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Land Use Planning, Development and Subdivision near Viva Energy Australia owned and operated High Pressure Pipelines in New South Wales

Introduction

Viva Energy Australia Pty Ltd (Viva Energy) owns and operates a number of high pressure pipelines in NSW. These pipelines contain refined petroleum products like diesel, petrol or aviation fuel.

These pipelines are constructed from high strength steel and are buried, damage may occur through unauthorised third party excavation.

The purpose of this letter is to reinforce the presence of these pipelines and to inform you of constraints in regards to the use of the land on and near these pipelines.

In addition to complying with the requirements set out in the conditions of this letter and in the document 'Conditions for Works near Viva Energy Australia owned and operated High Pressure Pipelines in NSW', Viva Energy may require that anyone who proposes to carry out works in the vicinity of the pipeline:

- a) Grants an easement to Viva Energy Australia which contains provisions to ensure that the pipeline will be adequately protected both during and after the development and that Viva Energy Australia will continue to have rights to access the pipeline and/or
- b) Enter into an agreement with Viva Energy Australia in relation to the proposed development, which may include indemnities by the authority or developer in respect of any damage to the pipelines arising from the development and provision for recovery of Viva Energy Australia costs in relation to any works which it is required to carry out to protect the pipeline
- c) Complete a Safety Management Study to comply with Australian Standards AS2885.6

Pipeline route and easements

The routes of pipelines are shown on a series of maps. The majority of the pipelines within the metropolitan area are within road reserves. Over the years, the lands around the pipelines have gradually been developed with new roads, residential and industrial subdivisions.

The easement width varies along the route of the pipelines. It should be noted the pipeline is not necessarily located centrally and can be anywhere within the easement.

Constraints

To ensure land use planning, development and subdivision does not jeopardise the integrity of the pipelines, the safety of the public and the environment, it is critical that land use planners, property and service designers, developers, owners and operators, construction organisations, etc. and the general public take into account the presence of these pipelines in their intended activities.

It is important that any planning, development or changes near the pipelines are advised to Viva Energy Australia in the concept stages such that the work will not interfere with the pipeline and vice versa.

As a result of any land developments near the pipelines, additional protection works in the form of concrete slab cover, increasing the depth or varying the route of the pipelines may be required. The cost of these changes would be borne by those initiating the work.

Various constraints also apply to ensure access is maintained, buildings are prevented, vegetation and addition of fill is restricted, power and telegraph poles and fencing activities are controlled. These are detailed below.

Access to the pipeline

In order to maintain security and safe operation of the pipelines, regular patrol of the routes is required under section 7.4 of AS2885.3-2012, in compliance with applicable pipelines legislation and as a condition of the pipeline licence.

To meet these requirements, the easement or pipeline route must be able to be accessed and traversed by pipeline personnel (and authorised contractors) at any time without delay.

Where gates are to be locked, access usually occurs by adding a Viva Energy padlock into the chain.

Prohibition of buildings near the pipeline

Under Division 6.27 of the N.S.W. Pipelines Regulations 2013, a person must not without the prior approval of the licensee, damage or occupy any land used for the construction or operation of a pipeline if the damage or occupation would result in interference to the construction or operation of the pipeline or the licensee's lawful access to the pipeline or the site of the proposed pipelines.

Clearance is also required to allow access for patrol and maintenance activities - in particular excavation of the pipeline. In practice, a clearance distance of 6.0 metres is more appropriate.

Vegetation on and near the pipeline

Vegetation is to be restricted to allow free passage along the pipeline route and to prevent root damage to the pipelines' anti-corrosion coating.

Accordingly, trees and shrubs are not to be planted on the easement and to prevent future damage to root systems during excavation for pipeline maintenance should not be planted closer than two-thirds of the mature height from the edge of the easement. Where no easement exists, a minimum distance of 6.0m either side of the pipeline should be substituted for an easement.

Specifically, the following tree species are not to be planted within 6.0m of the pipeline:

Cinnamomum (Camphor Laurel), Erythrina Species (Coral Trees), Eucalyptus Species (Gums, Stringy Barks, etc.), Ficus Species (Fig Trees), Grevillea Robusta (Silky Oak), Jacaranda Mimosifolia (Jacaranda Tree), Plantinus Species (Plane Trees), Populus Species (Poplar Tree), Salix Species (Willow Trees), Schinus Molle (Pepper Trees).

Addition of fill on or near the pipeline

It is preferred that fill is not added on or near the pipeline as this increased depth increases the cost of excavation and the poor stability of the fill increases the risk of cave-in during excavation.

The depth of fill shall not exceed 1.0m. If fill must be added, the depth and quality is to be advised prior to placement for agreement by Viva Energy. Any landscaping shall be level within the easement, preferably 6.0m either side of the pipeline to permit excavating equipment to operate without having to destroy the adjacent landscaping.

The addition of fill on or near the pipeline shall only be clean, preferably the same as the natural soil in that area and must not contain ash or chemicals - so as to not change the natural soil resistivity or affect the pipeline steel or anti-corrosion coating material.

Power and telegraph poles, fencing and agricultural activities

Proposed new or replacement power and telegraph poles (including strainer anchors and earth systems) and fencing across or along the easement or pipeline route are to be advised to Viva Energy prior to commencement to prevent damage to the pipeline by pole hole augers or pole drivers.

Poles are to be placed once the exact pipeline location has been marked by Viva Energy and the required minimum clearance of 3.0m has been achieved. Fencing along the easement/pipeline route shall be a minimum of 3.0m from the pipeline.

Agricultural activities such as deep ripping and the installation of drainage systems are not permitted on the pipeline easement or when no easement exists a minimum of 3.0m (but preferably 6.0m) either side of the pipeline. Such works adjacent are to be advised to Viva Energy prior to commencement to allow marking out the prohibited area.

Contact Information

Primary Contact: Viva Energy Pipelines Surveillance – Freyssinet Australia

Position:	DBYD Supervisor
Phone:	1800 945 223
Email:	dbydnsw@vivaenergy.com.au

Gavin Barnes
Operations and Pipelines Manager
Viva Energy Australia Pty Ltd