

## Evidence Statement to Lara Farms Amendment C444 (Residential Amendment) and Amendment C453 (Business Park Amendment)

8 April 2026

**Specialist Field** : Process Safety

**Assisted by** : Chris Woolley

**On behalf of** : Lara Farms Pty Ltd

**On instructions of** : Nick Sutton of Norton Rose Fulbright Australia

**Subject Matter** : Proposed amendments to facilitate the transition of the Land for urban purposes, generally in accordance with the outcomes sought under various strategic planning documents including the G21 Regional Growth Plan, City of Greater Geelong Settlement Strategy and Lara Structure Plan respectively.

**Inspection Date(s)** : 23 March 2026

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**Arup Australia Pty Ltd**

Wurundjeri Woiwurrung Country Sky Park, One Melbourne Quarter 699 Collins Street Docklands, VIC, 3008 Australia

t +61 3 9668 5500

[arup.com](http://arup.com)

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## 1. Executive Summary

- 1.1.1 Lara Farms Pty Ltd (**Lara Farms**) is currently proposing the Greater Geelong Planning Scheme Amendments C444ggee and C453ggee.
- 1.1.2 Lara Farms is bound by the Melbourne-Geelong railway corridor to the West, Canterbury Road East to the North, and Rennie Street and Princes Freeway to the East and Southeast.
- 1.1.3 Amendment C444ggee (**Residential Amendment**) and C453ggee (**Business Park Amendment**) (together, **Amendments**) propose to facilitate the transition of the land for urban purposes, generally in accordance with the outcomes sought under various strategic planning documents including the G21 Regional Growth Plan, City of Greater Geelong Settlement Strategy and Lara Structure Plan respectively.
- 1.1.4 The Residential Amendment and the Business Park Amendment propose to set conditions and requirements for permits in relation to gas pipelines operated by APA and oil pipelines operated by Viva Energy that run across and near the Lara Farms land.
- 1.1.5 As the Amendments result in land use changes within proximity to the pipelines, the Safety Management Studies (SMS) for each of the pipelines shall be reviewed and where necessary updated. Each SMS requires a verification SMS workshop to be completed in accordance with the *Victorian Pipelines Regulations 2017 (the Regulations)* and *AS/NZS 2885.6: 2018 Gas and liquid petroleum Part 6: pipeline safety management*.

### Impacts to Residential Amendment (C444ggee)

- 1.1.6 In my opinion, the addition of a figure in DPO48 to differentiate the Viva and APA pipelines is appropriate as this will aid future applicants in understanding which pipeline operator they should be consulting and to also differentiate APA's concept of an area of consequence from Viva's use of measurement length. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April, 2026.
- 1.1.7 In my opinion, the addition of the respective measurement lengths of the Viva pipelines and area of consequence of the APA pipelines would enhance the value of DPO48 to future land uses. However, such indications should state that these did not preclude full investigation by "Before You Dig" processes.
- 1.1.8 It is my opinion that Viva Energy indicates that the oil pipelines are not designed or in a condition to meet the requirements of a residential (T1) land use and that additional protection would be highly likely as an outcome of SMS studies of the Western Altona Geelong (WAG) and White oil Pipeline (WOPL) pipelines. In my opinion, it is appropriate that a requirement to engage with Viva Energy be in place with specific reference to the WAG and WOPL pipelines. It is beyond my expertise to form an opinion on the appropriate planning instrument by which to obtain this outcome. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April 2026.

- 1.1.9 In my opinion the optimum timing for the land use change SMS workshop for the Residential Amendment is when details of the design and construction methods are known at the time for an application for a planning permit. An SMS need not take full account of land use which is planned but not implemented. This is in accordance with AS/NZS 2885.6 section 2.1.

### Impacts to Business Park Amendment (C453ggee)

- 1.1.10 In my opinion, the addition of a figure in DDO55 to differentiate the Viva and APA pipelines is appropriate as this will aid future applicants in understanding which pipeline operator they should be consulting and also differentiate APA's concept of an area of consequence from Viva's use of measurement length. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April, 2026<sup>1</sup>.
- 1.1.11 In my opinion, the addition of the respective measurement lengths of the Viva pipelines and area of consequence of the APA pipelines would enhance the value of DDO55 to future land uses. However, such indications should state that these did not preclude full investigation by "Before You Dig" processes.
- 1.1.12 It is beyond my expertise to form an opinion on the appropriate planning instrument in which to obtain this outcome.
- 1.1.13 It is my opinion that Viva Energy indicates that the oil pipelines are not designed or in a condition to meet the requirements of a residential (T1) land use and that additional protection would be highly likely as an outcome of SMS studies of the WAG and WOPL pipelines. In my opinion, it is therefore appropriate for such a requirement and a condition to be in place with specific reference to the WAG and WOPL pipelines. It is beyond my expertise to form an opinion on the appropriate planning instrument in which to obtain this outcome. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April 2026.
- 1.1.14 In my opinion the optimum timing for the land use change SMS workshop for the Business Park Amendment is when details of the design and construction methods are known at the time for an application for a planning permit. An SMS need not take full account of land use which is planned but not implemented. This is in accordance with AS/NZS 2885.6 section 2.1.

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<sup>1</sup> Greater Geelong City Council, Part A Submission to the Independent Panel, dated 30 March 2026, paragraph 14.

## 2. Introduction

### 2.1 Formal Details

2.1.1 I, Nigel Keith Cann of Sky Park, One Melbourne Quarter, 699 Collins Street, Docklands, Victoria 3008, am a Professional Process Safety Engineer, employed by Arup Australia Services Pty Ltd.

2.1.2 I hold the following qualifications:

- a) Bachelor of Engineering (Chemical and Materials);
- b) Fellow of the Institution of Chemical Engineers (FIChemE #99883744);
- c) Registered Professional Engineer of Queensland (RPEQ #12979);
- d) Professional Process Safety Engineer (IChemE Register);
- e) Chartered Engineer (CEng-UK);
- f) Chartered Environmentalist (CEnv-UK).

