9th February 2016

Mr Nick Wimbush
Major Hazard Facilities Advisory Committee
c/- Planning Panels Victoria
Level 5, 1 Spring Street
Melbourne VIC 3000

By email to: planningpanels@delwp.vic.gov.au

Dear Mr Wimbush,

MAJOR HAZARD FACILITIES ADVISORY COMMITTEE

The Precinct 15 Landowners are a group representing approximately 82% of the land in Precinct 15, a large parcel of 67 hectares on the north side of Blackshaws Road in Altona North. The precinct is referred to in Hobsons Bay City Council’s Industrial Land Management Strategy (ILMS), and is currently affected by the proposed Planning Scheme Amendment C88.

The ILMS states: “In consideration of the precinct and the available road infrastructure and nearby residential neighbourhoods, the most suitable use for the majority of the precinct is residential within a Strategic Redevelopment Area”.

As stated in the Terms of Reference, the primary purpose of the Committee is:

"...to provide advice to the Minister for planning about improvements to land use planning for areas surrounding major hazard facilities (MHFs), in order to better manage the interface areas between existing and new development and land used for MHFs."

It is believed that pipelines associated with MHFs will also be considered by the Committee. Pipelines are located in land adjacent to (but sitting outside the boundary of) the northeast corner of Precinct 15.

The Precinct 15 Landowners favour a collaborative approach in working with Council and other stakeholders (including pipeline operators) to ensure the C88 planning scheme amendment process is appropriately managed. Pipeline operators have attended design workshops and safety management studies with representatives of the Precinct 15 Landowners, and this has been a successful method in resolving issues requiring consideration.

A statutory mechanism ensuring that pipeline operators are notified of planning proposals would be supported by the Precinct 15 Landowners, as is the case with C88, as the active involvement of pipeline operators in the early stages of the planning process is considered
beneficial to the overall success of any development. The aim of any such policy should not be to sterilise land around pipelines or Major Hazard Facilities, but to enable an effective and balanced procedure to manage appropriate changes in land use.

Many existing pipeline routes are located in the proximity of existing residential areas (as is the case with Precinct 15). Whereas Clause 19.03-6 of the State Planning Policy Framework proposes the provision of suitable additional protection to existing transmission pressure pipelines, where protection from residential encroachment is required, pipeline operators also have existing obligations under the Pipelines Act and AS 2885.1-2012. AS 2885.1-2012 requires pipelines to be designed with consideration of all reasonably anticipated land use changes.

The Precinct 15 Landowners submit that any required protection measures (which may involve commitments to procedural arrangements and management plans) should be determined collaboratively between relevant authorities, pipeline operators and the land-use change proponents.

Proposed changes in land use should be considered on a case by case basis in order to not unnecessarily limit the supply of residential land, or other proposed sensitive uses. Any arbitrary application of land-use buffers through planning controls must not result in the unnecessary or unreasonable restrictions on the objectives otherwise contemplated by the Planning Scheme. Simply, there is no case for a "one size fits all" approach.

We ask to be heard at the Advisory Committee, to ensure that the interests of the Precinct 15 Landowners be fairly considered in any recommendations.

Yours Sincerely,

Jonathan Adams

For South Kings Properties Pty Ltd on behalf of the Precinct 15 Landowners.