

# East Coast Grid Expansion

Moomba to Wilton Pipeline Modification 3 – Submissions Report

**November 18, 2022**



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# 1. Introduction

## 1.1. Project overview

East Australian Pipeline Pty Limited, part of the APA Group (APA) currently operates an underground high pressure natural gas transmission pipeline, extending from Moomba (South Australia) to Wilton (New South Wales), a distance of approximately 1,299 km. The Moomba to Wilton Pipeline (MWP) is the mainline part of the Moomba Sydney Pipeline (MSP) and was constructed in 1976.

Initially, the pipeline was owned and operated by the Pipeline Authority, a Commonwealth agency, and generally regulated under the *Pipeline Authority Act 1973*. The MWP is now owned and operated by APA. It was gazetted as State Significant Infrastructure (SSI) on 11 December 2020 (SSI-15548591) and is authorised by Pipeline Licence No. 16 (PL16).

The MWP currently operates at a forward haul capacity of approximately 489 terajoules per day (TJ/day) (AEMC 2021).

APA is undertaking a staged expansion of gas transportation capacity on its East Coast Grid that links Queensland to southern markets in anticipation of forecast supply risks, known as the East Coast Grid Expansion Project. The expansion will increase winter peak capacity of the East Coast Grid by 25% through additional compression and associated works on both the South West Queensland Pipeline (SWQP) and the MWP.

This expansion presents an optimal opportunity to maximise gas supply via existing infrastructure with minimal impact.

The expansion in NSW on the MWP will be delivered in a number of stages:

- Stage 1: compressor station at MW880 (Milne);
- Stage 2: compressor station at MW433 (Round Hill); and
- Stage 3: compressor station at each of MW162, MW300 and MW733.

Planning approval for the expansion works on the MWP are being sought through modifications to the SSI declaration of the MWP.

Modification Report 1 (EMM, 2021) for Stage 1 (MW880) and Stage 2 (MW433) was lodged by APA with the Department of Planning and Environment (DPE) and was approved on 5 October 2021 as SSI-15548591 – *Modification 1*. Modification 2, which relates to the development of Stage 3 of the project, was initiated with DPE but is currently on hold awaiting further engineering and detailed design.

Modification 3 was initiated through a scoping letter to the DPE in November 2021. It was proposed to assess groundwater impacts and seek approval for groundwater access and extraction through a water supply works and Water Access Licence (WAL) at MW433.

APA has commenced construction works on Stage 1 (MW880) under the Modification 1 approval and is planning to commence works on Stage 2 (MW433) in the first half of 2023. During construction of Stage 1, APA identified that the proposed disturbance footprint that was approved in Modification 1 was inadequate for construction activities and an increase in this footprint is required for the works proposed at MW433.

Discussions with DPE have advised that a further modification would be required for this proposed increase in disturbance footprint as it is a substantial change to what was approved in the Modification 1 consent. DPE proposed incorporating the assessment of this increased footprint as a part of the already initiated Modification 3.

A revised scoping letter sent in July 2022 to the DPE (EMM 2022a) which sets out the assessment approach that addresses all aspects of the currently proposed Modification 3. Accordingly, the Modification 3 Report addresses the impacts of both extraction of groundwater at the site, and the increase in disturbance area during construction from 3.5 ha to 8.6 ha.

## **1.2. Assessment and approvals process**

The MWP is determined as State Significant Infrastructure (SSI) (SSI-15548591) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). To augment the MWP with proposed compressor stations, APA must obtain development consent under Section 5.25 of the EP&A Act.

Key legislation relevant to this modification is outlined below.

### **1.2.1. Environmental Planning and Assessment Act 1979**

The NSW EP&A Act and the NSW EP&A Regulation form the statutory framework for land-use planning decisions in NSW. Implementation of the EP&A Act is the responsibility of the Minister for Planning and Public Spaces, state government authorities and local government authorities.

The project is being assessed as an SSI modification under Section 5.25 of the EP&A Act. Section 5.25(3) of the act requires that a request for the Minister's approval of a modification be lodged with the Planning Secretary, and that the Planning Secretary may notify the proponent of environmental assessment requirements.

The Modification Report for the project was placed on public exhibition by DPE for a period of 14 days from 18 October 2022 to 31 October 2021.

During the exhibition period key stakeholders, local communities and government agencies had the opportunity to review the project information and assessment online via the NSW Major Projects Portal and make a submission to DPE for consideration in its assessment of the application.

### 1.2.2. Pipelines Act 1967

A licence to construct, operate and maintain a pipeline is required under the *Pipelines Act 1967* (NSW). Pipeline Licence No. 16 was granted for the Moomba to Wilton Pipeline by the Minister of Energy on 28 May 1997.

A number of variations to Pipeline Licence No. 16 have since been granted, to allow for construction and operation of laterals and associated infrastructure such as cathodic protection beds. A further amendment to Pipeline Licence No. 16 has been approved for the operation of the proposed modification.

### 1.2.3. Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides the legal basis to protect and manage internationally and nationally important flora, fauna, ecological communities, heritage places and water resources which are deemed to be matters of national environmental significance (MNES).

