Western Slopes Pipeline Community Consultative Committee Meeting

held at

Narrabri on Wednesday 13 September 2017

Open	9:35 am
Present	Michael Silver, Don McKenzie, Hugh Palmer, Rohan Boehm, Louise Tout, Cr Robert Kneale (Narrabri), Jim Fjeldsoe (APA), Paul Maloney (APA), Stephen O'Donoghue (NSW P&E), Rose-Anne Hawkeswood (NSW P&E) and Liz Tomlinson (Observer – NSW Farmers)
Apologies	Cameron Staines and Cr Al Karanouh (Coonamble)
Meeting Chair	Michael Silver
Minute Taker	Maria Revell
Welcome	To all members and guests
Minutes	N/A as first meeting
Declaration of Pecuniary or other interests	Code of Conduct forms and Declaration of Pecuniary Interest forms were distributed in hard copy to members and completed. It was noted that Pecuniary Interest Declarations will require updating should circumstances or interests of members change. Pecuniary Interest:- • Michael Silver - Expenses of Independent Chair borne by APA • Hugh Palmer – Director and shareholder of company that is trustee for superannuation fund that holds shares in APA, Santos & AGL.
Introductions	A brief profile and introduction was given by each Member and Guest.
Presentations	NSW Planning & Environment on State Significant Infrastructure (SSI) Steve O'Donoghue Team Leader - Resource & Energy Assessment, Department of Planning & Environment, Armidale Office distributed hard copies of "State Significant Infrastructure Flowchart" explaining the process. Presentation on SSI Process – • Environmental Impact Statement (EIS) - Bilateral agreement with Commonwealth on assessment of projects under Commonwealth Environmental Protection & Biodiversity Conservation Act (EPBC Act).

	• State significant Infrastructure – Secretary's Environmental Assessment Requirements (SEARS) issued for project • Condition in SEARS requiring establishment the CCC • CCC Guidelines 2016 – fully explained • Ongoing consultation by proponent through • Information Sessions • Visiting Landholders • Explained NSW Agencies relative to the project In response to a question on the EPA's role in this project, Mr O'Donoghue indicated that the Environmental Protection Authority is not an approval agency for the pipeline.
Proponent's Report	Jim Fjeldsoe from APA gave a detailed presentation on the Western Slopes Pipeline Project. Overview of APA Group: • APA are a willing participant in the CCC process • APA are a public listed organisation • APA are responsible for 15,000km operating gas pipeline across Australia • Renewable Energy Projects • Operating Gas Power Stations Western Slopes Pipeline: • Approx. 450km length • Servicing the Narrabri Gas Project - building and operating pipeline • High strength steel • 450mm diameter and 10mm thickness • Pipe fully buried • Valves will be above ground • Scraper stations • Easement 30m wide • Proposed route • Compensation to landowner

	• Environmental Assessment • Land Access • Public consultation It was suggested that if landholders wish to make their email addresses available then APA will email them updates on the progress of the project.
Other Agenda Items	Members questions on matters specific to project - **7.1** *Why are there discrepancies/differences between the access provisions detailed in APA's letter to landholders and the conditions imposed by the Minister for Energy & Utilities in the Authority to Survey issued to APA on 30 June 2017?* APA advised that the cover letter was only to explain the process and was not intended to forcibly direct landholders to sign the Voluntary Agreement that was attached. APA conveyed that they are open and willing to amend the Voluntary Agreement to suit the landholders' requests. A hard copy of the Land Survey Entry Agreement that was attached to the letter was made available to the meeting. It was stressed that this was not the totality of documentation that went to the landholders. Don McKenzie advised that any documentation that is given to the landholders must be in plain English. At the invitation of the Chair, Liz Tomlinson indicated that landholders are already under stress from the challenges of farming with the potential implications of this project adding to that stress. Rohan Boehm considered that the letter and Voluntary Agreement were an inappropriate form of communication, being not a suitable choice of a starting point. Considerable discussion proceeded on the intent of the correspondence and its interpretation by landholders. Mr McKenzie advised that landholders felt they were compelled to sign the agreement that was attached to the letter and that an APA employee had advised landholders that if they did not sign the letter of agreement to enter then they would have no rights to indemnity in the future.