2.1.3 I have the following experience and expertise relevant to the issues addressed in this statement:

- a. 25 years of post-graduate experience in technical and management roles in high hazard industry including:
  - i. 15 years at steel plants in New Zealand and Australia
  - ii. 10 years as a Plant Manager, Safety Case Manager and General Manager at a polyvinyl chloride resin manufacturing plant that included leading the development of the Exemplar Safety Case for the Victorian Major Hazard Facilities regulations in 2000.
- b. 17 years of experience as a risk and process safety consultant that includes:
  - i. Preparation and facilitation of a Safety Management Study (SMS) and oversight of a Preliminary Hazard Assessment (PHA) of a dual phase ethane pipeline in New South Wales subject to changes in nearby land use planning change from a golf course to a mixed use multistorey warehouse, office and hotel precinct;
  - ii. Providing expert witness evidence to a VCAT Proceeding regarding the safety risks of 3 pipelines (2 high pressure gas and 1 jet fuel) with respect to a proposed housing development;
  - iii. Providing expert witness evidence to a VCAT Proceeding covering a risk study for a childcare study on the boundary of the OPAA from a fuel storage terminal and 3 associated pipelines in a railway corridor;

- iv. Providing expert advice and subsequently an expert statement at a VCAT proceeding in relation to a childcare centre, that had been given planning approval, located in the proximity of a crude oil pipeline;
- v. Development of a Preliminary Hazard Assessment study of an energy from waste facility planned for New South Wales;
- vi. Preparation of a Fire Safety Study for a flammable and combustible liquids store for a major hazard facility operated by a nationwide logistics provider in Victoria;
- vii. A desktop dangerous goods compliance study for a warehouse owner organisation with a tenant storing flammable and combustible retail packages. The study included compliance to Australian Standards, fire protection measures and emergency response requirements;
- viii. Development of Safety Case Plans for petrochemical and chemical storage facilities in New South Wales;
- ix. Preparation of Preliminary and Final Hazard Assessments, Fire Safety Studies and Construction Safety Assessments for an LPG tank farm following the NSW HIPAP guidelines for submission to the Federal Aviation Regulator;
- x. An Approved Assessor of Safety Cases (and previous Safety Reports) for Comcare including multiple assessments for a nitrocellulose explosive manufacturing site, providing Comcare with advice on regulating intermodal transfer facilities and completing improvement plan audits and safety case assessments for four separate facilities;
- xi. Quantified risk assessments and consequence modelling for many different industries including:
  - An Australian oil refinery;
  - Water treatment facilities;
  - Retail petrol and gas service stations;
  - Cyanide storage facilities at a mine site;
  - LPG tank farms;
  - Compression and pipeline facilities associated with coal seam gas operations;
  - Vinyl chloride monomer storage and transport operation;
  - Explosive storage facilities;
  - Road transport of hydrocarbons and ammonium nitrate; and
  - Impacts of dangerous goods hazards on road, rail, tunnels and building infrastructure.

2.1.4 Further evidence of my experience and areas of expertise can be found in my curriculum vitae attached in Appendix A (including a list of relevant conference talks and peer reviewed papers).

## 2.2 Lara Farms Amendments

- 2.2.1 Lara Farms Pty Ltd (**Lara Farms**) is currently proposing the Greater Geelong Planning Scheme Amendments C444ggee and C453ggee.
- 2.2.2 Amendment C444ggee (**Residential Amendment**) and C453ggee (**Business Park Amendment**) (together, **Amendments**) propose to facilitate the transition of the land for urban purposes, generally in accordance with the outcomes sought under various strategic planning documents including the G21 Regional Growth Plan, City of Greater Geelong Settlement Strategy and Lara Structure Plan respectively.
- 2.2.3 The land subject to the Residential Amendment and Business Park Amendment is shown in Figure 1 below.

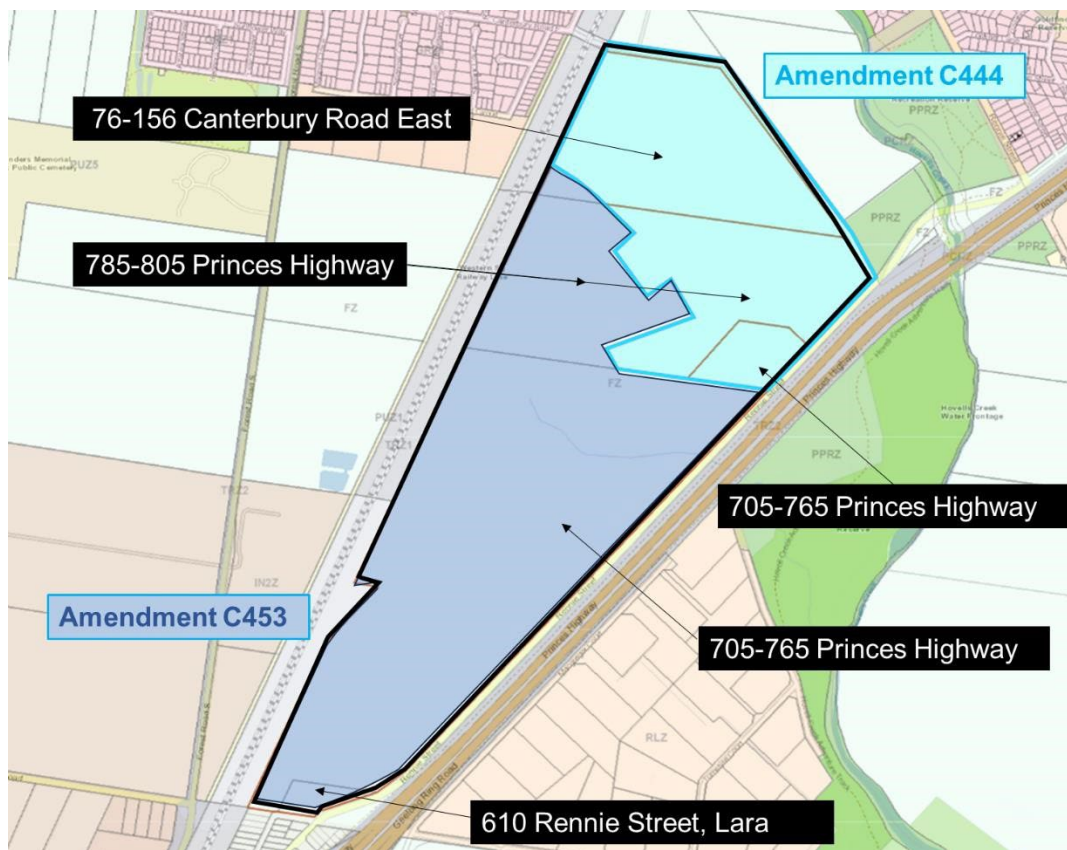


Figure 1: Residential Amendment and Business Park Amendment Land<sup>2</sup>

## 2.3 Instructions

- 2.3.1 On or about 25 February 2026, I was approached by Nick Sutton of Norton Rose Fulbright Australia with a preliminary brief and an invitation for tender. This document outlined the Amendments proposed and the engagement held up to that date with APA Group, Barwon Water, CCMA, DEECA, DTP, and Viva Energy.

