

## APA Technical Note - Western Outer Ring Main - Environment Effects Statement

**TECHNICAL NOTE NUMBER:** TN26

**DATE:** 22 September 2021

**SUBJECT:** Specialist Area: Land use  
Response to RFI # 105-108, & 110

**SUMMARY** This Technical Note provides responses to the request for information queries raised in relation to Technical Report K *Land use* of the Western Outer Ring Main (WORM) Environment Effects Statement (EES).

**REQUEST:**

105. Explain whether the area of consequence/notification area has been determined for existing gas pipelines that will share an easement with the Project.

106. Explain any land use and development implications that arise from overlapping areas of consequence/notification areas.

107. Explain how the Proponent will seek to be involved in land use planning decisions within the measurement length and area of consequence/notification area.

108. Explain the Proponent's position in relation to future development and use within the measurement length and area of consequence/notification area.

110. Provide advice on the status of the proposed 'Coordination Deed for the Project' between the Proponent and the Department of Transport

**NOTE:**

**Response to RFI# 105 – Explain whether the area of consequence/notification area has been determined for existing gas pipelines that will share an easement with the Project.**

- 1 The WORM would utilise existing APA easements such that 34% of the total length would be co-located with existing APA pipelines. Details of these pipelines and their associated Measurement Length (**ML**) and Area of Consequence (**AoC**):
- (a) Licence No. 122 - T062 Derrimut to Sunbury T62 (Plumpton Regulating Station to Calder Freeway), 20 m wide easement, with a ML of 173 metres and included in the Plumpton PSP between KP 0 and KP 9; and
  - (b) Licence No. 101 -
    - (i) T74 Keon Park – Wodonga pipeline (ML 273m); and
    - (ii) T119 Victorian Northern Interconnect Expansion (**VNIE**) (ML 495m), 35 m wide easement, between KP 42 – KP 51. As the VNIE is a no rupture pipeline, an Area of Consequence (**AoC**) significantly less than the Measurement Length of the Keon Park – Wodonga pipeline would be applicable.

- 2 Existing PSP pipeline related planning provisions are based on the ML of those existing pipelines because the AoC/N was not a tool utilised by APA at the time of the consideration of those Precinct Structure Plans (**PSPs**).
- 3 As such the AoC for these existing pipelines has not been determined and the Area of Notification will remain as the ML.
- 4 Also refer to Expert Witness Statement of Mr Bromhead.

**Response to RFI# 106 – Explain any land use and development implications that arise from overlapping areas of consequence/notification areas**

- 5 There is no current proposal to seek amendment to existing pipeline related planning controls in existing PSP's. Further, given the WORM AoC is a smaller geographic area than the ML for existing pipelines on which those existing controls are based, there will be no change to the geographic extent of planning controls in existing PSP's due to the existence of the WORM AoC being contained within the existing notification areas.
- 6 There is no intention to seek amendment to the existing pipeline related controls in existing PSP's in terms of content. There will therefore be no overlap or need for any additional planning controls in exiting PSP's due to the WORM.
- 7 The AoC/Notification Area is not 'cumulative'. Where an AoC/Notification Area for the WORM project is within an existing Notification Area, the notification requirements and area would remain the unchanged.
- 8 There are therefore not considered to be any land use or development implications that arise from the AoC for the WORM being contained within existing Notification Areas for the existing pipelines.

**Response to RFI# 107 – Explain how the Proponent will seek to be involved in land use planning decisions within the measurement length and area of consequence/notification area**

***Area of Consequence/Notification***

- 9 It should be noted that planning provisions in the Victorian Planning Framework to protect/notify of high pressure gas pipelines has been a subject of discussion now for a number of years and continues to be an evolutionary process. The explanation below provides information on this issue at this point in time.
- 10 The Notification Area, within which APA would seek notification of any proposed sensitive uses to assess if they are compatible with the pipeline, is based on the Area of Consequence (AoC). For the WORM pipeline this has been determined to be 65 metres each side of the pipeline based on the assessment of credible threats to the pipeline.
- 11 The relevant sensitive uses are listed in the **Response to RFI# 108** below.
- 12 As per existing PSP pipeline planning provision content, APA encourages Sensitive Uses to be located outside the AoC/Notification Area. APA acknowledges that this will not always be desirable for urban planning reasons or that proponents may still seek to locate such uses in that location out of preference. For this reason APA seeks notification provisions in PSPs where this occurs so that such land use proposals can be assessed in terms of safety, asset operation viability and any mitigation measures.
- 13 The Australian Pipeline Database has a record of all pipelines in the form of a GIS mapping tool and the database is made available for Councils and the Victoria Planning Authority and is used as a tool by the pipeline industry to engage with planning authorities on this matter.