Under the EPBC Act, actions that will, or are likely to, have a significant impact on a MNES are deemed to be controlled actions and can only proceed with the approval of the Commonwealth Minister for the Environment. An action that may potentially affect a MNES has to be referred to the Commonwealth Minister for determination as to whether it is a controlled action. If deemed a controlled action, the modification is assessed under the EPBC Act, and a decision made as to whether or not to grant approval.

Of the nine MNES that are regulated by the EPBC Act, the following have the potential to be associated with the modification, and the modification has evaluated whether these MNES are applicable:

- Wetlands of international importance; and
- Nationally threatened flora and fauna species.

The modification has been referred to the Commonwealth Minister for the Environment and is expected to be determined to be not a controlled action.

## 1.3. Purpose of the report

During public exhibition of the modification report, five submissions were received by DPE from agencies. DPE did not receive any submissions from the community or local Council. Submissions were provided to APA for a response to submissions to be prepared which addresses all issues that had been identified.

This Submissions Report provides a response to all submissions received by DPE during the public exhibition of the project.

## **2. Analysis of submissions**

### **2.1. Submissions received**

During the public exhibition of the modification report, submissions were invited from all interested parties including key stakeholders, the local community and agencies. DPE managed the receipt of all submissions.

A total of five submissions were received by DPE and are available to view on the Departments website: <https://www.planningportal.nsw.gov.au/major-projects/projects/moomba-wilton-pipeline-mod-3>

### **2.2. NSW Government agency submissions**

A total of five submissions were received from agencies as per below:

- NSW Environment Protection Agency
- DPE Water
- Biodiversity, Conservation and Science Directorate
- NSW National Parks and Wildlife Services
- Heritage NSW

## **3. Submissions and responses**

The below sections summarise submissions received from NSW agencies. The complete submissions are available on the Departments website:

<https://www.planningportal.nsw.gov.au/major-projects/project/41546>.

### **3.1. NSW Environment Protection Authority**

#### **Submission – No comment**

The Environment Protection Authority (EPA) had no comment on the Modification Report and noted that no follow-up consultation is required.

#### **Response**

APA acknowledges the response.

### 3.2. Department of Planning and Environment: Water

#### Submission – Groundwater impacts and management

DPE: Water have recommended that the consent conditions, when developed, incorporate the following to mitigate impacts due to the proposed bore construction and operation:

- Extraction from the bore must not exceed 40ML over a single 12 month period;
- The bore must be constructed with a minimum 60m grout seal (seal to be constructed from surface to 60m below ground level); and
- The bore must be decommissioned on completion of project construction.

#### Response

APA notes the above recommended mitigation measures. APA will ensure the bore is constructed in line with the consent conditions and is decommissioned following construction of the project. Extraction from the bore will not exceed 40ML over the 12 month construction and commissioning period.

Monitoring of groundwater levels and/or pressures will be undertaken daily using an electronic pressure level logger or weekly using manual methods.

#### Submission – Water take and licencing

DPE: Water notes that APA is required to have a Water Access Licence and sufficient water entitlements in place prior to the commencement of water extraction.

#### Response

APA has applied for a zero share water access licence through DPE: Water. This will be linked to a miscellaneous works once sufficient shares have been purchased through the market. APA will not commence water extraction until relevant licences are in place.

### 3.3. Biodiversity, Conservation and Science Directorate

#### Submission – No comment

The Biodiversity, Conservation and Science Directorate (BCS) note the assessment and associated BDAR as adequate and compliant with the requirements of the biodiversity assessment method 2020.

BCS note that targeted flora and fauna surveys were not completed in accordance with the threatened species survey guidelines, however, candidate species were assumed present and a credit requirement calculated. BCS also note that the calculated low vegetation integrity score means that no ecosystem credits are required to offset this development.

## **Response**

APA acknowledges that no ecosystem credits are required to offset the proposed works as a part of Modification 3.

### **3.4. NSW National Parks and Wildlife Services**

#### **Submission – No comment**

NPWS is satisfied that wastewater produced by the accommodation camp during construction, which will be managed by a two-stage process involving secondary level treatment including clarification and disinfection followed by effluent disposal at surface via spray irrigation, mitigates risk of impact to Paroo-Darling National Park.

## **Response**

APA acknowledges the response.

### **3.5. Heritage NSW**

#### **Submission – No comment**

Heritage NSW supports recommendations, relevant to Aboriginal cultural heritage, included in the Modification Report 3 and has no additional comments or concerns in relation to Modification 3.

## **Response**

APA acknowledges the response.

## **4. Conclusions and next steps**

This Submissions Report has been prepared to present a response to all issues raised during the public exhibition of the Modification Report (Modification 3) for the project.

The Department of Planning and Environment (DPE) will review and assess the Modification Report (Modification 3), all submissions received and this Submissions Report in accordance with Government legislation, policies and guidelines and prepare an Assessment Report.

Following completion of the Assessment Report, this will be provided to the Minister for Planning (or the relevant delegate) for evaluation.