

2 Submissions

This chapter contains an analysis of the submissions received during the public exhibition of the QHGP EA.

- Section 2.1 contains a summary of submissions and handling protocols.
- Section 2.2 contains responses to submissions from government agencies.
- Section 2.3 contains an analysis of the issues raised by stakeholders other than government agencies. It also indicates the number of submitters who raised those issues and references where the issues are addressed in the EA or this report.
- Section 2.4 contains a summary of government agency consultation since public exhibition of the EA.

2.1 Introduction

2.1.1 Submissions summary

A total of 60 submissions were received. Twenty of these were from directly affected landowners, nine from directly affected lands held by registered businesses, nine from residents nearby the route, nine from government agencies and eight from Shire Councils. Submissions were also received from a bird-watching club, an Aboriginal group and three chambers of commerce.

- Fourteen submissions stated explicit support for the proposal, primarily as they recognised the positive socio-economic benefits it would bring at both regional and national levels. Many of these responses were from Shire Councils who reiterated a desire for gas take-off points.
- Fourteen submissions qualified their support with suggested refinements to the proposal. Most of these submissions were from government agencies, who suggested refinements or requested impact clarification.
- Seven submissions opposed the proposal unless refinements were made.
- Twenty-five submissions were opposed to the proposal. The majority of these submissions were landholder responses concerned about direct impacts, many of whom were not necessarily against the project but against it being on their property.

2.1.2 Submissions handling

Submissions register

On receipt of a stakeholder submission from DoP, the project team entered the stakeholder's details into a submissions register including the unique DoP submission number, the stakeholder's name, address and other contact details, the date that it was received and the type of stakeholder (resident, known landowners, land council, government agency etc).

Submission review and categorisation

Issues raised in the submissions were reviewed, identified and placed in a database for cross-referencing purposes.

Response preparation

Responses to submissions were developed in consultation with relevant specialist sub-consultants where necessary. In many cases, the responses were already contained in the original EA.

Cross checking

As part of the review process, submissions were cross-checked against the 'issues raised' database to ensure all issues had been adequately addressed.

2.2 Response to government agency submissions

This section contains responses to all government agency submissions. Submissions are grouped by the individual agency to enable ease of reference. The revised statement of commitments referred to in these responses can be found in Chapter 6.

Issue	Response
<p>Department of Water and Energy</p>	<p>Consultation with DWE to date is outlined in Chapter 6 of the EA and Section 2.4 of this report. As outlined in commitments W1, CM1 and C3, QHGP's further engagement with DWE will inform the detailed design and mitigation measures in accordance with the Australian Pipeline Industry Association's Code of Environmental Practice – Onshore Pipelines (APIA Code), the CEMP and the adaptive management strategy.</p>
<p>Requires prior identification of water sources for construction activities and hydro-testing.</p>	<p>Table 17.3 of the EA discusses sourcing of water for construction. This is supported by commitments RM2 and RM3.</p>
<p>Water to be extracted or intercepted from surface water or groundwater within areas covered by the <i>Water Act 1912</i> will require licensing from DWE or application of an appropriate exemption as endorsed by DWE.</p>	<p>If in consultation with DWE it becomes apparent that a license under the <i>Water Act 1912</i> would be required, QHGP would work with DWE to apply for the license or an appropriate exemption.</p>
<p>Where water is to be extracted from regulated and/or unregulated surface water sources which are covered by a gazetted Water Sharing Plan, the proponent must nominate the extraction sites and extraction methods to DWE for endorsement.</p>	<p>Commitments RM2 and W9 provide that any water extraction required for the proposal will be in accordance with the relevant Water Sharing Plan and relevant legislation.</p>

Issue	Response
<p>A contingency plan is to be prepared for events that have the potential to pollute or contaminate the surface or groundwater sources. The plan is to include trigger mechanisms, remediation actions and communication strategies.</p>	<p>Commitment W3A undertakes to prepare a contingency plan for events that have the potential to pollute or contaminate surface or groundwater sources. The plans will include threshold levels, remediation actions (including monitoring) and communication strategies.</p>
<p>A monitoring plan is to be prepared for activities that have the potential to pollute or contaminate the surface or groundwater sources. This plan would be linked to the contingency plan.</p>	<p>Commitment P1 acknowledges QHGP's commitment to the APIA Code in both the construction and operational phases of the project.</p>
<p>All pipeline construction is to be in accordance with the <i>APIA Code of Environmental Practice – Onshore Pipelines</i>.</p>	<p>Commitment W1A undertakes to prepare site-specific watercourse crossing methods in accordance with the APIA Code and in consultation with prior to commencement of construction of that crossing.</p>
<p>Site specific watercourse crossings and associated methods of construction are to be prepared in accordance with the <i>APIA Code of Environmental Practice – Onshore Pipelines</i> and submitted to DWE for endorsement prior to commencement of pipeline construction.</p>	<p>Commitment W1A undertakes to prepare site-specific watercourse crossing methods in accordance with the APIA Code and in consultation with prior to commencement of construction of that crossing.</p>

Issue	Response
Department of Primary Industries	
Minerals	
<p>The pipeline route traverses areas of mineral, construction material and petroleum resource occurrences and the owners of these resources should be consulted regarding potential conflicts.</p> <p>Requested that in circumstances where the pipeline may have an impact on mineral exploration activities, the proponent should consult the relevant companies and titleholders in respect to the proposal.</p>	<p>QHGP will consult with the owners of these resources as part of its land owner/occupier consultation process. Finalisation of the ROW alignment involves a balancing of several criteria (as set out in Chapter 3 of the EA), factors and interests, including environmental, social and competing land use as well as the proponent's own rights and interests. This route refinement approach is reflected in commitment R1.</p>
Fisheries	
<p>DPI Fisheries to be consulted on high sensitivity water crossings.</p>	<p>DPI and other relevant agencies will be consulted on high sensitivity water crossings and site specific management and mitigation measures. This consultation will include discussion on methods for maintaining fish passage and avoiding temporary waterway crossings for heavy machinery wherever possible. This is confirmed in commitment W1.</p>
Agriculture	
<p>DPI recommend a commitment to negotiate with other water users/owners during extraction of water for construction related purposes.</p> <p>DPI expresses interest in being involved in the government liaison group when formulated to assist with implementation of the project's adaptive management strategy.</p>	<p>QHGP intends to consult with other water users/owners, irrigation groups and DWE in relation to extraction of water for construction and will obtain any relevant licence from DWE. This is reflected in commitment RM2.</p> <p>QHGP welcomes DPI's interest in being involved in the proposed government liaison group. DPI is noted as one of the relevant agencies to establish this framework in commitment C3.</p>

Issue	Response
<p>Alignment changes should be referred to DPI.</p>	<p>The route will continue to be refined iteratively in accordance with the criteria in Chapter 3, which include minimising impacts on agricultural areas. As it is not practical for every iteration to be sent to DPI or any other agency, the proponent instead will provide a copy of the final route to DoP, DWE, DECC, DPI, DoL and relevant catchment management authorities as well as make it available to relevant stakeholders. This is confirmed in commitment R4.</p>
<p>Department of Primary Industries – Coal advice</p>	
<p>Requested that the pipeline be designed for subsidence in areas of known, but as yet undeveloped coal resources.</p>	<p>QHGP will consult with DPI in the development of construction measures as per commitment CM1. The pipeline will be built in accordance with Australian Standard 2885 (AS 2885) and the APIA Code, including measures for guarding against ground subsidence. Identification of areas with potential subsidence will also form part of the final risk assessment under the requirements of AS 2885. The proponent has committed in commitments L4 and L4A to consult with DPI and the Mine Subsidence Board in relation to these issues.</p>
<p>Thanked QHGP for productive and ongoing consultations regarding minimising impacts of the pipeline route on coal resources.</p>	<p>QHGP acknowledges and thanks the DPI for their support.</p>
<p>Contact owners of coal tenements AUTH176 and ML 1304 for consent.</p>	<p>The proponent will consult with the owners of these tenements as part of its land owner/occupier consultation process in finalising the alignment of the ROW. Land agents contacted the licensee on 27 October 2008 with further details of the route. Land agents met with the company on 30 October to discuss accessing arrangements and site inductions for the affected coal lease.</p>
<p>The pipeline route south west of Scone between KP685 and KP695 conflicts with coal bearing strata and should be altered to follow the New England Highway/Railway between Scone and Aberdeen.</p>	<p>QHGP notes that the region avoided by DPI (Coal Advice)'s proposed route change is not currently subject to any coal exploration or extraction leases. The altered route suggested by DPI (Coal Advice) would present new environmental, social and landowner constraints that would need to be investigated. These interests and the interests of QHGP would need to be balanced against possible coal resource extraction in the proponent's finalisation of the pipeline alignment. The proponent will consult with DPI (Coal Advice) further in seeking to resolve potential conflicts between possible coal resources and the pipeline alignment. This reflected in commitment L4A.</p>
<p>Department of Lands</p>	
<p>Easements and licences over Crown Land to be obtained and proponent's use of Crown Land meet standards that satisfy DoL objectives as responsible land owners and managers.</p>	<p>QHGP met with DoL officers on 29 October 2008 to discuss and resolve issues raised in DoL's original submission. As a result of resolution reached at this meeting DoL provided confirmation of this in an addendum to its submission. QHGP has provided details to DoL of the Crown Land traversed by the ROW alignment. QHGP intends to continue consultation with DoL as it would with private landowners in relation to finalising the route. Once the route is finalised, the proponent will liaise with DoL in obtaining the relevant easements under the <i>Pipelines Act 1967</i> and for areas of temporary occupation licences under Section 45 of the <i>Crown Lands Act 1989</i>. QHGP understands and appreciates the importance DoL places on protecting Crown Land from illegal use and will consult with DoL regarding managing critical access points to prevent or deter illegal access.</p>

Issue

Department of the Environment and Climate Change

Aboriginal cultural heritage

Limitations to the predictive modelling to assist in identifying culturally sensitive sites. In order that they can be avoided. Notes that the model will be augmented by information from oral histories.

Response

Through ongoing research and consultation since the EA was prepared, QHGP has confirmed the boundaries of the four known culturally significant sites and has refined the ROW alignment to avoid these sites:

- Euraba Mission Aboriginal Ceremony and Dreaming.
- Euraba Mission Burial.
- Euraba Whalan Creek Modified (Carved and Scarred) Tree.
- Wallalong Brush Conflict site.

The commitment to avoid these sites is confirmed in commitment AH1.

This result demonstrates the effectiveness of the research and consultation process in being able to progressively identify culturally significant sites in order that they can be avoided, as stated in Section 10.1.5 of the EA, as part of the adaptive management approach. The oral history research with traditional landowners is continuing and a commitment to complete this work and avoid high significance sites is made in commitment AH6. The proponent has strengthened this commitment by adding that a copy of the research will be provided to DECC and DoP on a confidential basis and will describe how the proposal has responded to the findings within the framework presented in the EA.