<sup>2</sup> “Preliminary Brief to Nigel Cann”, Norton Rose Fulbright Australia, 25/02/2026

- 2.3.2 On or about 30 March 2026, Nick Sutton of Norton Rose Fulbright Australia communicated supplementary instructions. This letter contained key dates for the panel correspondence, and what is required from me at these dates.
- 2.3.3 In order to assess and comment on the impact of the project having regard to safety, health and risk, I have completed the following activities so that I can provide the advice in an informed manner:
- a) Reviewed the provided information
  - b) Completed a further desktop-based study to identify all relevant publicly available information
  - c) Visited the Lara Farms development location to identify and confirm high pressure pipelines in the vicinity
  - d) Assessed all gathered information against the appropriate standards and best practices to create relevant conclusions.

## 2.4 Disclosure of Interests

- 2.4.1 On or about 10 March 2026, I confirmed my availability and confirmed that neither I nor Arup had any conflicts of interest.
- 2.4.2 Arup has previously advised Lara Farms Pty Ltd in relation to the presence of high-pressure pipeline infrastructure. I was the Project Director for the project and my direct involvement was limited to overseeing the activities of a process safety engineer from our team, attending a Teams meeting between the development team and APA on the design requirements for road crossings and providing contact information of an independent SMS facilitator.

## 2.5 Help in preparing this statement

- 2.5.1 To complete the review of the Lara Farms amendments and prepare this statement I have received assistance from the following:
- a) Mr Christopher Woolley who under my instruction reviewed the provided documents, formed a template for this statement and joined me in undertaking the visit to Lara Farms on 23 March 2026.
  - b) Mr Ben Smith who acted as a reviewer for this statement.

### 3. Lara Farms Development

- 3.1.1 The Land is bound by the Melbourne-Geelong railway corridor to the west, Canterbury Road East to the north, and Rennie Street and Princes Freeway to the east and southeast.
- 3.1.2 The Residential Amendment is supported by a strategic planning policy setting which includes, inter alia, the G21 Regional Growth Plan, City of Greater Geelong Settlement Strategy and Lara Structure Plan.
- 3.1.3 The Business Park Amendment is also supported by a strategic planning policy setting which includes, inter alia, the G21 Regional Growth Plan and Lara Structure Plan.
- 3.1.4 The Residential Amendment (C444ggee) proposes (refer to Figure 2):
- a) Rezoning the land from Farming Zone (FZ) to General Residential Zone – Schedule 1 (GRZ1) with a relatively small edge rezoned from FZ to Industrial 3 Zone (IN3Z);
  - b) Inserting a new Development Plan Overlay - Schedule 48 – South East Lara Residential Growth Area (DPO48) to guide future land use and development outcomes
  - c) Applying the Environmental Audit Overlay (EAO) to ensure that potentially contaminated land is assessed, and, where necessary, remediated prior to the use or development that could pose a risk to human health or the environment
  - d) Amending Clause 72.03 (*What does this Planning Scheme consist of?*) to insert the new map 19DPO proposed to comprise part of the Scheme; and
  - e) Amending maps 18ZN, 19ZN and 18DPO; and inserting maps 19DPO and 19EAO.



**Figure 2: Residential Amendment Land Amendment C444ggee<sup>3</sup>**

3.1.5 The Business Park Amendment (C453ggee) proposes (refer to Figure 3):

- a) Rezoning the land from FZ to Industrial 1 Zone (IN1Z) and Industrial 3 Zone (IN3Z)
- b) Applying the Design and Development Overlay – Schedule 55 (DDO55); and
- c) Amending maps 18ZN, 19ZN, 26ZN, 18DDO, 19DDO and 26DDO.



**Figure 3: Business Park Amendment Land C453ggee<sup>4</sup>**

<sup>3</sup> “Preliminary Brief to Nigel Cann”, Norton Rose Fulbright Australia, 25/02/2026

<sup>4</sup> “Preliminary Brief to Nigel Cann”, Norton Rose Fulbright Australia, 25/02/2026

3.1.6 The Land is within the vicinity of the following pipeline corridor assets which may have an impact on the development:

- a) Brooklyn - Corio (T24), APA Group – Natural gas pipeline corridor
- b) Brooklyn - Lara (T112), APA Group – Natural gas pipeline corridor
- c) Iona - Lara (T92), APA Group – Natural gas pipeline corridor
- d) WAG Pipeline (Altona - Geelong), Viva Energy Australia – Oil pipeline corridor
- e) WOPL (White Oil Pipeline), Viva Energy Australia – Oil pipeline corridor
- f) BOPL, (Black Oil Pipeline), Viva Energy Australia – Oil pipeline corridor

## 3.2 APA Submissions

3.2.1 APA Group created submission No.024 in relation to the residential amendment. This submission states the gas pipelines which operate in the vicinity of Amendment C444ggee and outline the impacts which these pipelines will have. From this APA makes four comments<sup>5</sup>;

1. *“Given the pipeline running through the subject site is considered to be a no rupture pipeline, APA recommends that Schedule 48 to Clause 43.04 be amended to reference the pipeline Area of Consequence (85m either side of the pipeline) rather than the “measurement length”.*
2. *“The Area of Consequence should be mapped as part of any future development plan, this requirement could be included under requirements for development plan (where reference is currently made to pipeline easements etc being shown).”*
3. *“APA would seek to be consulted in approving of any development plan by the Responsible Authority.”*
4. *“It is also suggested that where reference to sensitive land uses is made under High Pressure Pipelines, that the sensitive land uses be listed, to provide appropriate clarity to future applicants.”*

3.2.2 APA Group created submission No.017 in relation to the business park amendment. Again, this submission demonstrates the presence of high-pressure gas pipelines in the vicinity of the amendment. From this APA makes two comments<sup>6</sup>;

1. *“Ideally sensitive land uses within the gas pipelines “Area of Consequence” (rather than the full pipeline Measurement Length) should trigger a planning permit application and notice to the pipeline licensee. APA understands that this*

<sup>5</sup> “Submission No. 024, Amendment C444”, 12/12/2025

<sup>6</sup> “Submission No. 017, Amendment C453”, 12/12/2025

*is not always possible given the propose planning framework but would encourage Council to explore possible options to either include this requirement or have an informal process of notifying the pipeline licensee if such application arise in the future.*

2. *“Clause 5.0 to schedule 55 of Clause 43.02 – should reference the pipeline “Area of Consequence” rather than full Measurement length. This being 85 metres either side of the pipeline. It may also be worthwhile including this area in the proposed mapping, for clarity to future applicants and Council planners.”*

### 3.3 Viva Energy Submissions

- 3.3.1 Viva Energy created submission No.023 in relation to the residential amendment. This submission contains information around the WOPL and WAG pipeline, as well as reference to the impact that these, and the BOPL, may have to the amendments.
- 3.3.2 Viva Energy requests a change to DPO48 section 4.0 High Pressure Pipeline Plan. Viva Energy requests to extend the requirement for a Safety Management Study and to include the requirement for the applicant to<sup>7</sup>:

