
Request to be heard?: Yes

Precinct: General

Full Name: Michael Mielczarek

Organisation: APA Group

Affected property:

Attachment 1: LO_APA_VTS_res

Attachment 2:

Attachment 3:

Comments: Please see attached submission



15 December 2017

APA Reference: 16121
 Your Reference: Amendment GC81

Dept Environment, Land, Water and Planning
 PO Box 500
 EAST MELBORNE VIC 8002

CORRESPONDANCE OUT: via engage.vic.gov.au

Dear Sir / Madam

RE: Fishermans Bend Framework – Amendment GC81

Thank you for the opportunity to comment on the Fishermans Bend Framework plan. The key comment APA would like to make on the proposed framework plan is that a Safety Management Study (SMS) needs to first be conducted to inform the final version of the plan in the context of land use change around high pressure gas pipelines. In the absence of a SMS, APA can take no other position other than to advocate for sensitive land uses as listed in our submission to be located outside the measurement length. APA would encourage the Fishermans Bend Task Force and DELWP to work with APA to resolve this matter prior to a Panel hearing.

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 three pipelines in the area, (see table 1 for details and Figures 1, 2, and 3):

Table 1: Transmission gas pipelines in the area of consideration

Pipeline	Pipeline Licence	Easement Width (m)	Diameter (mm)	Measurement Length (m)
South Melbourne - Brooklyn	PL108 (T33)	N/A	750	450
Dandenong – West Melbourne	PL36(T16)	N/A	750	450
Port Melbourne – Symex Holdings	PL164 (T89)	N/A	150	100

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 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 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 South Melbourne – Brooklyn pipeline is 450 metres, Dandenong – West Melbourne is 450 metres and Port Melbourne – Symex Holdings is 100 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 / family day care centres.
- Cinema based entertainment facility.
- Schools or other educational establishments.
- Prisons / corrective institutions.
- Hospitals and medical centres.
- 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. It is APA's assessment that the proposal will change the land use classification of this section of the pipeline and potentially introduce and encourage a number of sensitive land uses into the measurement length and therefore an SMS must be undertaken prior to the framework being adopted.

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 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.

Pipeline Corridor Management

To ensure compliance with the safety requirements of AS2885, APA needs to ensure our pipeline corridor is managed to an appropriate standard. This includes:

- Ensuring the pipeline corridor 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 corridor.

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

Any works within the 3m of the pipeline 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 APAprotection@apa.com.au.

Planning Panels

Planning Panels Victoria has had to consider the issue of HPGTP's within precinct structure plans (**PSP's**). An outcome of the Mt Atkinson and Kororoit/Plumpton PSP's was to ensure that sensitive land uses (and buildings and works associated with a sensitive land use) within the Measurement Length triggered a planning permit and that notification/referral of sensitive land use applications was given to APA. The sensitive land uses were as follows;

- Child care centre;

- Cinema based entertainment facility;
- Corrective institution;
- Dependent persons unit;
- Education centre;
- Hospital;
- Place of Assembly;
- Residential Aged Care facility;
- Retail premises;
- Retirement village;
- Service Station.

Comments

On the basis of the information provided, APA raises the following concerns with the Fishermans Bend Framework plan:

1. The Fishermans Bend Framework does not identify or map the measurement length associated with the APA High Pressure Gas Transmission Pipelines (HPGTP).
2. Whilst the draft Fishermans Bend Framework Plan states (with regard to high pressure gas pipelines) "*developments located in close proximity to these pipelines will need to consider their use, density and mitigation measures*", the plan then does not explain what type of consideration is required. APA's preference to ensure safety of the public and pipeline would be to relocate sensitive land use outside of the 450m measurement length of the HPGTP's, particularly without first being considered by a Safety Management Study (SMS).
3. The framework plan does not appropriately consider the development of sensitive land uses and higher densities within the pipeline measurement length. For the safety of the future community and security of gas supply to Melbourne and Victoria, an SMS needs to be conducted to inform the development of the framework plan as opposed to pushing this requirement to individual developers at a later stage in the process. It should be noted that one of the possible outcomes of an SMS maybe to require sensitive land uses to be located outside of the measurement length. As such the Fishermans Bend Framework plan maybe encouraging certain uses in locations which an SMS would not support. It is therefore imperative that an SMS be conducted as soon as possible so as to not create un-realistic expectations for the development community. An SMS may also allow sensitive land uses within the measurement length, particularly given consideration of the infill nature of the precinct, subject to the implementation of protective measures such as slabbing the pipeline etc.
4. In the absence of a comprehensive framework for Fishermans bend, individual SMS's have been completed for the Ferra Street primary school and the residential development at 127

Williamstown Road, Port Melbourne. Whilst these development were ultimately permitted following the SMS process a number of alteration were recommended, in particular at Ferra St, which included increased setbacks of the building to the pipeline and slabbing of the pipeline at the developers expense. The process of carrying out individual SMS is costly, an inefficient use of resources and most importantly if carried out at a late stage may impact upon developments by potentially limiting types of uses which are currently considered appropriate in the framework plan. As has been the practice of many recent Precinct Structure Plans, SMS's are typically carried out at PSP stage and the SMS recommendations are incorporated into the PSP, rather than being carried out on an ad hoc basis by individual development or subdivision applications.

5. APA has been recommending for the need for an SMS to be conducted for the Fishermans Bend Precinct previously in correspondence to Place Victoria on 22 November 2013 and the Fishermans Bend Task Force on 1 July 2016.
6. An SMS will also help determine whether any additional pipeline protection measures such as, additional signage, increased patrols, slabbing of the pipeline etc need to be undertaken so as to accommodate the framework plan. The cost of some of these protective measures would then need to be factored into any Development Contributions Plan for the area.
7. Objective 1.8 "*Plan and design new development to respond to existing and future infrastructure and land uses*". This objective does not identify the HPGTP's that run through and adjacent to the Fishermans Bend Precincts. It also does not to identify the pipeline measurement lengths and the potential safety and security of supply implications of locating sensitive and dense land uses adjacent to the existing HPGTP.
8. Strategy 1.8.1 of the framework requires "*a permit for sensitive uses in proximity to some existing and planned infrastructure (figure 9) which is likely to impact amenity*". This strategy does not identify the existing HPGTP's and their measurement length. Therefore APA would require that this strategy includes the HPGTP's and associated measurement length and specify which specific sensitive land uses need to be considered within the measurement length. The area in which APA would require a planning permit to be trigger could potentially be reduced from that of the entire Measurement Length to lesser area if this matter were investigated as part of a precinct wide SMS. As outline above, to ensure the safety of future occupants of the precinct, APA would require that a planning permit be required for the following sensitive land uses within the measurement length:
 - o Child care centre;
 - o Cinema based entertainment facility;
 - o Corrective institution;
 - o Dependent persons unit;
 - o Education centre;
 - o Hospital;

- Place of Assembly;
- Residential Aged Care facility;
- Retail premises;
- Retirement village;
- Service Station.
- Accommodation (other than Corrective Institution, Depended persons unit, retirement village) greater than 3 stories.

9. Any works within 3m of the HPGTP require APA (licensee) approval as specified in the Pipeline Act 2005. As such APA should be consulted at an early stage for any proposed works including landscaping works. It is essential that APA is consulted early to ensure the pipeline is not placed at an increased risk or threat.

APA is willing to meet with Council, and the Fishermans Bend Task Force to discuss how the proposal can be satisfactorily amended. Please contact us to arrange a time to meet.

Please contact the APA VTS Urban Planning team at PlanningVic@apa.com.au should you have any enquiries in relation to this correspondence.

Yours faithfully,



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

Figure 1: Fishermans Bend



Figure 2: APA's high-pressure gas transmission pipelines