As described in Section 10.1.5 of the EA, archaeological surveys will be undertaken of areas of sensitivity defined in the predictive model. This survey will be conducted with a qualified archaeologist with the assistance of representatives from relevant registered Aboriginal stakeholders. This survey is a key management and mitigation measure outlined in Table 10.4 of the EA.

In addition there is a package of other measures and protocols which will be applied in the field to manage cultural items and sites encountered during construction. These measures and protocols include consultation with relevant registered Aboriginal stakeholders.

QHGP has conducted extensive consultation with Aboriginal stakeholders in accordance with the DECC guidelines. These guidelines enable QHGP to select relevant stakeholders on the basis of field experience, cultural knowledge, skills, qualifications and experience and contribution to improving the outcomes. 'Relevant registered stakeholders' are those selected by QHGP in accordance with these guidelines.

Issue	Response
<p>As the strategic research program proposed to be conducted in the ROW involves some disturbance of subsurface material above that expected from the construction works themselves, DECC considers it important that there is support from the Aboriginal community for this research.</p>	<p>QHGP has discussed the proposed research programs in its consultation with Aboriginal stakeholders. The strategic and systematic nature of the research has been welcomed by stakeholders as providing meaningful information about how their ancestors lived and related to the land. The proponent confirms that the research will be conducted in consultation with relevant registered Aboriginal stakeholders. If relevant registered stakeholders require no disturbance, then alternatives to the research would be developed in consultation with those stakeholders.</p>
<p>Recommends that the oral history be used to inform protocols for avoidance and management and mitigation measures.</p>	<p>It is QHGP's intention to use this research in the manner DECC recommends. Commitment AH6 has been strengthened by adding that a copy of the research will be provided to DECC and DoP on a confidential basis accompanied by a description of how the proposal has responded to the findings.</p>
<p>Emphasises the importance of involving Aboriginal communities in the project and providing contextual information to enable meaningful involvement.</p>	<p>QHGP intends to offer relevant registered Aboriginal stakeholders participating in the oral history an opportunity to drive along the proposed route to observe first hand the landscape context for the project and identify culturally significant sites. In addition more detailed maps with geographic features will be available during the drive to provide further context and aid a more meaningful understanding of the project in the context of the landscape. The feedback from this will be an input into the existing framework described in the EA.</p>
<p>Biodiversity</p>	
<p>Despite avoidance and minimisation measures some clearing of vegetation and edge effects is inevitable. As the exact route is yet to be determined, biodiversity loss cannot be quantified. Notes that while the biobanking calculator is not compulsory, it is an appropriate tool for quantification.</p>	<p>As a result of refinements made to the ROW alignment the project now avoids all significant biodiversity constraints. In addition, QHGP has made a substantial contribution to conserving biodiversity values by avoiding TSRs at the request of DECC and to meeting greenhouse gas reductions by enabling supply for gas fired power generation. Construction impacts are temporary and the ROW can be rehabilitated and returned to its previous use. Operational impacts are limited to the 10m operational access corridor.</p> <p>For these reasons, the proponent submits that a biodiversity offset is not required.</p>

Issue	Response
<p>Seeks clarification on who the 'Kooragang Island conservation officers' are to guide final location of the pipeline.</p>	<p>There are several agencies that have responsibility for or an interest in the Kooragang Island wetlands including DECC, DWE, the Hunter – Central Rivers Catchment Management Authority (CMA) and the Kooragang Wetlands Remediation Project. QHGP intends to continue liaison with officers in these relevant agencies.</p>
<p>Pollution Control</p> <p>Expressed a wish to be consulted in relation to development of the CEMP.</p>	<p>DECC and other relevant agencies will be consulted in the development of the CEMP. This is provided for in commitment CM1.</p>
<p>Roads and Traffic Authority – Western division</p>	
<p>Provided preliminary conditions for construction under or near road reserves. Requested that specific road crossing methods be submitted for the areas near Boonangar crossing and Camurra.</p>	<p>Construction impacts on infrastructure will be managed in consultation with infrastructure owners as per commitment I1. QHGP will continue to consult with infrastructure owners as per commitment I1.</p>
<p>Concerned with the effect of heavy vehicle movements on local roads.</p>	<p>Sections 5.6.4 and 11.5.2 of the EA relate to traffic management during the construction period. Commitment T2 provides to undertake heavy vehicle movements in accordance with RTA requirements.</p>
<p>Raised concerns over the proposal's impacts on road reserves.</p>	<p>Table 3.4 of the EA provides to minimise as far as practicable the number of road crossings. The pipeline has progressed on private lands as much as possible. Commitment T1 provides to consult with the appropriate road authority over road reserve crossing methods.</p>
<p>Stated they would require QHGP to obtain permits under Section 138 of the <i>Roads Act 1993</i>.</p>	<p>QHGP will abide by any applicable permits and licenses necessary during construction. Section 7.2.2 of the EA outlines that should the Minister grant approval under Part 3A, then Section 75V of the EP&A Act provides that consent under Section 138 of the <i>Roads Act 1993</i> cannot be refused.</p>
<p>Border Rivers – Gwydir Catchment Management Authority</p>	
<p>Supportive of QHGP's advance consultation on issues of water management and biodiversity.</p>	<p>QHGP recognises the support of the Border Rivers – Gwydir CMA.</p>

Issue	Response
<p>The Border Rivers – Gwydir CMA thanked QHGP for their advance contact in managing water impacts and noted some technical corrections to river flow description in Section 15.4.2 of the EA.</p>	<p>Corrections and amendments to the EA can be found in Section 5.2 of this report.</p>
<p>Namoi Catchment Management Authority</p>	
<p>The Namoi CMA requested to participate in the government liaison group and the development of the CEMP.</p>	<p>QHGP recognises relevant Catchment Management Authorities as being key stakeholders in the consultation process in relation to commitment C3. As such they will be consulted in developing the CEMP to manage assessed environmental issues and implement identified mitigation and management measures where required, as outlined in commitment CM1.</p>
<p>The Namoi CMA provided kilometre points (KP) of potential Aboriginal heritage impacts including scarred trees, campsites, trading routes and cultural sites.</p>	<p>QHGP has committed to a program of oral history research as per commitment AH6, to be completed prior to construction and submitted to DECC and DoP. The survey results provided by Namoi CMA have been noted for further assessment as part of AH6 once pipeline alignment has been finalised.</p>
<p>Presence of expansive soils needs to be investigated and included in the CEMP.</p>	<p>Section 17.3.3 of the EA provides preliminary soils analysis for the pipeline route. Commitments S1 and S2 provide to identify and delineate soil types along the alignment prior to construction and develop management measures which will be detailed in the CEMP.</p>
<p>Namoi CMA commented that they were satisfied with the assessment methodology of the EA considering that the proponent is seeking conceptual approval.</p>	<p>QHGP acknowledges the support from the Namoi CMA.</p>

Issue	Response
Hunter – Central Rivers Catchment Management Authority	
<p>The Hunter – Central Rivers CMA was supportive of the biodiversity management strategies outlined in Section 9.6 of the EA.</p>	<p>QHGP acknowledges the support of the Hunter – Central Rivers CMA. Through ongoing route refinement following fieldwork, most impacts on biodiversity have been avoided.</p>
<p>Hunter – Central Rivers CMA requested that they be included on a future government liaison group for development and review of the CEMP.</p>	<p>QHGP will continue to consult with government agencies in the development of the CEMP as per commitment CM1. Commitment C3 provides to include CMAs in the government liaison group.</p>
<p>Seeks clarification on who the 'Kooragang Island conservation officers' are to guide final location of the pipeline.</p>	<p>There are several agencies that have responsibility for or an interest in the Kooragang Island wetlands including DECC, DWE, the Hunter – Central Rivers Catchment Management Authority (CMA) and the Kooragang Wetlands Remediation Project. QHGP intends to continue liaison with officers in these relevant agencies.</p>
<p>Hunter – Central Rivers CMA commented that they were satisfied with the assessment methodology of the EA considering that the proponent is seeking conceptual approval.</p>	<p>QHGP acknowledges the support from Hunter – Central Rivers CMA.</p>

2.3 Response to general submissions

This section makes use of DoP’s numbering system for submissions to protect the privacy of submitters. Submitters should contact DoP for their individual submitter number. Submissions are grouped by commonly raised issues.

The Revised Statement of Commitments (Chapter 6) contains items responding to the public submissions process.

2.3.1 Development of the pipeline route

There were 27 submissions that objected to the proposal on route selection grounds. The majority of these submissions were from landholders who suggested alternative routes away from their properties.

Submissions	Issue	Response
2, 3, 6 and 16	Requested that the pipeline be moved off their property	QHGP acknowledges that some landholders are concerned about the pipeline progressing through their properties. Chapter 3 of the EA describes the principled methodology for determining the pipeline Study Area, which formed the basis for the EA. Within the Study Area, consultation with stakeholders has helped to further refine the ROW to lessen impacts. Sections 3.6.1 and 3.6.2 of the EA describe the principles applied to further refine the route with the aim of minimising impacts. These principles include a tiered process of avoidance and mitigation. Feedback from stakeholders has been invaluable in the process and will continue to influence the final route selection. The justification for the pipeline’s presence on these submitters’ properties is detailed below.
2	Requested that the pipeline be moved off their property	As a result of route refinements made since the public exhibition of the EA, Revision L no longer traverses the submitter’s property.
3	Requested that the pipeline be moved off their property	By traversing the submitter’s boundary the Study Area avoids impacting on the town of Ashley and bisecting agricultural land. This alignment also provides the least environment impact in crossing Marshall Ponds Creek. Following consultation with the landowner the route was refined to follow the property’s boundary rather than run through the property.
6	Requested that the pipeline be moved off their property.	The Study Area follows the cadastral boundaries of the submitter’s property to lessen its impact on farming activities. This route minimises the number of affected landowners and avoids sensitive crossings of the Gurley and Tookey creek systems.