*“Engage with the Pipeline Licensee for any necessary protective works and require a permit to subdivide land, construct a building or carry out works on land identified within or adjacent to the measurement lengths of the Westernport Altona-Geelong Pipeline and White Oil Pipeline, as shown in Figure 1, must include a condition requiring that, prior to the commencement for works, mitigation measures be implemented to safeguard the pipelines to the satisfaction of the Minister administering the Pipelines Act 2005.”*

- 3.3.3 Viva Energy created submission No.014 in relation to the business park amendment. This submission highlights the same oil pipeline presence as that of submission No.023 for C444ggee. The following request was made as part of this submission<sup>8</sup>:

*“Viva Energy requests the amendment of the Design and Development Overlay section 5.0 Application Requirements to extend the requirement for a Safety Management Study, to include the requirement for the applicant to engage with the Pipeline Licensee for any necessary protective works.”*

- 3.3.4 In this submission Viva also commented:

*“While the rezoning is proposed only for Lara Business Park under Amendment C453, the Council Meeting Minutes demonstrates the future C444ggee amendment is entirely residential therefore we seek to be actively involved in any future planning, structure planning, or rezoning processes affecting this area. Early engagement in future stages will be essential to ensure that pipeline safety, risk mitigation, infrastructure and community protection measures are appropriately addressed from the outset.”*

<sup>7</sup> “Submission No. 023, Amendment C444”, 28/11/2025

<sup>8</sup> “Submission No. 014, Amendment C453”, 17/11/2025

## 4. Oil and Gas Transmission Pipelines

### 4.1 Pipelines Regulations 2017

4.1.1 The *Victorian Pipelines Regulations 2017 (the Regulations)* refer to AS 2885.1 *Pipelines – Gas and liquid petroleum Part 1: Design and construction* and AS 2885.3 *Gas and liquid petroleum Part 3: Operation and Maintenance* for the design, construction, operations and maintenance of pipelines.

4.1.2 Since the gazetting of the Regulations, the AS 2885 suite of standards related to pipelines has been updated, with most of the process safety related matters passing into a new standard *AS/NZS 2885.6: 2018 Gas and liquid petroleum Part 6: pipeline safety management*. Matters relating to pipeline safety management in Parts 1 and Parts 3 of the AS/NZS suite refer directly to Part 6.

4.1.3 Section 2 of AS 2885.6 defines the location classifications of pipelines as primary and secondary location class. The primary location classes are:

- a. Rural (R1)
- b. Rural residential (R2)
- c. Residential (T1)
- d. High Density (T2)

The secondary location classes are:

- a. Sensitive use (S) – schools, hospitals, aged care facilities and prisons are some of the uses considered sensitive
- b. Environmental (E)
- c. Industrial (I)
- d. Heavy Industrial (HI)
- e. Common Infrastructure Corridor (CIC)
- f. Crowd (C).

4.1.4 Sensitive land uses are defined as <sup>9</sup>;

*“The sensitive use LOCATION CLASS identifies land where the consequences of a FAILURE EVENT may be increased because it is developed for use by sectors of the community who may be unable to protect themselves from the consequences of a pipeline FAILURE EVENT. Sensitive uses are specifically defined in some jurisdictions, but include schools, hospitals, aged care facilities and prisons. Sensitive use LOCATION CLASS shall be assigned to any section of the PIPELINE SYSTEM where there is a sensitive development within a MEASUREMENT LENGTH.*

<sup>9</sup> AS/NZS 2885.6:2018 Pipelines – Gas and Petroleum, Part 6: Pipeline safety management (AS/NZS 2885.6), clause 2.4 (a), p11

*The design requirements for High Density (T2) shall apply.*

*NOTE: In sensitive use areas, the societal risk associated with loss of containment is a dominant consideration.”*

## 4.2 Measurement Length

- 4.2.1 Measurement length is a value outlined in the above regulations, and is defined as the distance from the centre of the pipeline to the 4.7 kW/m<sup>2</sup> thermal radiation contour from a full-bore rupture of the pipeline and ignition of the fuel.
- 4.2.2 AS/NZS 2885.6 requires determination be made of the distances of thermal radiation from an ignited release of gas with heat flux values of 4.7 kW/m<sup>2</sup> and 12.6 kW/m<sup>2</sup>.
- 4.2.3 AS/NZS 2885.6 Appendix B1 defines that a thermal radiation level of 4.7 kW/m<sup>2</sup> will cause injury, at least second degree burns, after 30 seconds of exposure.
- 4.2.4 AS/NZS 2885.6 Appendix B1 defines that a thermal radiation level of 12.6 kW/m<sup>2</sup> represents the threshold of fatality, for normally clothed people, resulting in third degree burns after 30 seconds of exposure.
- 4.2.5 The distance from the pipeline at which these thresholds would be reached is dependent on hole size, release pressure and properties of the fluid.
- 4.2.6 Read in conjunction, AS/NZS 2885.1 Clause 4.9.3 and AS/NZS 2885.6 Clause 2.4 provide thresholds for the energy release rates relative to the respective location classification.
- 4.2.7 The following classification has been identified as appropriate: Residential (T1) / Industrial (I) - Where there are residential areas (i.e. community living) within the measurement length, the energy release rate shall not be greater than 10 GJ/s. AS/NZS 2885.6 Clause 2.4 states the same requirements are applied to Industrial locations (I).

## 4.3 No Rupture Pipelines

- 4.3.1 No Rupture Pipelines are designed to mitigate the occurrence of a full-bore rupture. This can be achieved, for example, through adequate pipe wall thickness and material strength. The measurement length may not be the most effective form for assessing the risk from No Rupture Pipelines to lower risk developments such as Residential (T1) or Industrial (I).
- 4.3.2 In relation to the Amendments, APA proposes the use of “*area of consequence*” instead of the measurement length. The area of consequence is defined by the impacts which may occur as a result of puncturing the pipeline, as opposed to a full-bore rupture. Punctures may occur due to events such as excavation in the area.
- 4.3.3 The Iona to Lara pipeline is designed (through a combination of wall thickness and material strength) to limit the maximum hole size so that the maximum flow of fluid from the pipeline results in a maximum energy release rate of 1 GJ/s. As the maximum energy release rate is controlled, the radius of the 4.7 kW/m<sup>2</sup> contour is less than for a full-bore rupture with all other pipeline properties the same.