	Mr Palmer commented that a landholder could voluntarily agree to arrangements that may be inconsistent with the Authority to Survey. Concern was expressed by Cr Kneale that a copy of the letter to landholders was not available to the meeting, thus making it difficult to pass judgement on its content or intent. APA indicated that there were a small number of landholders that have received the letter and Voluntary Agreement that have refused to engage with APA and are not responding to any form of communication. APA was requested to table copies of all documentation (exclusive of confidential or personal information) forwarded to landholders associated with the Land Survey Entry Agreement at the next meeting and examine methods to improve communication with landholders on survey entry agreements. **Independent Chair's note:** *At the Southern Group meeting on 14 September 2017 extensive discussion also proceeded on access and easement creation issues particularly in respect of whether an Access to Survey agreement was also binding in terms of the creation of an easement over a property.* *APA's Land Access Process dated September 2017 outlines the key steps in the easement negotiation process:* ○ *Negotiations regarding an easement to accommodate the pipeline commence once APA has sufficient confidence in individual sections of the proposed alignment* ○ *Following submission of the Environmental Impact Statement and approval of the project under the Environmental Planning & Assessment Act 1979, APA is required to submit easement agreements as part of any future Pipeline Licence application under the Pipelines Act 1967* ○ *Pipeline Licence application also required to outline any properties where an easement agreement has not been reached and APA is requesting that the Minister compulsorily acquire the required easement* ○ *APA required to demonstrate that all reasonable steps to enter into an agreement with the owner to acquire an easement have been undertaken and those steps have not resulted in any such agreement* ○ *Any such application for acquisition is subject to the approval of the Minister and the owner or occupier will be able to state their case opposing acquisition, before the Minister will make any decision on the matter.* ○ *Section 22A of the Pipelines Act outlines the compensation arrangements in such instances.* *It is apparent that there is some confusion regarding the implications of an Access to Survey agreement relative to the creation of a pipeline easement. I therefore propose that the Department of Planning (Energy Unit) be invited to provide a presentation regarding the pipeline licencing and the acquisition process at the next CCC meeting.*

Rohan Boehm	Mr Boehm left the meeting at 11:20 am
Action	**7.1.1 That the Proponent table copies of previous letters and voluntary survey access agreements forwarded to landholders at the next CCC meeting and undertake a review of the correspondence to ensure clarity in respect of access and the intent of any access agreement.** **7.1.2 That the Independent Chair request a presentation from the Department of Planning (Energy Unit) regarding the Pipeline Licencing and acquisition process at the next CCC meeting.**
Coffee Break	11:40 am
Resumed	11:55 am
Other Agenda Items (Continued)	**7.2** *What obligations will WHS legislation place on the proponent and landholders in respect of access to properties by the proponent?* APA carries out all activities in accordance with the applicable WHS and Environmental legislation which includes – • WHS Act 2011 (NSW) • Pipelines Act 1971 (NSW) • Protection of the Environment Operation Act 1997 (NSW) If landholders need or wish to perform WHS inductions before APA enter their property, then APA will happily comply. Also if landholders have Farm Management Plans that they would like to make APA aware of then they can be conveyed directly to APA. APA is fully covered for public liability and if landholders have any specific requirements regarding APA access to their property then they should notify APA before a date is scheduled. APA also mentioned that to date there has been no landholders that have raised such concerns.
Action	**7.2 No Action required**
	7.3 *What consideration has the proponent given to the imminent introduction of biosecurity policies on rural properties? How will this be managed in respect of property access?* Biosecurity responsibilities are taken very seriously by APA. All field work on landholders' properties is undertaken in accordance with a project specific Biosecurity procedure. APA have Vehicle Inspection Records that are strictly completed and maintained for all vehicles. Mr McKenzie suggested that to minimize contamination of landholders' properties APA must enter through the main entrance of the

	property and it is imperative that all equipment is cleaned after visiting the previous property and before entering the next property. It was noted that legislation came into effect on 1 July 2017 and landholders are to have individual property biosecurity policies in place by 1 October 2017 although there was considerable uncertainty as to the implications and application of the legislation as well as management of policies. **Independent Chair's note:** *APA advises that its biosecurity protocol is based on a vehicle hygiene inspection process. The outcomes of each inspection determining the need or otherwise for a vehicle wash down.*
Action	**7.3 Further investigation to be undertaken by the Independent Chair in association with relevant Government Agencies. Summary of investigation to be presented at the next CCC meeting.**
	7.4 *What assurances do landholders have if there is a rupture or failure of the pipeline on their property that all environmental and collateral damage will be rehabilitated and any loss of operational capacity and financial return from their property will be compensated? Do the proponent's insurances cover this potentiality? If so, can the terms and detail of this policy be provided to landholders?* APA confirmed that all easements are covered by an insurance indemnity which includes a broad coverage of environmental insurance. The Insurance Policy is confidential and cannot be made available to the public but the Certificate of Currency can be made available to the landholders if requested. It was suggested that the Certificate of Currency be entered on APAs website. APA indicated it would seek legal advice on this matter. It was also suggested that the Policy become available between APAs legal representatives and the landholders' legal representatives. APA would again have to obtain legal advice.
Action	**7.4 APA to obtain legal advice on the availability of their Insurance Policy and the public viewing (website) of their Certificate of Currency and provide a response to the next CCC meeting.**
	7.5 *Why has a 30 tonnes weight limit, with designated crossing points, been proposed on pipeline easements? How is this weight limit calculated and applied viz. Axle load? Can a 100 tonnes weight limit be applied with no restrictions on crossing points? If not, why?*

