

20 October 2020

Council Ref: DA2020-087

APA Ref: 442416, 447011

Eliza Noakes  
Forbes Shire Council  
PO Box 333  
Forbes NSW 2871

**EMAIL OUT:** Eliza.Noakes@forbes.nsw.gov.au

Dear Eliza,

**RE: Edward Street, Forbes**  
**The proposed development involves the subdivision of Lot 11 in Deposited Plan 1189962 into 223 Lots over 9 Stages**

Thank you for your referral request dated 30 September 2020 regarding the proposed residential subdivision on Lot 11 on DP1189962 (Edward St, Forbes).

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.

APT Pipelines (NSW) Pty Limited (APA) owns and operates the Marsden to Dubbo Pipeline located adjacent to the subject site within Edward Street reserve (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)
Marsden to Dubbo Pipeline	PL25	Not applicable-within road reserve	200	201
<b>Note:</b> measurement length is applied to either side of the pipeline.				

Please note the Measurement Length of the Marsden to Dubbo Pipeline has recently been updated to align with AS2885 (refer to Table 1 above for details).

### APA statutory obligations

As a Licensee under the *Pipelines Act 1967*, APA is required to operate pipelines in a manner that minimises adverse environmental impacts and protects the public from health and safety risks resulting from operation of our high pressure gas transmission pipelines (**HPGTP**). Once a HPGTP is in place, APA is required to constantly monitor both the pipeline corridor 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, the *Pipelines Act 1967*, cites Australian Standard 2885 (**AS2885**) as a mandatory safety standard for the design, construction, operation and maintenance of transmission pipelines. In discharging our regulative 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 the diameter and the Maximum Allowable Operating Pressure (**MAOP**) of the pipe. APA must consider any change 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 Marsden to Dubbo Pipeline is 201m each side of the pipeline.

### **Safety Management Study**

AS2885 requires a Safety Management Study (**SMS**) to be undertaken whenever the land use classification of land within the ML changes. 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 primary location class for the pipeline is Rural Residential (R2) at the subject location. The proposed residential subdivision is expected to change the primary location class for the pipeline to Residential (T1), and requires an SMS to be undertaken.

The SMS process does not preclude development from occurring, but ensures it occurs in a manner which maintains the pipeline integrity and community safety. Typical recommendations of an SMS may include improved physical protection of the pipeline by slabbing, increased signage, planning and construction controls.

The cost of undertaking any SMS is to be borne by the proponent as the 'agent of change'. APA has developed a list of preferred SMS facilitators and can provide upon request.

### **Sensitive Uses**

APA seeks to limit sensitive uses from establishing within the ML 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:

- Child care centres
- Detention facility
- Educational facility
- Function facility
- Health care services
- Hospital
- Hotel
- Place of worship
- Residential care facility
- Retirement facility
- Service station
- Shop
- Shopping centre
- Theatre

### **Pipeline corridor management**

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

- Ensuring the pipeline 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.

APA will not accept outcomes that do not enable us to achieve our safety responsibilities to the surrounding community. Crossing of the pipeline should be minimised and as close to perpendicular as possible.

Any works within three metres 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](mailto:APAprotection@apa.com.au).

### **Proposed development**

The details of the proposed residential subdivision, which form the basis for this letter, are shown on the Forbes Master Plan, prepared by Group Development Services Pty Ltd, Project No. P00333, Revision No. B, dated 07/09/2020.

### Subdivision Overview

The subject site has an area of 377,100m<sup>2</sup> and is vacant land. The proposed development is for reconfiguration of 1 lot into 223 lots over 9 stages. Stage 1 involves subdivision of land to create 27 residential lots and 2 residue lots, generally in the range of 1031.5m<sup>2</sup> to 1435.3m<sup>2</sup>. Stage 1 also involves construction of a new road and intersection with Edward Street. This stage will involve third party works in proximity to APA's pipeline. Additionally, this stage of the development is located within the associated pipeline Measurement Length. The proposed lots are intended for dwelling houses, and there is no indication that any sensitive uses (under AS2885) are proposed.

### Pipeline Crossings

The proposed subdivision is to achieve access to Edward Street via a new internal access road (30m wide). This new road involves a single near perpendicular crossing of APA's pipeline. Any new road crossings of APA's pipeline must achieve a minimum depth of cover of 1200mm and the pipeline will be required to be slabbed for the width of the road reserve, at the proponent's cost. APA has a suite of standard drawings to assist in detailed design. These drawings are available upon request. Services crossings should also be limited and at the same location as any road crossing.

### Safety Management Study Requirement

The Land Use Change SMS should be completed prior to the development commencing to ensure appropriate mitigation measures are in place. An Independent SMS facilitator should be engaged and APA in attendance during SMS process. All costs borne by the proponent.

### APA's Pipeline Exact Location and Depth Confirmation

Pot holing must be carried out by the Applicant to identify the exact location and depth of the pipeline. This can be achieved through the Applicant completing a Dial Before You Dig on 1100 or APA directly at [APAprotection@apa.com.au](mailto:APAprotection@apa.com.au).

### Construction Methodology

Details of construction equipment, construction vehicles (including TARE weights) and works methodology will need to be submitted to APA for approval in a Construction Management Plan format.

### Gas Pipeline Notation on Plan

APA's pipeline is not clearly marked as being for a high pressure gas transmission pipeline. The level of risk associated with any intrusion of the pipeline is not adequately communicated to those undertaking site works. The APA Marsden to Dubbo Pipeline should be clearly identified as high-pressure gas transmission pipeline on all relevant plans.