4.3.4 Therefore, the area of consequence is less than the measurement length.

## 4.4 Pipeline Safety Management

4.4.1 AS/NZS 2885.6:2018 specifies the safety management process for pipeline systems and covers all elements of the system designed, constructed or operated under the AS/NZS 2885 series of standards.<sup>10</sup>

4.4.2 AS/NZS 2885.6:2018 requires that the Safety Management Study (SMS) for a licenced pipeline shall be undertaken and revised at intervals during the design, construction and operational phases to facilitate periodic reassessment of threats and control effectiveness is changed or improved over the pipeline's lifecycle. As such the SMS is a major tool used by a pipeline operator to ensure continued pipeline safety management. Non-process threats are subject to the safety management process in accordance with AS/NZS 2885.6.

4.4.3 The licenced pipeline operator is responsible for the SMS as it is a mandatory process as described in AS/NZS 2885.6 to be maintained throughout the life cycle of a pipeline.

4.4.4 For existing pipelines, the pipeline management system is required to be updated with actions from the SMS, and actions arising from the SMS process shall be implemented unless further review after the SMS justifies and documents cancellation of the action, including consultation with relevant participants.

4.4.5 The SMS is required to be validated by a properly constituted workshop that includes as a minimum, participants who:

- (a) Are collectively competent in the subject area addressed by the workshop
- (b) Have detailed field-based knowledge of the pipeline route and surroundings; and
- (c) Have authority to make decisions in the field they represent.

4.4.6 The workshop should be facilitated by someone who is sufficiently independent of the pipeline to ensure the SMS is able to be challenged.

4.4.7 The workshop's primary objective is to validate the SMS, but it often has other functions such as engagement with stakeholders<sup>11</sup>.

4.4.8 The last paragraph of section 2.1 of AS/NZS 2885,6 states:

*“For existing pipeline systems, the allocated location classes shall be reviewed to take full account of current land use and authorised developments along the pipeline route, but need not take full account of land use which is planned but not implemented.”<sup>12</sup>*

<sup>10</sup>AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 1.1, p5

<sup>11</sup> AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 1.5.1, p8

<sup>12</sup>AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 2.1, p9

- 4.4.9 A specific SMS review is triggered by changed operating conditions, major encroachments or major land use changes<sup>13</sup>. For land use changes, the SMS shall be validated in a workshop. In addition to the participants listed in paragraph 4.4.5, the workshop should include representation from relevant external stakeholders such as local government, planning authority and development proponents<sup>14</sup>.
- 4.4.10 For a change in land use SMS, the bulk of the SMS process should take place in the workshop in order for external stakeholders to be fully involved in the process to understand the pipeline safety concerns and contribute to prompt resolution of risks through adjustments to the proposed new land use.
- 4.4.11 The inputs to a change in land use SMS include the following:
- (a) Any previous SMS documentation
  - (b) Relevant imagery or plans of the pipeline route
  - (c) Land use information at the level of detail appropriate to the objective of the SMS
  - (d) Design and as-built documentation of the pipeline
  - (e) Operating procedures defining procedural protection measures
  - (f) The pipeline integrity management plan
  - (g) Damage resistance calculations
  - (h) Effects of an ignited fluid release
  - (i) Pipeline isolation plan
  - (j) Record of the pipeline location class.
- 4.4.12 An Encroachment SMS is required where:

*“...the Licensee’s existing procedures may not control the encroachment threats, an SMS shall be done ,,,”*

*“Note: The encroachment SMS should be done for non-routine activity within the pipeline corridor or immediately adjacent to it, that involves excavation to or below the depth of the pipe and for major roadworks, structures and other heavy construction projects that may apply significant loadings to the pipe, or cause damage to the pipe”<sup>15</sup>*

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<sup>13</sup> AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 5.5.1 (d), p27

<sup>14</sup> AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 5.5.2, p29

<sup>15</sup> AS/NZS 2885.6:2018 Pipelines – Gas and liquid petroleum Part 6: Pipeline safety management, section 5.5.3, p29-30

- 4.4.13 The inputs to a change in land use SMS include the following:
- (a) Full details of the construction work methods (including type and size of proposed construction equipment)
  - (b) Details of any permanent structures to be within the pipeline corridor.
- 4.4.14 An SMS for encroachment shall be validated in a workshop and should include representation from relevant external stakeholders including those responsible for the design and construction of the encroachment works in addition to the pipeline operators representation listed in paragraph 4.4.5.

## 4.5 My experience with Land Use SMS consultation

- 4.5.1 My typical role in land use changes in the vicinity of pipelines is as a process safety advisor to the developer or proponent of the change.
- 4.5.2 Initial contact with the pipeline operator is made through the *Before You Dig Australia*<sup>16</sup> website. Information about underground services is received from all entities with registered underground assets by email. Contact information is provided with that material which is general in nature. Where the property concerned is near or co-located with high pressure hydrocarbon pipelines it is typical for the information material to come with prominent warnings to contact the pipeline operator before commencing any works.
- 4.5.3 Telephone contact is made with the pipeline operator through the contact information and from there one or more meetings will take place between the developer and pipeline operator setting up the requirements to further develop the plans or design before reaching the point a SMS workshop will be undertaken.
- 4.5.4 In my experience it is typical for a pipeline operator to have a list of recognised independent SMS facilitators. As the agent of change, the developer is typically charged with choosing and engaging the independent facilitator.
- 4.5.5 The independent facilitator will prepare the briefing materials for the SMS workshop by requesting the information outlined in paragraph 4.4.11 from the pipeline operator and details of the development plans or the design (depending on the stage of the land use change) from the developer.
- 4.5.6 The facilitator will organise the SMS workshop either by Teams or similar platform or as an in-person workshop. The facilitator will organise representatives from both the pipeline operator and the developer and from other stakeholders that may have an interest in the outcome of the SMS workshop.
- 4.5.7 In my experience, pipeline operator representation will include the pipeline manager, an engineer with knowledge of the pipeline design, an engineer with knowledge of the pipeline maintenance history and condition and a pipeline administrator familiar with the broader context of the pipeline and its surrounding land uses.

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<sup>16</sup> <https://www.byda.com.au/before-you-dig/> accessed 6 April 2026

- 4.5.8 In my experience the developer usually has a senior project manager present, a process safety advisor and an architect or planner familiar with the development proposal.
- 4.5.9 In my experience, the third parties that may be involved (generally as observers) include a representative from the council (or relevant approval authority), a representative of the pipeline regulator, a representative from the relevant workplace health and safety regulator and a representative from the relevant environmental protection authority.
- 4.5.10 The workshop facilitator will lead the workshop participants through the process described in AS/NZS 2885.6. Broadly this is threat identification followed by threat control, failure analysis and risk evaluation and finally risk treatment. Depending on the resulting residual risk, further quantitative studies maybe required to reduce the risk to as low as reasonably practicable (ALARP).
- 4.5.11 In my experience the facilitator will work with the existing pipeline operators SMS as the baseline document for the land use change SMS workshop.