- 14 APA is working with the Victorian Planning Authority (VPA) in order that PSPs currently in preparation (such as the Merrifield North Employment PSP) would incorporate the pipeline easement into the urban layout and be supported by an AoC/Notification Area and related notification processes. Notification provisions in planning schemes ensure the ability of APA to assess any potential implications for sensitive uses located within the AoC. Notification provisions are generally included in the schedule to Clause 66.06 (*Notice of permit applications under local provisions*), where a pipeline is incorporated into a PSP. This would require notice to the pipeline licence holder (APA) of permit applications for use or buildings and works associated with certain land uses where they occur within the AoC/Notification Area for the WORM, being 65 metres on either side of the pipeline.

### **Measurement Length**

- 15 APA is required to monitor land use within the Measurement Length for the design life of the pipeline, in accordance with AS 2885. The Measurement Length is the geographic basis for pipeline safety cases and safety reporting to regulators. Where an AoC can be determined, it is utilised for town planning purposes only and is independent of, and does not impact, the ongoing responsibility to monitor the ML under AS2885.
- 16 APA does not seek notification rights or pipeline related planning provisions within Planning Schemes for the area outside the AoC/Notification Area but within the Measurement Length (other than where this is already historically the case where planning provisions include a notification provision for the Measurement Length).

### **Response to RFI# 108 – Explain the Proponent’s position in relation to future development and use within the measurement length and area of consequence/notification area**

#### **Area of Consequence/Notification Area**

- 17 APA’s position is that ‘Sensitive’ land uses should be located outside of the AoC/Notification Area. ‘Sensitive’ has a specific meaning in the context of pipeline planning: *a land use that may increase the consequence of a pipeline failure due to its use by members of the community that may be unable to protect themselves from the consequence of a pipeline failure (AS/NZS 2885.6:2018).*
- 18 APA has determined that the following land uses, as defined in the Victoria Planning Provisions, comprise Sensitive Uses for the purposes of AS2885:
- (a) aged care facilities,
  - (b) retirement villages,
  - (c) child-care/family day care centres,
  - (d) cinema based entertainment facility,
  - (e) schools or other educational establishments,
  - (f) prisons/corrective institutions,
  - (g) hospitals and medical centres,
  - (h) place of assembly or worship, and
  - (i) higher density residential uses (above 50 dwellings per hectare).
- 19 Where any future application for a Sensitive Use within the WORM AoC/Notification Area is made and notified to APA, APA would carry out a case-by-case assessment. This would usually be informed by a specific Safety Management Study (**SMS**) to determine the level of risk and any practical mitigation measures. If there are no practical mitigation measures,

or the measures are not accepted, APA may object to the change in land use or development.

### **Measurement Length**

- 20 APA would continue to monitor the Measurement Length of all pipelines as required by AS2885 to monitor for significant land use change through its regular engagement with Councils and planning authorities.
- 21 If any significant intensification of Sensitive Uses were to be proposed in the area beyond the AoC but within the Measurement Length of the WORM (for example, if there was a proposal to move the UGB, thereby facilitating the transition of land from rural to urban), APA would review the proposal to:
- (a) determine whether the proposal would change the location class of sections of the pipeline; and
  - (b) ensure that the operational controls for the pipeline remain applicable and do not require additional measures to be put in place (eg increased frequency of monitoring).
- 22 Based on the long-term strategic planning represented by the growth plans applicable to the land surrounding the WORM, APA does not expect issues with future land use within the foreseeable future. In addition, where land is not currently considered to be an existing or reasonably foreseeable urban outcome, the pipeline design is still no-rupture. In other words, if the entire length of the WORM pipeline was in a T1 environment today, the current technical design of the pipeline would not change. That does not guarantee what standards may be in place at an unknown time in the future.

### **Response to RFI# 110 – Provide advice on the status of the proposed ‘Coordination Deed for the Project’ between the Proponent and the Department of Transport**

- 23 APA is working with the Department of Transport (DoT) to identify and take all reasonable steps to minimise the risk of any potential cost that may be incurred at the time of construction of the Outer Metropolitan Ring (OMR)/E6. A Coordination Deed is to be finalised and executed by APA and DoT prior to construction of the WORM commencing to ensure requirements relating to working in proximity to the WORM pipeline during the construction of the OMR/E6 are understood and agreed.
- 24 A draft Coordination Deed was prepared by APA and issued to DoT in April 2021. This Deed is being reviewed by DoT with comments to be provided to APA in September 2021. Two workshops between APA and DoT are scheduled for mid-September 2021 to discuss DoT’s comments of the Deed and the mechanics of the Deed in relation to working in proximity to the pipeline at the time of the OMR/E6 construction.
- 25 APA provided a Consolidated Response letter to DoT detailing depth of cover and backfill requirements for all sections of the pipelines within the OMR/E6 PAO in July. DoT provided a response to APA and the depth of cover and backfill requirements have since been agreed between the two parties. APA is currently revising its Consolidated Response letter and will reissue this to DoT in September 2021.