Submissions	Issue	Response
16	Requested that the pipeline be moved off their property.	Constraints in the area include residential development, limitations to where the Hunter river can be crossed and avoidance of the Morpeth township. Liaison with this submitter is ongoing to further refine the Study Area to minimise impact on the property in question.
1, 2, 9 and 10	Suggested that the route be moved to low-lying floodplain in the Maitland LGA.	Following community consultation and submissions relating to route selection in this area, the route has been further refined to stay on the Hunter River floodplain and progress through the Morpeth/Duckenfield area. This minimises the environmental impacts of the proposal and ensures the pipeline route does not affect potential future residential development on elevated land. QHGP is currently in negotiation with affected landholders to gain their input on the proposal. The issue of land use zoning with regard to the Maitland LGA has been addressed in Section 2.3.7 and has influenced the proposal on route selection in this area. The land use in this area is generally smaller rural residential lots and is discussed in Table 13.9 of the EA.
2 and 10	Mentioned impacts on the approved Thornton North subdivision should it be developed prior to construction.	
6, 11, 18, 23, 25, 28, 29, 32 and 37	Landholders suggested the pipeline route progress on TSRs instead of their property.	QHGP recognises the conservation and heritage value of the TSR network that crosses Australia and its custodianship under Rural Lands Protection Boards (RLPBs). Through an extensive consultative process with the DECC, QHGP has avoided TSRs except in exceptional circumstances or where it is necessary to cross a TSR in order to travel alongside it. The ecological basis for this is that the TSR network is known to provide a contiguous corridor of potentially regenerative native vegetation and that the ongoing protection of this public resource is of considerable conservation value. Sections 3.5.1 and 4.2.4 of the EA details QHGP's commitment to TSR avoidance.
36	Suggested that an independent party be used to assess the suitability of TSRs for the pipeline route.	
8	Suggested that the pipeline route be re-aligned to avoid crossing the submitter's property on a diagonal. It was suggested this would avoid impacts on virgin and regenerating native vegetation on the submitter's property.	As a result of consultation between QHGP land agents and the stakeholder the pipeline route has been realigned to follow the fence line and avoid native vegetation and billabongs on the property.
13, 17, 22, 24 and 56	Suggested that the route around Greenlands in the Singleton LGA be moved west to grazing country to avoid their rural residential properties.	The key constraint in determining the pipeline route through the Singleton and Muswellbrook regions was the location of current mining leases. The pipeline route has been proposed through the Greenlands area to avoid the elevated range directly to the west of Greenlands (~325m) and proposed and current mining leases to the west and south. The extent of the coal mine lease is one kilometre to the west of KP739 at Greenlands. The location of mining leases can be found on the DPI website through their TAS Map ¹ browsing tool.

¹ <http://www.minerals.nsw.gov.au/tasmap/>

Submissions	Issue	Response
19	Suggested the pipeline follow Dartbrook Road from the west of Stone south to Muswellbrook.	The pipeline route has been chosen to cross the New England Highway north of Aberdeen and skirt around the northeast of Muswellbrook to avoid mining leases to the east and south of Muswellbrook.
24	Raised the issue that their block was small, and that a 200m easement would take up most of their property.	Section 3.6.2 of the EA provides that the pipeline easement is only 30m wide, and that the 200m area was the Study Area on which the EA was carried out.
25	Stated that the proposed pipeline route was plotted through the middle of a new machinery shed.	Section 3.6.1 of the EA outlines the localised route selection criteria. Land agents were not originally able to survey the property to identify hard constraints. Refinement of the pipeline route has since avoided the shed on the property.
27	Stated that the pipeline route should avoid waterholes on the property.	QHGP is committed to avoiding local constraints on landholder's properties as per commitments R1 and C1. Land agents contacted the submitter on 11 November 2008 to discuss local constraints on the property.
30	Stated a need to avoid the proposed Bickham coal mine south-east of Murrurundi, particularly since the mine proponents had expressed a desire to proceed with underground mining on the western side of the New England Highway.	QHGP has avoided the site of the proposed Bickham coal mine by 1.5km to the west at the closest point. The mining leases are EL5888 and EL5306. Section 2.3.8 of this report describes the methods for pipeline construction near mining leases.
33	Noted the Study Area cuts the northeast corner of mining exploration lease A176. The submission sought additional certainty in regards to the pipeline route and construction details.	Construction details are addressed in Section 2.3.2 of this report. QHGP will consult with the owners of this tenement as part of its land owner/occupier consultation process in finalising the alignment of the ROW. Land agents contacted the licensee on 27 October with further details of the route. Land agents met with the company on 30 October to discuss construction, accessing arrangements and site inductions for the affected coal lease. QHGP will continue to liaise with the company over use of their land for the pipeline easement.
36	Suggested that the pipeline route should follow road, railway or power line easements.	Section 3.4 and Table 3.2 of the EA describes the criteria for local route determination. QHGP has committed to route refinement in consultation with affected landholders. Table 3.5 details a commitment to avoid local infrastructure.

Submissions	Issue	Response
39	Stated that the proposed route appears to cross an airstrip on the property, which is unacceptable.	Land agents met with the submitter on 11 October to discuss construction details and together refined the route to be more suitable to avoid local constraints on the property. Revised maps were sent to the landholder on 15 October.
41	Port Stephens Shire Council stated a need for the pipeline to avoid a State Environment Planning Policy (SEPP) 14 wetland as the pipeline leaves the LGA.	Table 3.1 of the EA summarises the key regional constraints which the pipeline route has avoided, including the SEPP 14 and Ramsar listed wetlands of the Hunter River estuary. There are several agencies that have responsibility for or an interest in the Kooragang Island wetlands including DECC, DWE, the Hunter – Central Rivers CMA and the Kooragang Wetlands Remediation Project. QHGP intends to liaise with officers in these relevant agencies. Impacts on the wetland will be minimised by the use of HDD for the Hunter River crossings.
60	Route does not appear to be flexible in terms of altering alignment.	QHGP has refined the route since the inception of the proposal in accordance with the criteria presented in Chapter 3 of the EA.

2.3.2 Construction management

There were 24 submissions that raised issues regarding construction management. Commitment CM1 and Section 5.3.14 of the EA undertake to develop a CEMP in consultation with relevant government authorities.

Submissions	Issue	Response
Compensation		
1, 24, 37, 29 and 30	Raised issues of land devaluation should the pipeline go through their property.	Commitment SE2 and Sections 5.6.1 and 12.4.1 of the EA detail QHGP's provision to negotiate compensation with individual affected landholders prior to construction.
8, 18, 21, 30, 42, 56 and 60	Raised issues of compensation in relation to impacts of the pipeline.	Specific details of compensation are not an issue for environmental assessment. Commitment SE2, Sections 5.6.1 and 12.4.1 of the EA detail QHGP's provision to negotiate compensation with individual affected landholders prior to construction.
42	Sought compensation above that specified by the <i>Pipelines Act 1967</i> .	

Submissions		Issue	Response
Construction details			
3, 13, 17, 22 and 24	The pipeline would be at risk of flooding.	Section 5.3.12 of the EA details the adaptive management measures in construction that may be employed in areas prone to pipeline 'floating', including weighting of the pipe. Section 5.7.2 of EA provides that reinstatement will include erosion control measures in accordance with APIA Code. Section 5.8.4 of the EA undertakes to carry out additional inspection trips to affected areas following heavy rain or flash flooding.	
8, 39 and 43	Questioned how livestock and native fauna would be protected from the open trench.	Section 5.3.4 of the EA provides that fencing crews will set up temporary gates where existing fences are breached. Measures to manage trapped fauna are outlined in commitments CM6, B4 and B12 and will be detailed in the CEMP.	
13, 17 and 22	Trenching in the submitter's area would be very difficult as the soil composition was shallow with underlain rock.	Section 5.3.7 of the EA details trenching procedures. The use of wheel trenchers or rock saws would be determined by site conditions as part of the CEMP. Section 17.3.3 and Table 17.8 of the EA detail measures to minimise and mitigate the effects of construction on soil geology. Section 5.7.2 of the EA details reinstatement procedures to ensure the easement is returned to pre-existing conditions in accordance with the APIA Code. Details of rehabilitation will be negotiated with individual affected landholders and form part of the easement agreement, in accordance with the APIA Code.	
13, 17, 22 and 56	Raised concerns that due to the erosive nature of the local soil the trench backfill would wash away in heavy rain.		
27	Asked how far underground the pipeline would be.	The pipeline will be buried to a minimum depth of 750mm at the top of the pipe however different depths of cover would be provided based on local conditions and land use, as described in Table 5.4 of the EA and as minimum standards defined in AS2885. The depth of the pipeline could be adjusted up to 2,500mm in areas subject to deep cultivation and up to 1,700mm under road crossings. In some areas, such as road crossings, additional protection may be provided to reduce the risk of third party interference such as marker tape buried above the pipeline, physical barriers such as concrete slabs or thicker wall pipe.	
33	Sought further details of indicative construction timing and works.	At this stage construction is being planned for early in 2010, with completion mid 2011. The location of construction camps would be determined prior to construction using the criteria set out in Section 5.5.2 of the EA, as per commitment CM2. Affected landowners will be advised of the project timing as part of the consultation process.	
41	Port Stephens Council questioned how disturbance of Acid Sulphate Soils (ASS) would be addressed.	Section 5.3.11 of the EA canvasses ASS and potential management measures. Table 17.8 and Section 17.3.3 of the EA detail the mitigation and management measures for ASS, including isolation and trench spoil neutralisation. Further detail will be included in the CEMP to be prepared in accordance with the APIA Code.	

Submissions	Issue	Response
49	Gunnedah Shire Council expressed concerns that future road maintenance activities would not be compromised by the presence of the pipeline.	Construction impacts on infrastructure will be managed in consultation with infrastructure owners as per commitment 11. QHGP will continue to consult with government authorities over construction management as per commitment CM1.
49	Gunnedah Shire Council was concerned about the position of the pipeline relative to water supply mains, sewerage treatment works effluent pipes and leased irrigation infrastructure on the Pullaming stock route.	QHGP has committed to ongoing liaison with councils over the finalisation of the pipeline route as well as avoiding impacts on existing infrastructure as per commitments C1, 11 and 12.
49	Gunnedah Shire Council requested that provision be made within the construction of the pipeline for an off-take valve and pressure reducing station.	QHGP has been liaising with local councils to determine sites for off-take valves but will not be building pressure-reducing facilities.
Traffic		
22, and 49	Concerned with the effect of heavy vehicle movements on local roads.	Sections 5.6.4 and 11.5.2 of the EA relate to traffic management during the construction period. Commitment T2 provides to conduct vehicle movements in consultation with the RTA and other road authorities.
35	Muswellbrook Shire Council stated they would require QHGP to obtain permits under Section 138 of the <i>Roads Act 1993</i> .	QHGP will abide by any applicable permits and licenses necessary during construction. Section 7.2.2 of the EA outlines that should the Minister grant approval under Part 3A, then Section 75V of the EP&A Act provides that consent under Section 138 of the <i>Roads Act 1993</i> cannot be refused.
49	Gunnedah Shire Council expressed a desire to remain informed of developments in road management issues, including traffic management and road reinstatement.	Section 11.5, Table 11.13 and commitment T1 of the EA detail traffic management measures to be implemented in consultation with road authorities.