## 4.6 APA-Operated Pipelines

4.6.1 APA is the pipeline licensee for the Iona – Lara, Brooklyn – Lara and Brooklyn - Corio pipelines <sup>817</sup> (refer to Table 1);

**Table 1: APA pipeline properties <sup>15</sup>**

Pipeline	Pipeline Licence	Easement Width (m)	Pipeline Diameter (mm)	Measurement Length (m)
Iona – Lara	PI231 (T92)	20	500	525
Brooklyn – Lara	PI266 (T112)	20	500	525
Brooklyn – Corio	PI81 (T24)	20	350	297

4.6.2 Loetis submitted a Before You Dig Australia (BYDA) enquiry on behalf of Lara Farms in November 2024. As part of its response, APA provided the image shown in Figure 4, showing the APA-operated pipelines which may have an impact on the Land.

<sup>17</sup> “Submission No. 024, Amendment C444”, 12/12/2025

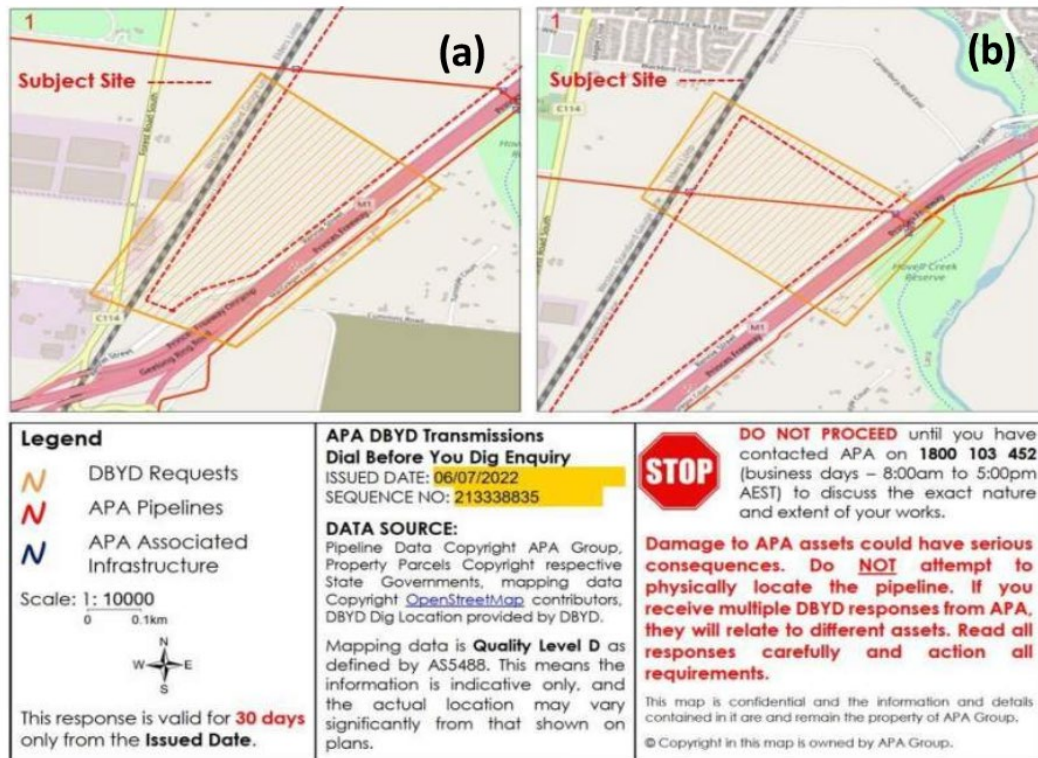


Figure 4: APA Before You Dig Results, November 2024<sup>18</sup>

## 4.7 Viva Energy-Operated Pipelines

4.7.1 Viva Energy is the pipeline licensee for the White Oil Pipeline (WOPL), Westernport-Altona-Geelong (WAG) Pipeline, and BOPL<sup>19</sup>;

Table 2: Viva Energy Australia pipeline properties<sup>17</sup>

Pipeline	Pipeline Licence	Easement Width (m)	Diameter (mm)	Measurement Length (m)
White Oil Pipeline (WOPL)	PL7	Undisclosed	200	87
Western-Altona-Geelong (WAG)	PL65	Undisclosed	400-600	128
BOPL	PL8	Undisclosed	200	Undisclosed

Viva Energy’s response to the Loetis BYDA enquiry included the image shown in

4.7.2 Figure 5, showing the Viva-operated pipelines which may have an impact on the Land.

<sup>18</sup> “Infrastructure Servicing Assessment”, Loetis, 7/11/2024

<sup>19</sup> “Submission No. 023, Amendment C444”, 28/11/2025

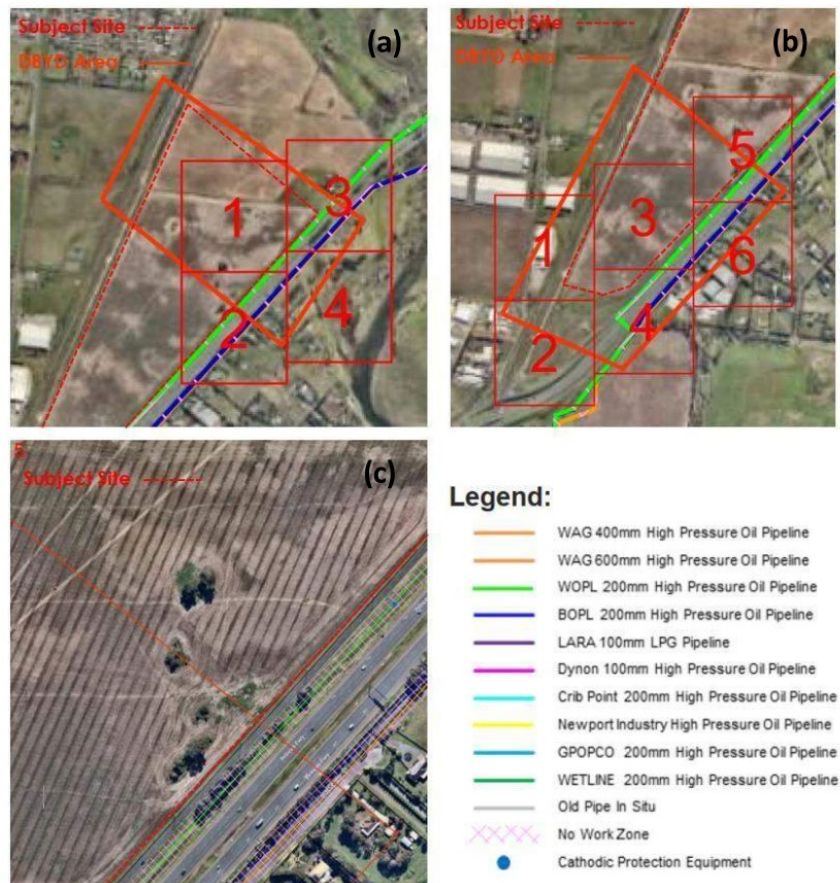


Figure 5: Viva Before You Dig Results, November 2024<sup>20</sup>

4.7.3 Figure 5 shows that the WOPL pipeline easement is adjacent to both amendment areas, along with the BOPL which runs to the east of the Princes Highway boundary.

