an urban environment
- increased challenges in accessing the pipeline for maintenance and safety checks.

APA is not opposed to future urban development near HPGTPs and seeks to work with the planning authorities and development proponents to achieve mutually acceptable outcomes. A first step in achieving good development outcomes around HPGTPs is to clearly identify the assets, and any associated ML, in strategic plan mapping. In this way they are flagged as a consideration early in the planning process and appropriately incorporated into broader growth area strategic plans.

Direction 3.5: Increase access to health and education services

This section highlights the need for additional health and education services and the importance of providing these. Action 3.5.2 is to...*"Facilitate planning for additional primary and secondary school places"*.

Comment

APA supports the need to cater for additional primary and secondary schools places in the Region. However, under AS2885, sensitive uses, including schools should be located outside of the ML if possible. Therefore, any new schools or expansion of schools should be avoided within the ML. While the location of new schools and expansion is more detailed than the Regional Plan allows for, the Department of Environment and Planning and Department of Education should be aware of this issue.

Direction 4.1: Grow the regional cities of Tamworth and Armidale

This section highlights the need for additional employment areas and refers to Figure 13 – Tamworth Growth Precincts. This Figure includes the Developing Business Park to the southeast of the Airport and the Enterprise Investigation Area to the southeast of the Glen Artney Industrial Estate.

Comment

APA supports the need to provide employment areas in regional centres. The Development Enterprise Park and Enterprise Investigation Areas have the CRP running through them. This significant infrastructure must be carefully considered from the early stages of land use planning through to detailed land use planning. This is necessary to avoid impact on the pipeline and easement, and effectively manage safety risks associated with a change in land use. APA would welcome involvement in any planning processes for these areas, either with the Department of Environment and Planning or Tamworth Regional Council. Early involvement by APA will assist in facilitating good urban development outcomes that benefit the region, but maintain vital infrastructure (for households and industry) and community safety.

Direction 4.3: Provide well-located and serviced supplies of industrial and employment lands

This section highlights the need for additional industrial and employment land that is well serviced and well located. This includes the statement that:

"Existing and future industrial and employment lands need to be protected from the encroachment of incompatible land uses."

Comment

APA supports the need to provide employment lands within the Region. However, consideration of new employment lands must take into account existing infrastructure, which plays a vital role in servicing the area and supporting economic activity. Like consideration of new residential areas, new employment areas must acknowledge existing land uses including infrastructure such as HPGTPs. The statement about protecting existing industrial and employment land should be expanded to acknowledge and protect existing infrastructure and hazardous uses from incompatible land uses. The following statement should be added to Direction 4.3:

"Existing and future infrastructure, including necessary land and corridors, is protected from development that prevents it from functioning safely and effectively."

In general the *Plan* lacks a focus on infrastructure, apart from that necessary for urban development (i.e. water and sewer). This is in contrast to the Draft Far West Regional Plan which includes "*Goal 1: A diverse economy with efficient transport and infrastructure networks*". This is an understandable focus for the Far West Region which has significant challenges in providing infrastructure to a large and sparsely populated area. However, efficient infrastructure networks serving both residential and industrial development is just as important for the New England and North West Regions. While such networks may be adequate or have spare capacity it is important to acknowledge their importance and ensure the future growth and development does not impact on their safe and effective operation. It is recommended that a regional infrastructure map be included in the Regional Plan and that such a map should show HPGTPs.

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 subdivision, 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.

APA supports the vision for the New England and North West Regions 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 should you wish to discuss the contents of this correspondence.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'P. McCutcheon', with a stylized, looping flourish at the end.

Phillip McCutcheon
Urban Planning Manager
Infrastructure Planning and Protection

cc: New South Wales Department of Education