Submissions	Issue	Response
Rehabilitation		
22, 25, 30 and 56	<p>Raised issues relating to rehabilitation of the easement. Submission 30 asserted that full rehabilitation would take at least 3 years.</p>	<p>Section 5.7.2 of the EA details the procedures for reinstatement of the easement following construction. Section 17.3.3 and Table 17.8 of the EA outline potential mitigation measures for soil and geology management. QHGP ultimately maintains responsibility for the return of the easement as close as possible to its pre-construction productivity. Details of rehabilitation will be negotiated with individual affected landholders and form part of the easement agreement, in accordance with the APIA Code.</p>
Land use during construction		
8	<p>Raised issues relating to stock management and relocation during the construction process.</p>	<p>Section 5.6.2 of the EA details property and access arrangements with affected landholders. QHGP has committed to minimise as far as practical the disturbance to surrounding areas and negotiate terms of access with landholders, as detailed in Sections 13.1.1 and 6.3.4 of the EA and commitment L3.</p>
23 and 39	<p>Concerned with restricted access to property during the construction phase. Submitter 23 requires 24-hour access for hospital shift work.</p>	<p>Section 5.6.2 of the EA provides that access arrangements during construction would be negotiated with landholders, as detailed in Sections 13.1.1 and 6.3.4 of the EA and commitment L3.</p>
39	<p>Raised the issue that the length of time the trench would be open posed a risk to cattle and flooding in times of rain.</p>	<p>Commitment CM6 provides to minimise the length of time the trench is open by construction methods and forward planning. Section 5.3.4 of the EA provides that the construction area would be fenced and gated where necessary to protect livestock.</p>
Other issues		
8, 30 and 42	<p>Raised general questions about insurance during construction.</p>	<p>QHGP or its construction contractors would be required to hold public liability insurance for the duration of project construction.</p>
30 and 42	<p>Requested that the CEMP be open to a further public exhibition period and assessment.</p>	<p>Section 5.3.14 of the EA outlines the draft content of the CEMP. It will be developed in consultation with the government agencies DECC, DWE, DPI, DoL and relevant CMAAs as per commitment CM1.</p>

2.3.3 Ecological

There were 11 submissions that raised issues relating to the ecological impacts of the proposal.

Submissions	Issue	Response
Weeds management		
3, 30, 41, 43 and 55	Raised the issue of weed management during construction and maintenance of the pipeline route.	Weeds management during construction will form part of the CEMP, with details provided in Sections 5.3.13 and 5.3.14 of the EA. Contractors will be inducted into the CEMP, which will contain specific measures to combat the spread of weeds. Sections 13.1.1 and 6.3.4 of the EA details the commitment to ongoing consultation with landholders in relation to their specific land use and the development of site-specific strategies to mitigate any ecological impacts of the proposal. This is provided in commitment L3.
41	Was particularly concerned about the spread of Alligator weed into the Kooragang wetlands.	
Biodiversity		
8, 15, 23 and 55	Raised the issue of habitat loss as a result of easement clearing.	The majority of the pipeline route progresses through already cleared or disturbed lands, subsequently little clearing will be required.
55	Estimated that between 20 and 40ha of SEPP 14 wetland would be destroyed as a result of the creation of a 200m access way during pipeline construction.	Section 9.4 and Table 9.5 of the EA outline the mitigation and management measures for biodiversity impacts. Section 3.6.2 of the EA provides that the pipeline easement is only 30m wide, and that the 200m area in question was the Study Area on which the environmental assessment was carried out. Chapter 4 of the EA provides that the route through Kooragang Island follows the existing gazetted infrastructure corridor. The route in this area will be guided by the relevant responsible agencies. In the case of submission 23, following landholder consultation the ROW was adjusted along the property boundary and access agreements signed by both parties. The alignment changes also avoided billabongs and watercourses on the submitter's property. This consultation process was successful in minimising the overall impact of the proposal on biodiversity and preserving the ecological value of native vegetation on the property.

8, 17, and 23	Objected to the proposal on the basis that the justification for avoiding TSRs was to conserve remaining native vegetation, and that there is no difference in the ecological value of privately owned versus publicly owned native vegetation.	QHGP recognises the conservation and heritage value of the TSR network that crosses Australia and its custodianship under RLPBs. Through an extensive consultative process with the DECC, QHGP has avoided TSRs except in exceptional circumstances or where it is necessary to cross a TSR in order to travel alongside it. The ecological basis for this is that the TSR network is known to provide a contiguous corridor of potentially regenerative native vegetation and that the ongoing protection of this public resource is of considerable conservation value. Section 4.2.4 of the EA details QHGP's commitment to TSR avoidance. Isolated privately owned native vegetation is also of biodiversity significance, however the long-term security of native vegetation within private lands is difficult to ensure.
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Submissions		Issue	Response
15	Requested assurances to protect planted trees on the property.	QHGP has undertaken to replace or move the specific trees the submitter was concerned about, as per the mitigation measures described in Section 9.4 of the EA.	
41 and 55	Port Stephens Council and submission 55 both raised concerns about the presence of Endangered Ecological Communities (EECs) within the Port Stephens and Newcastle region.	As a result of surveying and fieldwork the refined pipeline route has avoided EECs and significant impacts on biodiversity.	
41	Port Stevens Council requested that the Port Stevens Comprehensive Koala Plan of Management be addressed in the EA.	Section 7.2.3 of the EA identifies which planning instruments under Section 75O(3) of the EP& Act may be relevant to the proposal. The Minister may exercise discretion in determining additional instruments are relevant. Table 9.5 of the EA recognises the potential to impact areas of Core Koala Habitat. As such, should Core Koala Habitat be identified within the Study Area, management and mitigation measures would be developed in accordance with SEPP 44 – Koala Habitat Protection. The results of biodiversity fieldwork and surveying did not find Core Koala Habitat, but noted a number of potential movement corridors, which will be managed in accordance with the measures in Table 9.5 of the EA.	
55	Stated that no suitable areas of compensatory habitat existed for replacement of an estimated 20 to 40ha of destroyed Hunter River wetlands.	As discussed in Chapter 4 of this report the proposal will have a minimal effect on habitat loss and as such, the provision of compensatory habitat is unnecessary. Section 3.5.1 of the EA provides that the protected areas of Kooragang Island and Hexham Swamp Nature Reserve have been avoided in the Study Area, as the pipeline route follows the existing infrastructure corridor. Section 3.6.2 of the EA provides that the ROW is 30m wide; as such the estimation of destroyed wetland is inaccurate. Section 15.4.1 of the EA provides that the Hunter River would be crossed using horizontal directional drilling (HDD), thereby minimising the impact of the proposal on the downstream wetlands.	
General comments			
13, 17 and 22	Raised non-specific concerns about biodiversity corridors for flora and fauna.	Chapter 3 of this report contains information relating to the ongoing biodiversity studies on the Study Area.	

2.3.4 Heritage

There were 3 submissions that raised issues relating to the heritage impacts of the proposal. One of these was related to Aboriginal heritage and 2 to historical heritage.

Submissions		Issue	Response
Historical heritage			
14	Stated that their property 'had potential under Clause 37 of the Maitland Local Environment Plan (LEP) '.		<p>The route of the Maitland lateral originally proceeded through a NSW state heritage listed property. Following landowner consultation the route was revised to the eventual satisfaction of the submitter. As at 21 October 2008, Clause 37 of the Maitland LEP pertains to incentives for heritage conservation and stipulates measures by which Council is not prevented from granting application consent. However Clause 38 of the Maitland LEP provides:</p> <ul style="list-style-type: none">• The Council shall not grant consent to an application to carry out development on land in the vicinity of a heritage item unless it has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting. <p>Section 7.2.3 of the EA outlines that Section 75R of the EP&A Act provides that projects approved under Part 3A are not required to take into account LEPs, however that the Minister may require a proponent to abide by the requirements of a LEP.</p>
Aboriginal cultural heritage			
39	Stated that the proposed pipeline route is 350m from National Trust listed buildings and a Heritage Preservation area.		<p>Following landholder consultation on 11 October 2008 the refined pipeline route was moved further away from heritage listed buildings. Section 10.2 of the EA details the methodology employed by QHGP in mitigating impacts to heritage items. Commitments HH3 and HH4 provide to avoid heritage constraints in the ROW.</p>
45	Submitter 45 raised a number of issues relating to the impact of the proposal on Aboriginal cultural heritage and the EA process to date.		<p>A history of consultation with Submitter 45 has been provided to the DoP on a confidential basis.</p>

Submissions Issue

Response

45 Acknowledged that QHGP has met a majority of the requirements prescribed by the DECC's *Interim Community Consultation Requirement for Applicants*.

QHGP has undertaken the consultation process with Aboriginal stakeholders in accordance with the requirements of the DECC guidelines. This is documented in Appendix E to the EA. QHGP adhered to the timeframes for correspondence set out in the DECC guidelines and at a meeting on 16 May AHMS and Manidis Roberts provided a considered response to Submitter 45 regarding issues they raised about the assessment methodology in their letter of 2 April. The submission from Submitter 45 on 2 April 2008 proposed a different methodology for Aboriginal heritage assessment, rather than providing comments on the draft methodology which had been developed in consultation with other registered Aboriginal stakeholders (53 in total).
At the 16 May meeting the reasons for not adopting Submitter 45's proposed methodology were explained; chiefly that strategic management of impacts through detailed assessment prior to construction was an appropriate best-practice approach given the issues of cumulative impact and significance evaluation for a large linear infrastructure project. It was also explained that the proposed methodology was more likely to minimise impacts by identifying highly sensitive sites early in the planning process and would provide a higher quality package of management and mitigation measures. Submitter 45 agreed that it would respond with a proposal, timeline and costings for its proposed survey methodology. A response has not yet been received by QHGP.

45 Asserts that the reliance on predictive modelling fails to properly utilise the knowledge of culturally significant sites held by traditional owners and poses an additional risk when relied on without complementary information provided by Gomerói people. It states that minimal effort has been made to provide opportunities for knowledge holders to participate.

QHGP has attempted to engage with Submitter 45 on numerous occasions to meet Gomerói knowledge holders and obtain information relating to additional culturally significant sites. To this end, Evelyn Crawford, a respected Aboriginal elder and researcher, has been seconded from DECC to identify key knowledge holders and identify any culturally significant places on the pipeline route. Submitter 45 advised Ms Crawford on 24 September that it would not allow access or consultation with its knowledge holders at a meeting of the Gomerói nation on 25 September. Following a meeting between QHGP General Counsel and Submitter 45 on 17 October a parallel alternative to the planned oral history research was canvassed, whereby QHGP would work with existing researchers using information already collated. QHGP has agreed with Submitter 45 that the Submitter 45 researchers and nominated Gomerói elders may provide additional information to the cultural heritage assessment presented in the EA.