4.7.4 Viva Energy’s BYDA response did not include the BOPL measurement length.

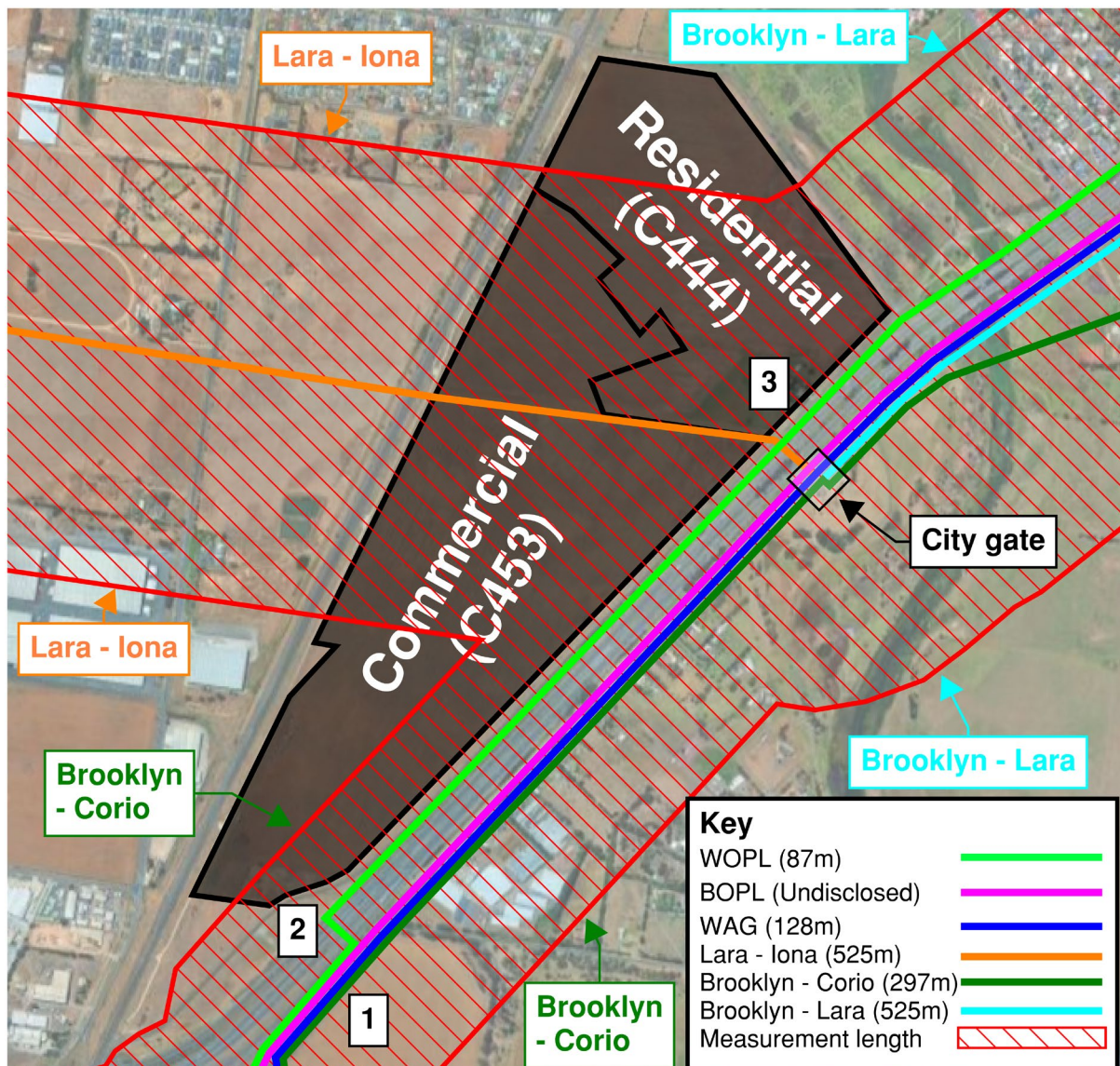
## 4.8 Pipe Location Confirmation

4.8.1 To verify the location of the pipelines, I visited the Lara area areas on 23 March 2026, accompanied by Mr Christopher Woolley. The purpose of this visit was to visually witness the locations of the pipeline markers, and confirm the available data accurately reflected the real-world conditions. Note that the pipeline markers only provide an indication of the pipeline location and not the exact location.

4.8.2 Figure 6 shows the approximate locations of the six pipelines which have the potential to impact the site. Figure 6 is based on the information gathered from this visit and the previously identified information from the desktop-based exercise

4.8.3 Based on the absence of the BOPL measurement length in the BYDA response, I have assumed that the pipeline is no longer in use, and that therefore an SMS for the BOPL is not required.

<sup>20</sup> “Infrastructure Servicing Assessment”, Loetis, 07/11/2024



**Figure 6: Approximate pipeline locations and overall measurement length**

- 4.8.4 The numbered locations shown in Figure 6 represent the locations of the photographs shown in Figure 7 (Location 1), Figure 8 (Location 2) and Figure 9 (Location 3).
- 4.8.5 The site visit verified that the locations of the pipelines were consistent with the data identified from the desktop study, as well as identifying the order of the parallel pipelines.
- 4.8.6 All of the relevant pipelines run parallel to the Princes Highway, with the exception of Lara-Iona, which crosses the business park amendment (C453).