## Comments

Based on the information provided APA does not object to the proposal, subject to the following requirements being included within any approval issued by Council for the proposal. In providing this advice, APA requests notice of any approval being given and a copy of the approval package.

## Conditions of Approval

### 1. Safety Management Study required

Prior to the development commencing, a Safety Management Study (SMS), in accordance with Australian Standards 2885 for Pipelines – Gas and Liquid Petroleum, must be conducted by the applicant and its recommendations/actions must be implemented to the satisfaction of APA. All costs associated with the SMS, and implementing its recommendations/actions are to be borne by the applicant. All subsequent applications and work must comply with the recommendations of the SMS.

### 2. Works within the road reserve

Any works within the Edward Street road reserve required as a consequence of this development including new road intersections, pavement, road improvements, pipelines, cables, or any other improvement on or under the land, must not be constructed without prior consent in writing from APA.

### 3. Third Party Works Authorisation

Prior to the commencement of any works within 3 metres of the gas transmission pipeline, the proponent must seek a third party works authorisation from APA for approval. Works approved by APA must comply with any conditions attached to a third party works approval.

### 4. Road Crossings Engineering Plans required

Prior to development commencing for any stage which include the gas transmission pipeline, detailed engineering plans for the proposed road crossing over the gas transmission pipeline must be submitted to and approved by the Council. This crossing must not result in any reduction in the cover over the pipeline asset. The Council will seek the view of the pipeline licensee / operator [APA Pipelines (NSW) Pty Ltd] in this matter.

### 5. Construction Management Plan

Prior to the commencement of any works, including demolition, on land within 50 metres of the gas transmission pipeline, a Construction Management Plan must be submitted to and approved by the Council. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
- Avoid significant vibration, heavy loadings stored over the pipeline and Heavy vehicle / plant crossings of the pipeline.
- Be endorsed by the operator of the gas transmission pipeline.
- Include any other relevant matter to the satisfaction of the Council.

The Council must be satisfied that the gas transmission pipeline licensee (APA Pipelines (NSW) Pty Ltd) has reviewed and approved the Construction Management Plan. The Construction Management Plan must be implemented to the satisfaction of the Council. The Construction Management Plan may be amended to the satisfaction of the Council.

## **6. Landscape Plans**

Prior to the commencement of any landscape works, landscape plans for the road reserve depicting any planned landscaping or street tree planting, including the planting of vegetation, surface treatments, furniture, structures or improvements must be submitted to and approved by the assessment manager. A 3 metre minimum clearance between the pipeline and any vegetation with a mature height greater than 0.5 metres must be maintained. The assessment manager will seek the view of APA in this matter.

## **7. Services**

The design of any infrastructure mains and reticulation shall be designed to minimise encroachment on the gas transmission pipeline (either crossing or within three metres). Any such encroachments will require the approval of APA. The assessment manager will seek the view of APA in considering any operational works applications required for services.

## **8. Pipeline Delineation On Site**

During construction, the pipeline must be clearly delineated on site by temporary fencing (or other means as agreed by APA), and clearly marked as a hazardous work zone/ restricted area.

## **9. Pipeline Delineation On Plans**

All plans which include the area of the gas pipeline must have the pipeline clearly identified with hatching 3m either side of the pipeline. The area must also be clearly labelled as '*high pressure gas pipeline right of way – no works to occur without the prior authorisation of the pipeline operator*'.

## **10. Plan Sealing**

Prior to sealing the plan of subdivision, Council must seek confirmation from APA that the applicant has complied with all APA requirements. If the subdivision is staged this condition only applies to those stages including works and which are relevant to APA's requirements.

### Note

If you are planning on undertaking any physical works on property containing or proximate to a pipeline, or are seeking details on the physical location of a pipeline, please contact Dial Before you Dig on 1100 or <https://www.1100.com.au/>, or APA directly on [APAProtection@apa.com.au](mailto:APAProtection@apa.com.au).

### Note

An early works agreement from APA is required for any assessments/approvals that require greater than 1 day assessment or supervision. Lead in times for agreements can be up to 12 weeks. Please contact APA at [APAProtection@apa.com.au](mailto:APAProtection@apa.com.au) or 1800 103 452.

### Note

Where access to the pipeline will not be readily available because of the proposed development e.g. significantly obstructed by pavement etc an assessment of the condition of the pipeline coating will be required prior to development commencing. Any re-coating works required as a result of this assessment, due to future inaccessibility or as an outcome of an SMS will be at the developers expense and to the satisfaction of the pipeline licensee/operator (APA Pipelines (NSW) Pty Ltd).

### Note

APA has a suite of standard engineering drawings to assist with detailed design. These are available upon request. Please contact APA at [APAProtection@apa.com.au](mailto:APAProtection@apa.com.au) or 1800 103 452.

APA does not seek to unnecessarily inhibit future development proximate to our assets and is happy to work with Council and development proponents to achieve mutually acceptable and compliant outcomes. Any interested parties are strongly encouraged to contact APA early to discuss the process of integrating APA assets into future developments.

Should you wish to discuss the contents of this correspondence, or have any further queries, please contact me on 07 3223 3385 or the Infrastructure Planning & Approvals team at [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'BA' followed by a long horizontal stroke.

**Ben Setchfield**  
**Senior Urban Planner**  
**Infrastructure Planning and Approvals**