Submissions	Issue	Response
45	<p>Stated that information gathered from the AHIMS register was incomplete and for this reason should not be relied on in isolation from information provided by Gomerioi traditional owners.</p>	<p>Section 10.1.2 of the EA provides that the cultural heritage assessment was based on previous studies, archaeological and environmental literature, register searches (including AHIMS), ethno-historical research, Aboriginal community consultation and predictive modelling. QHGP has recognised that registers are not always complete and as such part of the oral history study was to identify sites that had not been included in the register. Commitment AH6 details QHGPs commitment to completing these studies.</p>
45	<p>Stated the Gomerioi would like to negotiate a Cultural Heritage Agreement and Cultural Heritage Management Plan.</p>	<p>These are tools used and recognised under Queensland state heritage management framework, but not used in NSW. QHGP has abided by the DECC <i>Interim Community Consultation Requirement for Applicants</i> guidelines and DECC Guidelines for Part 3A assessment, which set out the standards and requirements for assessment on this type of project in NSW.</p>
45	<p>Stated that a complete pipeline survey walk should be undertaken as part of any cultural heritage assessment and would negate the need for oral history research.</p>	<p>The assessment undertaken by QHGP in the EA was necessarily strategic in its approach. It includes thorough and detailed recommendations for future survey, monitoring and management during construction in sensitive areas along the pipeline route. These measures are provided in Tables 10.4 and 10.5 of the EA. A survey of the pipeline route will be completed as part of commitment AH2 prior to construction, with the findings provided to DECC on a confidential basis.</p> <p>The submission states that a survey walk of the pipeline route would negate the need for oral history research. QHGP disagrees with this assertion as it does not provide for identification of non-physical items of cultural heritage. QHGP has undertaken its Aboriginal Heritage Assessment Report in accordance with the DECC guidelines, noting the strong focus on direct consultation with Aboriginal knowledge holders.</p> <p>Commitments C1 and AH7 provide to undertake ongoing consultation with Aboriginal stakeholders to assist in identifying and minimising any impact the proposal may have on items of cultural significance. Section 10.1.5 of the EA undertakes to identify areas of high significance in conjunction with commitments AH5 and AH6.</p>
45	<p>States that all Aboriginal sites and artefacts should not be disturbed. It also states that the Gomerioi people are strongly opposed to the program described in Section 10.1.5 of the EA.</p>	<p>QHGP has committed in AH7 to undertake archaeological research to supplement the cultural heritage assessment. This archaeological research will be within the footprint of the 30m ROW, so as not to disturb a wider region than would already be impacted by the pipeline.</p>

Submissions	Issue	Response
45	States that the pipeline route should be developed in consultation with the Gomeri people as part of an agreed Cultural Heritage Management Plan and Cultural Heritage Agreement.	The consent authority for Part 3A applications is the DoP. QHGP has consulted with the Gomeri people, both directly and through their advisers, in accordance with DECC guidelines. Chapter 3 of the EA provides the methodology for development of the pipeline route.
45	Expresses a desire for a wider agreement between QHGP and the Gomeri on issues of compensation, employment and consent for the project.	Whilst the Gomeri are an important stakeholder, they are not a consent authority for the proposal and compensation is not required for approvals under Part 3A of the EP&A Act. Employment opportunity is canvassed in Sections 12.4.1 and 12.4.2 of the EA. QHGP disagrees with the assertion that Submitter 45 represents approximately 90% of the Aboriginal stakeholders of the area through which the pipeline progresses. The Wonnarua, Worimi and Awabakal traditional lands constitute in excess of 120km of the pipeline route, where Submitter 45 is not currently the representative body. It should also be noted that while the Gomeri Nation Project represent a large number of traditional owners, there are also another 53 registered Aboriginal individuals and groups that equally need to be fairly and transparently consulted in accordance with the DECC guidelines.

2.3.5 Human amenity impacts

There were 7 submissions that related to human amenity impacts of the pipeline.

Submissions	Issue	Response
Construction		
9, 10, 22, 24 and 29	Raised issues of impacts on human amenity during the construction phase of the pipeline.	Chapter 11 of the EA addresses the potential for human amenity impacts from pipeline construction. Section 11.3.5 of the EA is concerned with the mitigation measures for construction and operation noise, in particular the proposed mitigation measures set out in Table 11.7. Section 5.3.1 of the EA and commitment CM3 detail the working hours for construction; 7am to 6pm seven days a week. Night-time works will be avoided except in exceptional circumstances as detailed in commitment CM3. QHGP personnel will liaise with affected residents to develop management strategies where necessary to minimise the impact felt by local residents. These may include noise barriers, revised operating hours or temporary relocation. Mitigation measures will be included in the CEMP as per commitment CM1. Air quality impacts during the construction phase are dealt with in Section 11.4 of the EA, with the principle emission being dust and particulate matter from earth moving operations. Mitigation measures including dust suppressing and vehicle maintenance are proposed in Table 11.10.
35	Muswellbrook Shire Council requested that large vehicle movements be addressed in consultation with the council.	QHGP has committed to ongoing consultation with councils in Section 6.3.3 of the EA and commitment C1. Section 11.5 of the EA details the traffic assessment methodology and commitment T3 provides to undertake further specific assessment once construction parameters are known.
56	Stated that information Section 11 in the EA was inaccurate, as not all houses in the area had been identified as isolated receivers for noise assessment.	Section 11.2.3 of the EA outlines the process for noise receiver classification, given the limitations discussed in Section 11.2.2. Section 11.2.4 of the EA undertakes to identify all landowners and human receptors within the Study Area. Commitment CM1 provides to develop location specific mitigation measures for noise impacts if required.
Operation		
9 and 10	Raised concerns relating to privacy, noise and air quality during operation of the pipeline.	Noise generated during operation would be minimal and primarily related to vehicle movements for pipeline inspection and maintenance. Easement access will be negotiated with landholders as set out in commitments C1, C2 and L3. Air quality during pipeline operation would be maintained. Emergency gas venting is not a common occurrence and wherever possible valve and scraper stations will be positioned in remote areas. Access for maintenance vehicles would be negotiated with individual landholders during operation and details present in the CEMP.

2.3.6 Socio-economic impacts

There were 6 submissions that related to the socio-economic impacts of the pipeline. Submissions were also received from landowners concerned with the loss in value of their land. These submissions have been addressed in Section 2.3.2.

Submissions	Issue	Response
20, 40, 54 and 58	Stated support for the proposal due to the numerous regional and state socio-economic benefits it would provide.	QHGP acknowledges and thanks these submitters for their support.
20, 40 and 54	Thanked QHGP for giving shire councils the opportunity to decide where best to construct a take-off point for local gas reticulation.	
25	Raised concerns over the impact of the proposal on their pasture development and research business.	QHGP has committed to minimising the impact of the proposal's construction and operation phases through ongoing community consultation and various management measures detailed in the EA. Section 5.7.2 of the EA details the procedures for reinstatement of the easement following construction to maintain the submitter's pasture. Details of rehabilitation will be negotiated with individual affected landholders and form part of the easement agreement, in accordance with the APIA Code.
30	Concerned that gas being transmitted through the QHGP would be for industrial and power generation needs and would provide few local economic benefits to nearby communities.	QHGP has been liaising with local councils to determine sites for off-take valves. Local supply of residential gas is dependant on reticulation and distribution. QHGP's economic modelling of the impact of the gas pipeline to regional economies, both direct and indirect, are described in Chapter 2 of the EA and in Chapter 1 of this report.

2.3.7 Land use

There were 24 submissions concerned with land use impacts of the pipeline.

Submissions	Issue	Response
1, 2, 3, 5, 8, 9, 10, 11, 17, 19, 22, 24, 25, 27, 29, 32, 36 and 39	Concerned with a loss of land value due to the presence of a pipeline easement.	Compensation will be provided to landholders for the presence of the pipeline easement, but is not an issue for environmental assessment. Chapter 13 of the EA details the land use zoning and impact assessment for various LGAs. The proposed pipeline route has avoided areas zoned for future residential development. QHGP will continue detailed alignment of the ROW to minimise any impacts on areas zoned for future residential expansions. The route has been refined in the Maitland LGA to avoid impacts on future land use. QHGP is responsible for ongoing maintenance of the easement and pipeline infrastructure as detailed in Section 5.8.4 of the EA.
1, 2, 3, 9, 10 and 29	Concerned the proposal may render subdivisions for residential use on their property impossible.	
5	Held a general concern regarding future liability.	
8, 14, 19, 21, 23 and 33	Concerned about the creation of the pipeline easement, access and security arrangements.	QHGP is committed to actively negotiating with landholders along the ROW to agree to compensation and terms and conditions of consent agreements. Negotiations will take place prior to construction as detailed in Section 2.3.2. The process for access and security arrangements for landholders will be documented in the CEMP and negotiated through consultation as provided in Sections 5.6.2 and 5.8.4 of the EA and Section 2.3.2 of this report.
5, 8, 10, 11, 19, 25, 32, 39 and 56	Concerned with the impact the pipeline easement would have on farming activities and the time for rehabilitation.	Section 5.7.2 of the EA details the reinstatement procedures that would be undertaken after construction, in accordance with the APIA Code. QHGP has committed to returning land as close as possible to its previous productivity. The details of rehabilitation will be negotiated with landholders prior to pipeline construction.
21	Questioned whether the (submitter's) company could relocate the pipeline if necessary due to exploratory or extractive coal mining.	Should it be proven necessary, QHGP would be willing to negotiate relocation of the pipeline at the submitter's expense. Terms for potential relocation would be negotiated with the submitter during the development of easement agreements.
25	Concerned that Class 1 and Class 2 agricultural land around the Upper Hunter region was to be used for non-agricultural purposes.	Table 13.6 of the EA identifies that the Study Area passes through Class 1 agricultural land. Mitigation measures have been developed to correspond to any identified impacts. Further information on the impacts of the proposal on agricultural land is presented in Section 13.1.1 of the EA. In most cases current land use can continue following easement rehabilitation. QHGP will continue to consult with landholders over potential impacts as provided in commitments L1 and L3.

Submissions	Issue	Response
54	Stressed the requirement for extensive consultation to be ongoing.	QHGP has recognised the need for an effective and reflective consultation process with stakeholders and landholders. This is provided in commitments C1 and C2. Commitment C3 provides to establish a framework for ongoing liaison with government agencies, including discussion of mineral titles and landholder impacts. Section 2.4 of this report summarises the additional agency consultation that has been undertaken since the public exhibition period.

2.3.8 Hazard and risk assessment

There were 12 submissions that raised issues regarding the safety of the pipeline.

To provide clarification on the issues raised from submissions, a summary of the risk assessment methodology and results contained in Chapter 14 of the EA is presented below.

Risk assessment procedure

Legislative basis

The procedure for risk assessment of industrial projects stems from two sources:

- DoP’s Hazardous Industry Planning Advisory Papers (HIPAP).
- Australian Standard 2885: Pipelines – gas and liquid petroleum.

The method of risk assessment and analysis is encapsulated in HIPAP No.6, an overview of risk assessment is given in HIPAP No.3 and risk criteria for land use safety planning is given in HIPAP No.4. Australian Standard 2885 is a comprehensive standard for management methods in pipeline construction and operation and encapsulates the combined technical expertise of the pipeline industry.

