

22 February 2016

Nick Wimbush
Chair
Major Hazard Facilities Advisory Committee
C/- Planning Panels Victoria
Level 5, 1 Spring Street
MELBOURNE VIC 3000

Dear Mr Wimbush

**Urban Development Institute of Australia (Vic) – Submission
Major Hazard Facilities Advisory Committee**

I refer to the Terms of Reference established for the Major Hazard Facilities Advisory Committee (the Committee) and provide the submission below on behalf of the membership of the Urban Development Institute of Australia (Vic).

Please accept my sincere apologies for the lateness of our submission. It has only recently come to attention of the Institute that the scope of the Committee was expanded to consider gas pipelines.

The Institute supports the Committee's consideration of this issue. The lack of guidance at a state government level on how the planning system should consider land development around pipelines has become a significant issue for the development industry.

Our members are encounter issues with respect to gas pipelines at every step of the planning and development process, including planning scheme amendments, planning permit applications and project delivery.

The inconsistent approaches taken in recent years by the Metropolitan Planning Authority, local Councils, Planning Panels Victoria and pipeline licensees has caused considerable cost, delay and uncertainty for our members.

Issues currently faced by the urban development industry include:

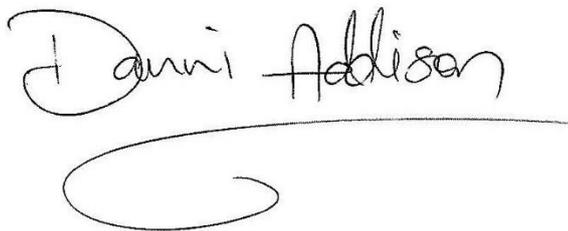
- Limited clarity on the issue. The risks posed by development around pipelines needs to be defined in a language that is understandable to the property industry, in the same way risks associated with bushfire, flooding and inundation are defined
- No transparency around the location or measurement length of pipelines
- Vastly different approaches to risk assessment by pipeline licensees
- Significant costs associated with undertaking a Safety Management Study
- Uncertainty of who is liable for costs associated with compliance
- Inconsistent terminology between the planning system and AS2885, particularly in relation to 'sensitive' uses; and
- Additional costs and significant delays to delivering civil infrastructure that crosses a pipeline.
- The Institute submits that the response to this issue should result in a process that is reasonable, transparent and provides certainty for our members. We understand that this is a complex issue with no simple response.

The Institute makes the following recommendations for your consideration:

- That the state government clearly define the issue and its scope of consideration with respect to pipelines;
- Develop a database and include locations of pipelines and their associated measurement length in a centrally accessible database, such as Vicmaps;
- Develop a planning scheme overlay which identifies the location and measurement length for major pipelines. The overlay should apply to major pipelines only;
- Develop guidelines, in the form of a Planning Practice Note, to provide guidance to the industry about the development of land around pipelines, including confirmation that the cost of compliance is to be borne by the licensee as per their obligation under AS2885; and
- Energy Safe Victoria, as the industry regulator, prepare clear guidance to licensees about approving works within pipeline easements, particularly in relation to costs and timelines. This guidance should include a process to escalate issues.

We would be happy to present further information should the Committee require it. For further information please contact John Casey, Policy and Advocacy Director at john@udiavic.com.au.

Sincerely,



Danni Addison
Chief Executive Officer
Urban Development Institute of Australia