	APA stressed that there is no designated weight limit and no standard weight limit. Installation of the pipeline must comply with the requirements of Australian Standard AS 2885. to accommodate current and reasonably foreseeable future uses. APA will analyse burial depths of the pipeline and dedicated heavy vehicle crossing points in consultation with landholders. Any vehicle weight requirements that landholders may have APA will endeavour to accommodate their requests. It was brought to the attention of the APA that if a road has been on a landholders' property for, say, over 20 years and then a portion of it was dug up to accommodate the burial of the gas pipe filling the gap up with soil and compacting it will not bring that portion up to standard and there will be an ongoing dip as the remainder of the road has had years and years of compaction. **Independent Chair's note**: *The alleged "30 tonnes weight limit" evolved from a notional example mentioned at an early information session on the project. There is no defined limit - with the pipeline is to be designed in accordance with the Australian Standard 2885 – Pipelines: Gas & Liquid Petroleum*
Action	**7.5 No action required.**
	7.6 *When will the exact location of pump stations and all above ground infrastructure be confirmed? How and when will this be communicated to landholders and the community?* There are no Compression Stations proposed on the Narrabri pipeline. At Santos Leewood Facility the gas will be compressed. The main line valves will be placed at approx. 75km intervals, a scraper station will be built approx. half way along the pipeline and then connection to a delivery station and scraper station at the Moomba-Sydney pipeline. The above will all be placed on the proposed easement with this infrastructure generally having direct independent access to public roads.
Action	**7.6 A brief document from APA to explain the project in conjunction with the amount of gas at Santos to be made available at the next CCC meeting.**
	7.7 *What implications does the recently released Independent Expert Scientific Committee Report on the CSG proposal at Pilliga have on this project?* Santos is currently reviewing the IESC Report and are in the process of preparing a detailed response to the issues raised in the Report.

Action	**7.7 No action required.**
	7.8 *What potential is there for localised gas supply off-take along the route of the proposed transmission pipeline to service existing industry and particularly new industry that will enhance regional development? How could this opportunity be progressed given the potential of a high demand for gas from this industrial proposal from 2020-21?* APA are in the early stages of investigating opportunities for gas off-takes and for potential users along the alignment of the Western Slopes Pipeline.
Action	**7.8 APA to provide further information to future CCC meetings.**
General Business	➢ ***Local Employment Opportunities:*** The potential for local employment opportunities was raised by Cr Kneale. APA advised it is committed to maximise local employment. Understandably specialised positions would have to be sourced where available but APA will advertise for positions vacant within the wider area and hold information forums for contractors etc. It is also committed to Indigenous employment. It was suggested that businesses that have an interest in the project subscribe to their emailing list. ➢ ***Other Agenda Questions:*** The Independent Chair suggested that any questions the Committee members have regarding the proposal be included in the Agenda so that APA have enough time to assess the questions and gather information required to be presented at the CCC meetings. A majority agreed that it would save time and queries could be dealt with sooner. ➢ ***Determination of Application:*** APA indicated that determination of the proposal application was anticipated in late 2018. ➢ ***Bullying and Harassment:*** Ms Tout alleged that bullying and harassment against landholders was occurring. Comment was made that landholders have been harassing neighbour/s because they don't agree with their approach to the project whether it be "Yes or No", "For or Against". It was emphasised that each individual person has the right to make their own decision and for that decision to be respected whether other people agree with it or not. APA pointed out that all their information on landholders is strictly confidential. ➢ ***Education Centre:*** At the invitation of the Chair, Liz Tomlinson highlighted that Narrabri is amongst five towns that are gathering information to submit a proposal to have a University Campus in the town. If this goes ahead APA would be very interested in engaging engineering students and offering apprenticeships within the industry.

	➢ ***Pipeline Repairs:*** In response to a question on repairs to the pipeline, APA responded that all liability for the pipeline is its responsibility and is covered by its insurances, except where an issue or damage is the responsibility of the property owner or another party.
NSW P&E Presentation	Attached
APA Presentation	Attached
Meeting Closed	1:10 pm
Next Meeting	Coonamble – Wednesday 6 December 2017
Approved	Michael J. Silver Independent Chair 6 October 2017