Supplementary information is provided in the APIA Code; an Australian industry derived guide for successful implementation of pipeline projects. It has been developed to provide a locally consistent framework for the best and most rigorous methods to ensure minimal impacts for pipeline construction and operation. These documents prescribe the methodologies and commitments proponents have to make in order to ensure proper safety during construction and operation.

It is important to note that Chapter 14 of the EA is a preliminary hazard and risk assessment only. There is a highly detailed and ongoing process of risk analysis throughout the proposal, approval, design, construction and operational phases of the project. This ongoing assessment is in accordance with the method advised by the DoP under the legislative requirements of the EP&A Act, shown in Figure 2.1.

Figure 2.1 Process for hazard analysis



QHGP has committed to completing the remaining risk assessments at the appropriate stage, as per commitments H1 to H4.

Qualitative risk assessment

QHGP has completed a qualitative risk assessment as part of the preliminary hazard analysis in accordance with AS 2885. The completed analysis can be found in Appendix J of the EA with a summary in Section 14.1. The objective of this analysis is to identify hazardous incidents that could affect the pipeline, resulting in a safety impact to people or the surrounding environment. It is descriptive in nature and serves to identify which hypothetical incidents require further quantitative investigation.

As each hypothetical incident or threat was identified, the causes and mitigation measures employed were analysed to develop a classification system based on the following incident levels:

- Extreme
- High
- Intermediate
- Low
- Negligible

This method assesses both the serious consequences of an incident as well as the likelihood of it occurring. Whilst a pipeline blowout and fire represents a catastrophic event, the chance of it happening is very low. Any identified extreme or high-level risk threats have to be modified to reduce the threat to an intermediate level. Intermediate level events are then subjected to threat verification (by quantification) to determine the likelihood of occurrence. If the risk is confirmed to be intermediate, further risk management measures are put in place to reduce the risk to be As Low As Reasonably Practical (ALARP). This is further explained in Appendix J to the EA.

The qualitative risk assessment found that once standard mitigation measures were put in place, there were no extreme or high risk level events.

Quantitative risk assessment

The method of quantitative risk assessment is generally the least well understood, due to the nature of statistical probabilities involved. HIPAP No's.4 and 6 should be consulted for a comprehensive explanation of the process and risk criteria involved in quantitative risk assessment. The following is paraphrased from Section 2 of HIPAP No.4.

In order to make informed decisions on project approvals, the DoP uses risk criteria to assess the safety impact of a proposal. Risk criteria are probabilistic in nature; they take into account both the consequence of a hazard and the probability of it occurring. All activities have an associated level of risk. It is not possible to eliminate that risk unless the activity itself is eliminated. The criteria are therefore based on the concept of a residual risk, the acceptability of which should be established in relation to various land uses.

The basis for risk criteria is that, generally, various levels of risks are tolerated on a daily basis, both to individuals and to society as a whole. Voluntary risks are those taken by people with free choice and knowledge, such as smoking or driving. Non-voluntary risks are those which affect people where they do not have full control of free choice over the situation, such as the risk presented by lightning strike or some illnesses. People in general are willing to expose themselves to quite high levels of individual risk by undertaking certain activities, but will not accept risk that is imposed on them, as they have no personal control over the situation.

The DoP has adopted a fatality risk criteria for individuals in the vicinity of a hazardous industrial development of 1×10^{-6} per year. This means that if an individual spent 24 hours per day near a potential hazard, the highest

risk of fatality due to an industrial accident should be no greater than one in a million over a whole year. To put this in context some risk levels are shown in Table 2.1:

Table 2.1 Selected risk levels for voluntary and non-voluntary activities

Chance of fatality per million person years	
DoP involuntary acceptable risk criteria	
Residential industrial	1
Industrial site	50
Voluntary activity risk	
Smoking (all risks)	5000
Travelling in motor vehicles	145
Drinking alcoholic beverages	380

Source: HIPAP No.4, 2008

The large discrepancy between acceptable risk criteria and actual lifestyle risk is due to conservatism in allowing non-voluntary risks to affect individuals.

The relevance of these criteria to pipeline design is that calculations are done on the worst-case scenario and compared to the one in a million risk criteria. These calculations are repeated for the variety of mitigation measures that can be put in place until the actual risk level is lower than the acceptable risk level. The worst-case scenario examined is included in Appendix J of the EA and represents a pipeline explosion and ensuing fire.

Mitigation measures in design can include thicker pipe, deeper burying, marker tape (to prevent accidental excavation), signage, fencing of facilities, one-call support lines and concrete capping of the pipe. The most effective mitigation measure is being far away from a potential accident. Table 14.1 of the EA shows the distance away from the pipeline an individual would need to be in order to satisfy the DoP risk criteria of a one in a million chance of a fatality per year. More detailed risk criteria assessment will be undertaken during the final risk assessment and Hazard and Operability Study (HAZOP) stages of the pipeline design.

Submissions	Issue	Response
Construction		
10 and 24	Mentioned construction in their general comments relating to safety.	QHGP has committed to abide by the APIA Code and AS 2885 in developing a construction safety management plan as well as emergency and fire safety plans.
Operation		
Geological faults and vibration activity		
13, 17, 22 and 24	Concerned that blasting activity from nearby mines would have a damaging effect on the pipeline.	These issues have been addressed together as the effects and mitigation measures for each are effectively the same.
17 and 22	Asserted the pipeline was to be built on a geological fault line in their area and should not be constructed as a result.	Section 14.1.2 of the EA canvasses both seismic activity and the effect of mining near the pipeline. Mining activities near the pipeline have the potential to cause subsidence through geological and vibration-assisted movement. Seismic activity results in similar stresses on the pipe. The pipeline is 'snaked' in areas that have the potential for subsidence, introducing flexibility to allow for geological movements. The analysis of regions in which this type of construction would be necessary will form part of the final risk assessment, under the requirements of AS 2885.
Stress Corrosion Cracking		
2	Provided extensive documentation on the risk posed to gas pipelines from SCC, including history of personal experience in SCC prevention technologies.	<p>Stress Corrosion Cracking (SCC) is where mechanical stress and chemical corrosion combine to produce a situation where propagating networks of small cracks weaken the structure of the pipeline, which can lead to rupture.</p> <p>The problem of SCC is well known throughout the pipeline industry, due in part to the research and investigative efforts of the submitter in question. AS 2885 contains prescriptive measures to prevent and monitor operating pipelines for corrosion incidences. QHGP has committed to build the pipeline in accordance with AS2885 in commitment H1. Section 5.3.1 of Appendix J to the EA refers to the risk of SCC and should be examined in conjunction with Table A2.1 of Appendix J. This table specifies the risk categorisation for SCC. Appendices O, P and Q of AS 2885 provide potential causes of SCC and the mitigation measures necessary to protect against the phenomenon.</p> <p>The construction of the QHGP involves a number of mitigation measures designed to protect against corrosion, such as:</p> <ul style="list-style-type: none"> • Pipeline coating • Thicker wall pipe in residential areas • Cathodic protection • Regular monitoring/surveying

Submissions	Issue	Response
		<ul style="list-style-type: none"> Scheduled pig runs <p>Intelligent pig runs will be conducted at construction, after 5 years of operation and then as required based on the accumulated results.</p> <p>As a result of issues raised in this particular submission, QHGP has implemented commitment H3, which states the management measures developed in the Safety Management System will be compared to the Pipeline Research Council International (PRCI) protocols for assessing SCC risk.</p>
	<p>Insurance</p> <p>8 Raised the issue of insurance for residents during pipeline construction and operation.</p>	<p>Insurance and indemnity are addressed in Section 2.3.2 of this report. QHGP or its contractors would be required to hold public liability insurance during construction and operational phases of the project.</p>
	<p>Safety of farming activities over the easement</p> <p>3 Concerned with the safety of irrigation machinery operators near the pipeline during operation.</p>	<p>QHGP has stated that ongoing consultation with landowners would be taken into account when refining the ROW alignment to avoid local infrastructure. Table 13.2 of the EA states that QHGP will consult with landowners to ensure that the buried depth of the pipeline may allow general cropping and grazing activities on parts of the easement. QHGP would not construct fencing along the length of the easement as this would restrict the use of the land by the landowner.</p> <p>Use of the easement for general agricultural activities will be governed by easement agreements with landowners, as set out in commitments SE1 and SE2. Table 5.4 of the EA details the different depths of cover that can be used to minimise the impact that the pipeline has on future land use. These would be negotiated with landholders based on local conditions prior to construction. Section 5.7.2 of the EA outlines that marker signs will be provided in accordance with AS 2885 along the easement. QHGP has committed to installing marker signs at a variety of locations as well as where they are otherwise required to be visible.</p>
	<p>Overhead powerline induction</p> <p>8 Concerned with the effect that overhead 66kV power lines would have on the pipeline.</p>	<p>Alternating Current (AC) induction is the process whereby metallic bodies such as wires, fences or pipes have an electric current induced in them by the nearby operation of powerlines. It can result in corrosion, where electrically assisted pipeline degradation occurs near points of AC induction. Section 14.1.2 details various mitigation measures to minimise risks to the pipeline, including the effects of AC corrosion. The extent of the impact of AC induction will be assessed as part of the final hazard analysis and HAZOP processes. Additional protection is provided by the pipeline coating and Corrosion Protection (CP) system; where a low voltage Direct Current (DC) is impressed into the pipeline to maintain a negative corrosive potential relative to the environment. Refer to Appendix R of AS 2885 for details of the mitigation of AC corrosion effects from high voltage electrical powerlines.</p>

Submissions	Issue	Response
Easement maintenance and safety		
14 and 39	Concerned about the effect of large vehicles (tourist buses) crossing the easement.	The movement of vehicles over the easement is not anticipated to be a safety issue, considering that the pipeline route traverses roads, railways and other major infrastructure. Section 5.3.3 of the EA details crossing methods for infrastructure. Section 5.8.4 of the EA outlines the procedures for maintenance operations of the easement, and will be implemented in conjunction with the access arrangements outlined in Section 5.6.2 in consultation with landholders.
General safety concerns		
2, 10, 12 and 13	Raised general concerns about the safety of the pipeline.	<p>A summary of the safety and risk assessment procedure has been given in Section 2.3.8 of this report to provide a transparent explanation of the process for risk assessment, the implementation of ongoing safety management measures and a summary of both Chapter 14 and Appendix J of the EA. AS 2885 contains pertinent information on the mitigation measures employed in pipeline design and construction to ensure their continued safe operation. To reiterate the relevant sections where safety of the pipeline is examined, submitters are encouraged to refer to:</p> <ul style="list-style-type: none"> • Section 14.1.1 of the EA for an outline of potential hazards during construction work and mitigation measures employed. • Section 14.1.2 of the EA for mitigation measures designed to protect the pipeline during operation. • Section 14.2 of the EA for the preliminary quantitative risk assessment. • Table A2.1 of Appendix J to the EA for the categorisation involved in the quantitative risk assessment. • Table 14.1 of the EA for the results of the quantitative risk assessment and offset distances to reach the DoP residential risk criteria. • Commitments H1, H2, H3 and H4
Future Assessment		
14	Concerned with the adequacy of the risk assessment. Expressed desire for funding of additional risk analysis above normal requirements.	As outlined in Section 2.3.8 of this report, the preliminary risk assessment completed in Chapter 14 of the EA is the first step in an ongoing hazard and risk assessment procedure. The basis for the process of risk assessment is comprehensively explained in AS 2885 and incorporates studies of the effects on both people and the surrounding environment.

2.3.9 Surface and groundwater

There were 5 submissions that raised issues relating to the impact of the proposal on surface and groundwater.

Submissions	Issue	Response
35	Muswellbrook Shire Council was concerned about water sourcing and disposal.	Water to be extracted or intercepted from surface water or groundwater within areas covered by the <i>Water Act 1972</i> will require licensing from DWE or application of an appropriate exemption as endorsed by DWE as per commitment RM2. Commitment W9 undertakes that any water extraction required for the proposal will be in accordance with the relevant Water Sharing Plan and water legislation.
15 and 23	Concerned with the effect that the 200m pipeline Study Area would have on groundwater when crossing Quipolly Creek near Quirindi.	As outlined in Section 3.6.2 of the EA the ROW will be only 30m wide. Section 5.3.12 summarises the various watercourse crossing methods that may be employed for Quipolly Creek, based on the local conditions at the time of construction. The CEMP will detail watercourse crossing methods designed to limit as far as practicable the impact on groundwater regimes as provided in commitment W1A.
24	Questioned how QHGP can build on the Goorangoola Creek natural water easement when residents cannot.	Section 7.2.2 of the EA outlines that Section 75U of the EP&A Act provides that approved Part 3A projects do not require activity approval under the <i>Water Management Act 2000</i> .
30	Asserted that taking water from landholders' dams/bores is not viable or sustainable.	Commitments RM2 and W9 provides that any water extraction or use will be in accordance with Water Sharing Plans and water legislation.

2.3.10 Infrastructure

There was one submission regarding the proposal's impact on infrastructure.

Submissions	Issue	Response
56	Raised issues relating to the impact on local phone lines on the submitter's property.	Section 16.4.1 of the EA outlines ongoing consultation with third party infrastructure owners to develop measures to protect assets during the detailed design phase, as per commitment I1.

2.3.11 Soils

There were 4 submissions relating to the proposals impacts on soils.

Submissions	Issue	Response
24	Raised concerns that QHGP had not done any soil sampling in the area.	Section 17.3.3 of the EA provides preliminary soils analysis for the pipeline route. Commitments S1 and S2 provide to undertake to soil sampling prior to construction and develop management measures which will be detailed in the CEMP.
29 and 56	Raised issues relating to soil compaction and erosion along the easement.	
30	Stated that mitigation measures for erosion during construction should be developed to NSW Soil Conservation Service standards.	

2.3.12 Community and stakeholder consultation

There were 18 submissions relating to community and stakeholder consultation for the proposal.

A summary of the additional consultation with various government agencies is presented in Section 2.4. A summary of further refinements made to the pipeline route as a result of landholder consultation is presented in Chapter 5. Chapter 1 of this report contains an outline of the stakeholder consultation that will be ongoing throughout the design and construction phases of the project.

Section 6.5 of the EA outlines QHGP's commitment to ongoing community consultation to reduce the impact of the pipeline on stakeholders. Land agents have been in contact with submitters who requested additional meetings to discuss concerns raised in their submissions.

Submissions	Issue	Response
General submissions		
25, 36, 43	The scale of the maps in the EA was such that it prevented identification of properties to determine the exact pipeline route.	Chapter 3 of the EA describes the process for route selection. The purpose of the EA is to provide an environmental assessment on a broader area than the final pipeline route to ensure wider impacts are assessed. This also provides an area in which the exact route of the pipeline can later be determined in consultation with landholders. Commitment R5 provides to notify all landholders once the finalised pipeline route has been determined. The scale of the maps presented in the EA was chosen to adequately describe the route of the 200m Study Area, but not to be so detailed as to enable lot identification of individual landholdings to protect landholders privacy. The ongoing route refinement conducted with landholders by QHGP land agents provides more detailed maps at a scale whereby allotments can be identified. Commitment R4 outlines that revised maps will be provided to relevant stakeholders and commitment R5 outlines that all landholders will be notified.
36 and 52	Expressed a desire for the route alignment to be provided to all nearby landholders.	Protection of landholder's privacy prevents disclosure on a scale where individual lots could be identified, as discussed above.
54	Liverpool Plains Shire Council stated the importance of consulting with landholders over seasonal constraints in access.	QHGP is committed to ongoing consultation with landholders regarding access arrangements and will endeavour to develop the construction program with a view to local seasonal constraints.

Submissions	Issue	Response
Easement agreements and compensation		
8 and 21	Concerned that draft copies of easement agreements were unavailable.	Easement agreements are property and landholder specific and as such cannot be negotiated ahead of time, as explained in Section 5.6.1 and Section 12.4.1 of the EA. Commitments C1 and C2 provide for ongoing consultation prior to construction, including easement negotiation.
22	Sought details of the methodology for the negotiation of compensation.	Compensation is not an issue for environmental assessment. Commitment SE2 and Sections 5.6.1 and 12.4.1 of the EA detail QHGP's provision to negotiate compensation with individual affected landholders prior to construction.
KP discrepancies		
13	Concerned that maps that had been displayed at the QHGP information stall had different KP markings to the KP markings on the maps in the EA on public exhibition.	The KP designations are measurements of the distance from the pipeline origin. As refinements are made to the pipeline route through ongoing consultation and engagement with landowners, the total distance to another point is likely to change. QHGP land agents had the latest route revision at the information stalls. Commitment L1 provides that route changes will continue to be made as a result of community consultation. Commitment R4 provides that a copy of the finalised pipeline route will be made available to relevant stakeholders.
Consultative process		
14	Supported the revised route of the Maitland lateral.	QHGP acknowledges that ongoing consultation with the submitter resulted in an acceptable outcome for the pipeline route, following previous objections.
28	Stated that the route of the pipeline appeared to have been finalised prior to public exhibition.	The methodology described in Chapter 3 of the EA was to develop a Study Area on which an environmental assessment could be conducted. Chapter 3 of the EA provides that the route and Study Area would continue to undergo further refinement. As described in Chapter 5 of this report, where the route of the Study Area has changed, additional assessment has been undertaken to ensure no additional impacts have been created.

Submissions		Response
Submissions	Issue	Response
42	Asserted that a condition of approval should be for QHGP to notify stakeholders of changes to the route and allow a three-month period for response.	Advance notification of the project, including the QHGP website and the public exhibition period has allowed time for public comment. The consultative process has exceeded the Director General's requirements for environmental assessment as set out in Appendix A to the EA. QHGP has responded to submissions received up until 6 November 2008, although the public exhibition period ended on 20 October.
56	Stated that there was inadequate time to review the EA and provide comment during the public exhibition period after seeing the localised route at QHGP information sessions.	
45	Submitter 45 on behalf of the Gomerol Nation stated that consultation has not been adequate.	A summary of consultation with Submitter 45 and the Gomerol Nation is presented in Section 2.2.4 of this report, and has been undertaken in accordance with DECC guidelines.
47	Raised a general objection to the proposal, stating the late submission was due to waiting for contact from a QHGP representative.	The submitter was contacted on 27 October with a map enclosing proposed changes and advising that a land agent will be in contact during November.
Inadequate consultation		
10, 14, 22, 25, 36, 38 and 39	Asserted that the consultation process had been inadequate or absent.	QHGP has endeavoured to develop long-term relationships through engagement and consultation with the community, in particular landholders. Of the 871 parcels of land identified as being directly affected by the proposal, seven landholders have made submissions concerned with the adequacy of the consultation process. A summary and brief history for each of these seven landholders is presented below. QHGP will provide a detailed consultation history to the DoP if required.
Consultation histories		
10	Stated that they had not been notified or consulted about the proposal nor received any correspondence from QHGP about the proposal. QHGP initially tried to contact the landowners for the affected property in October 2007. Cadastral data retrieved from the DoL did not show an owner for the property and no details were available from individual title searches. Updated Cadastral data was received from DoL in September 2008, which was when QHGP land agents were able to contact the submitter. Subsequent emails, phone calls and letters including revised maps have been exchanged on 8 separate occasions between 25 September and 23 October 2008. As a result of route refinements made since the public exhibition of the EA the submitter in question is no longer affected by the proposal.	

Submissions	Issue	Response
14	Asserted that the consultation process was not adequate, and that a better outcome could have been achieved if consultation had been undertaken with affected landholders prior to the public exhibition of the EA. Letters, emails and phone conversations with the submitter took place between 12 August and 9 October 2008 on 14 separate occasions, including a visit to the Maitland information stall. The proposed pipeline route was refined to a mutually amenable outcome as a direct result of submitter feedback.	Asserted there had been a lack of consultation with affected landowners. Consultation with the submitter occurred first on 12 December 2007 when they were given initial project information. The submitter did not sign an access agreement, and was advised on 17 September 2008 that their property was no longer affected.
25	Asserted that QHGP management have not consulted with landholders. QHGP was in contact with the submitter on eight occasions between 4 December 2007 and 6 October 2008, including at the Scone information session. Discussions indicate some of the earlier letters and maps sent to the stakeholder were not received. The submitter would not sign an access agreement to survey the property, and has objected to the pipeline route on the basis of its inadequacy in avoiding local constraints.	Asserted that consultation with landholders has been nothing like the process described in the EA, stating that QHGP has spent time and money talking to parties who are unaffected by the pipeline while those who are most affected have been ignored. The submitter was involved with QHGP via phone, email or letter on 12 separate occasions between 4 December 2007 and 10 October 2008, when they were notified the pipeline route no longer intersects their property.
38	Stated that the advertised consultation was not reflected in practice. The submitter was notified of the proposal on 2 April 2008 and was contacted at the same time seeking access to the property (through an agreement) for further route refinement. The submitter did not sign the agreement. The stakeholder was advised on 17 September 2008 of the public exhibition and then informed on 10 October that one of the submitter's two blocks of land was no longer affected. Revision L of the pipeline route no longer intersects either block of land and QHGP land agents spoke to the submitter on 12 November 2008 to arrange a meeting to discuss the pipeline.	Stated that consultation over the proposal has been extremely limited given the magnitude of disruption to the submitter's business. QHGP has been in contact with the submitter on five occasions between 19 January 2007 and 3 October 2008, when the landowner's son attended the Murrurundi information stall. Land agents met with the submitter on 11 October to discuss construction details and together refined the route to be more suitable to the landholder as well as QHGP. Revised maps were sent to the landholder on 15 October.

2.3.13 Environmental assessment process

There were 11 submissions that raised issues relating to the adequacy of the EA process.

Submissions	Issue	Response
3	Asserted that intelligent assessment within the EA was lacking as irrigated land was hardly mentioned.	Section 13.1 of the EA details an assessment of land use impacts. Chapter 13 also contains a tabulated assessment of the land use impacts and mitigation measures to be employed in each LGA along the pipeline route. QHGP is committed to minimising the impact on individual landholders through ongoing consultative processes as outlined in commitment SE2.
24 and 36	Objected to the EA process in general, stating that critical infrastructure gazettal of a project gave a proponent an unchallengeable right to use others' land which was open to abuse	Gazettal of critical infrastructure does not confer an unchallengeable right to use others land. It provides a streamlined assessment and planning approval process. Landholder access is to be negotiated or secured as outlined in Section 5.6.1 of the EA.
14	Raised concerns that landowners should have the right to comment on compensation payable as part of the EA process.	Compensation is not an issue for environmental assessment. Commitment SE2 and Sections 5.6.1 and 12.4.1 of the EA detail QHGP's provision to negotiate compensation with individual affected landholders prior to construction.
30, 36 and 56	Concerned that ongoing route refinement would impact additional landholders who were unable to comment during the submissions process.	Section 3.2 of the EA details the route refinement process and methodology for assessment. It is necessary to conduct the EA on a broader area to allow for flexibility prior to detailed pipeline route alignment being determined in consultation with landholders. This consultation process is ongoing during route alignment and prior to construction, as per commitment SE2.
30	Asserted that information in the EA had been developed at a scale inappropriate for a 30m wide easement.	Section 3.2 of the EA provides that the environmental assessment was based on a 200m wide Study Area. Detailed and comprehensive fieldwork surveys have been carried out since the public exhibition of the EA and are detailed in Chapters 3 and 4 of this report. Ongoing landholder consultation is continuing to refine the pipeline route as provided in Chapter 5 of this report.
30	Concerned with approval at concept.	The EP&A Act expressly allows for this under Section 75P(1)(c) and it is open to the Minister's discretion to determine that sufficient assessment has been undertaken to allow the project to proceed without further assessment requirements. The proponent has made a detailed submission in section 1.3.3 as to why approval under Section 75P(1)(c) is appropriate.

Submissions	Issue	Response
30	Concerned with inadequacy in Section 15.4 of the EA, relating to mitigation measures for waterway crossings.	As per commitment W1A, waterway crossing methods will be submitted to DWE prior to construction. Commitment W3A details additional pollution control and management procedures. Commitment W1 provides that crossing methods will be developed in consultation with several government agencies.
34	Narrabri Shire Council expressed a desire for the DoP to impose a condition of consent for the provision of off-take valves.	QHGP has been liaising with local councils to determine sites for off-take valves for towns along the pipeline route as described in Section 5.1.4 of the EA.
35	Muswellbrook Shire Council was concerned with erosion, specifically that there did not appear to be a reference to an Australian Standard in relation to the frequency of bulkheads or trenchstops.	As provided in Chapter 5 of the EA, construction will be in accordance with both AS2885 and the APIA Code. Council is referred to Section 4.13 of the APIA Code for erosion control measures during construction, which will be detailed in the CEMP.
36	Raised concerns that the provision for forced acquisition meant that QHGP would have little incentive to fulfil commitments to consultation.	Section 6.3.4 of the EA outlines QHGP's consultation with landholders, in addition to commitment C1. Following landholder consultation the pipeline route was moved away from the submitter's property.
50	Satisfied that the EA addresses issues.	QHGP thanks the submitter for their support.
55	Asserted that the proposal be referred to the Commonwealth Minister for the Environment to determine whether their approval was required.	The requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) determine whether the Commonwealth Minister should assess a proposal on the basis of its impacts on matters of national environmental significance. The project has been referred to the Commonwealth under the EPBC Act.
55	Raised concerns relating to the cumulative impact of the proposal with potential future developments on Kooragang Island.	Section 17.6.2 of the EA provides an assessment of the cumulative impact of the proposal on Kooragang Island. Impacts are expected to be temporary and related primarily to the construction phase of the project.

Submissions	Issue	Response
56	Raised concerns relating to the adequacy of the EA based on the assessment of land contamination from fuel and chemical spills being classified as unlikely.	While oil spills may occur frequently from machinery, the consequence of these is minimal as they can be adequately managed. Table 17.5 of the EA outlines mitigation and management measures for land contamination resulting from accidental spills, including bunding, appropriate location of maintenance sites and workforce training.

2.3.14 Strategic need

There were 14 submissions regarding the need for the proposal.

Submissions	Issue	Response
4	Submission 4 argued that coal seam gas (CSG) extraction was preferable to coal mining as it was a renewable resource.	QHGP acknowledges the comments of both submitters.
30	Submission 30 applauded the potential of the QHGP to replace coal with gas for power generation, but noted that CSG use is unsustainable as it is a finite resource.	
4, 20, 26, 31, 34, 41, 49, 52 and 54	Expressed support for the proposal, predominantly as it promises numerous economic and social benefits at both a regional and state level.	QHGP acknowledges and thanks these submitters for their support.
23	Concerned with the environmental effects and by-products of CSG extraction.	QHGP is proposing to build a transmission pipeline and is not involved with the extraction of CSG.

Submissions	Issue	Response
24 and 42	Questioned the need for the proposal based on the existence of proven CSG reserves in the Sydney and Gloucester basins.	Both the Sydney and Gloucester basins have known CSG reserves, but as yet have not been commercially developed. QHGP is proposing to build a transmission pipeline to access proven reserves in the Surat basin in Queensland. It is not a proposal for gas exploration. Section 2.3.3 of the EA outlines the scope of the proposal. The QHGP would also have the added benefit of providing a gas source to towns along the route and the enabling of potential extraction of gas in north-western NSW.
55	Asserted that the need for additional gas supply to consumers in the Newcastle area was not justified in the proposal, as AGL operates a high-pressure gas main on Walsh Point.	Chapter 2 of the EA assesses the need for the proposal. Section 2.4.3 of the EA provides that the current demand for gas in the Lower Hunter/Newcastle region is approximately 25PJ/year, which is equal to the capacity of the Sydney to Newcastle gas pipeline outlined in Section 1.3 of this report. The QHGP will provide the infrastructure for future expansion and development of industry in the Hunter region.

2.3.15 Other issues

There were 3 submissions that raised otherwise uncategorised issues relating to the proposal.

Submissions	Issue	Response
19	Suggested the pipeline could link the closed Dartbrook mine near Muswellbrook and extract the gas from within, as the reason for closure had been gas problems during mining operations.	Section 2.3 of the EA outlines the scope of the proposal. The QHGP proposal pertains to transmission infrastructure from proven CSG reserves. QHGP is not involved in gas exploration or extraction.
24 and 56	Raised queries relating to responsibility for the easement and pipeline at the end of the 50 year contractual lease period.	<p>Responsibility for the pipeline ultimately lies with the licensee. The pipeline may operate under a continuing license provided legislative and environmental guidelines are met at the time of renewal. Continued operation will be dependant on market requirements, safety of the pipeline and surety of continued gas supply. Section 7 of the APIA Code details procedures for decommissioning pipelines. These typically include:</p> <ul style="list-style-type: none">• Suspension. Whereby the pipeline is left pressurised but physically isolated from the transmission system. Maintenance and protection of the pipeline and easement is carried out as if the pipeline was in operation.• Abandonment in place. The pipeline is depressurised, purged and may be filled with an inert substance such as water prior to being sealed. Maintenance of the easement is discontinued after an agreed monitoring period. Above ground structures are removed, the easement rehabilitated and relinquished to the landholder.• Removal. The pipeline is excavated, above ground structures are removed, the easement rehabilitated and relinquished to the landholder. This option is generally considered on a case by case basis following risk assessment.

2.4 Agency consultation

Consultation with Federal and State government departments is an ongoing process that will continue during the design and delivery phases of the project. As part of this ongoing process the proponent provides an update on further consultation since the publication of the EA.

Table 2.2 History of government consultation since public exhibition

Key government stakeholder	Method of consultation	Issues discussed
Commonwealth Department of Environment, Water, Heritage and the Arts (DEWHA)	<ul style="list-style-type: none"> • Various phone and email communication during September/October 2008. • Meeting 31 October 2008 	<ul style="list-style-type: none"> • Confirmation and validation of receipt of EPBC Act referral and monitoring progress. • Discuss EPBC referral.
NSW Department of Planning	<ul style="list-style-type: none"> • Informal meetings on 29 August, 23 September and 5 November 2008. • Various phone and email communication during public exhibition of EA. 	<ul style="list-style-type: none"> • Confirmation of timeframe for approval. • Referring public queries received by DoP to proponent for follow up.
NSW Department of Water and Energy	<ul style="list-style-type: none"> • Meeting with regional DWE officers on 4 September 2008. • Meeting with DWE officers in Sydney on 8 October 2008. 	<ul style="list-style-type: none"> • Water licensing issues during construction and interplay of water legislation. • Discussion of proposed conditions of approval.
NSW Department of Environment and Climate Change	<ul style="list-style-type: none"> • Meeting with DECC officers in Dubbo on 22 September 2008. • Meeting with DECC officers in Sydney on 13 October 2008. • Meeting with DECC officers in Sydney on 21 October 2008. • Meeting with DECC officers in Sydney on 27 October 2008. 	<ul style="list-style-type: none"> • Biodiversity fieldwork, offset strategy, riparian vegetation and TSRs. • Meeting to arrange process for resolving DECC issues. • Aboriginal heritage issues and construction related issues.
NSW Department of Primary Industries	<ul style="list-style-type: none"> • Informal phone consultation with regional DPI officers on 22 September 2008 and 23 September 2008. • Meetings with DPI officers on 1 October, 3 October and 17 October 2008. 	<ul style="list-style-type: none"> • Notify regional information stalls. • Pipeline alignment potential conflict with possible future coal mining expansion.
NSW Department of Lands	<ul style="list-style-type: none"> • Meeting with DoL officers on 29 October 2008. • Various phone and email communication subsequent to meeting. 	<ul style="list-style-type: none"> • To discuss issues raised in submission to DoP.

Key government stakeholder	Method of consultation	Issues discussed
Office of the Co-ordinator General	<ul style="list-style-type: none"> Meeting with OCG officers on 4 September 2008 Phone consultation on 2 October 2008. 	<ul style="list-style-type: none"> Interagency co-ordination for integrated and streamlined assessment. Follow up.