**Figure 7: 1. WOPL, BOPL, WAG, and Brooklyn - Corio pipelines running in parallel (looking north east)**

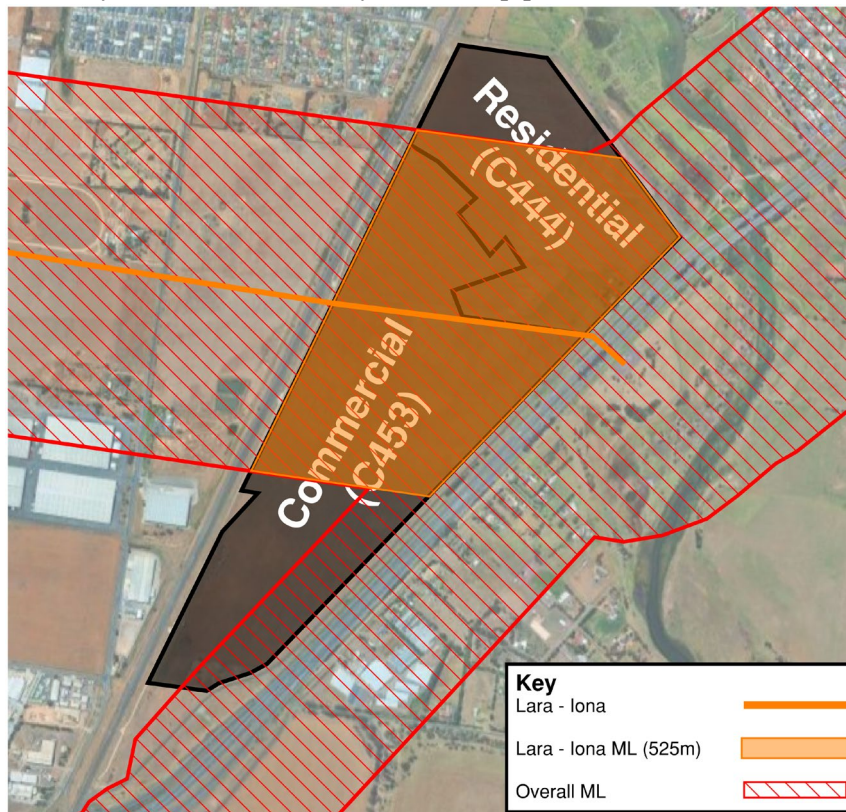


**Figure 8: 2. WOPL after crossing North of Princes Highway (looking south east)**



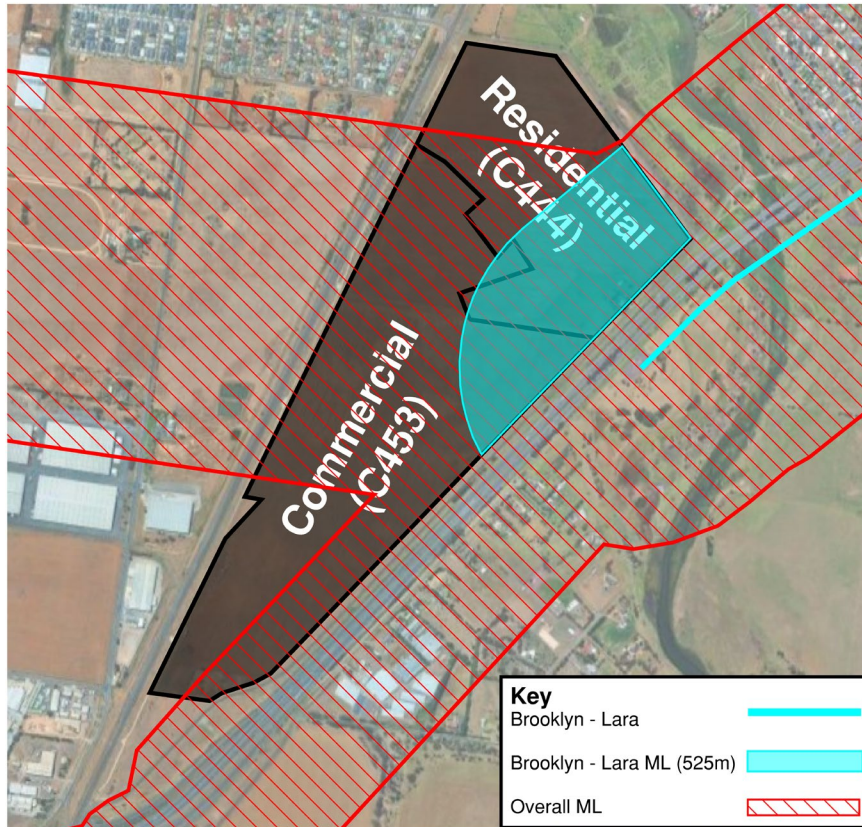
**Figure 9: 3. Lara - Iona pipeline after leaving the city gate (looking west)**

4.8.7 The approximate impact of individual pipeline measurement lengths on the Lara Farms land is provided below in Figure 10 to Figure 14. Figure 15 shows the impact of the area of consequence from the Lara to Iona pipeline. Note that the area of consequence from the Brooklyn to Lara and Brooklyn to Corio pipelines do not reach Lara Farms<sup>21</sup>.

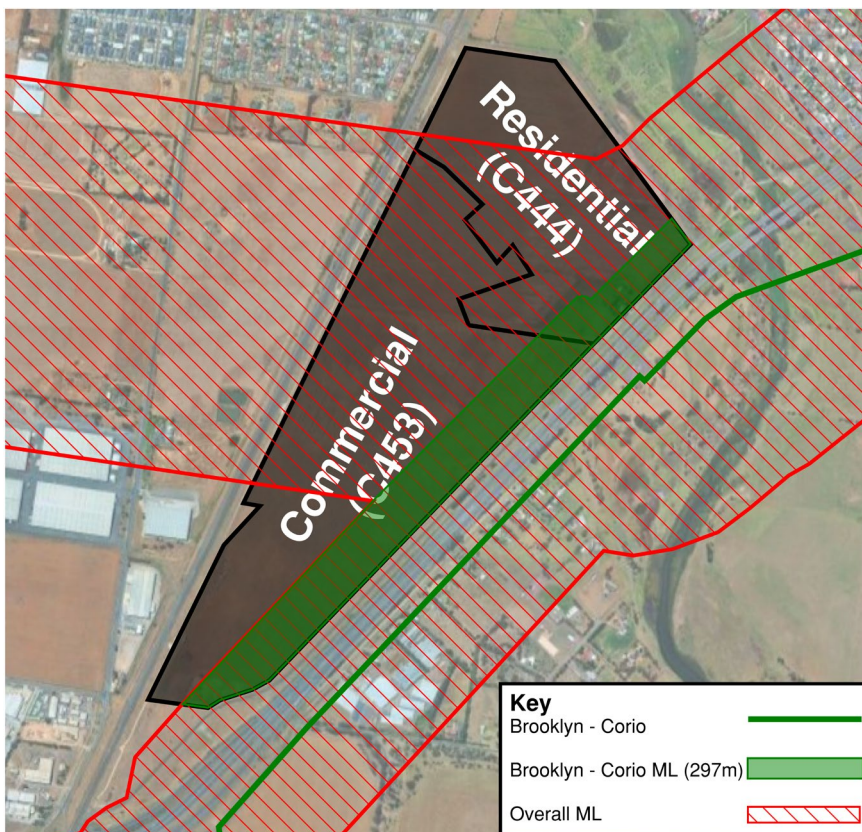


**Figure 10: Approximate impact on the Lara Farms land by Iona to Lara pipeline measurement length**

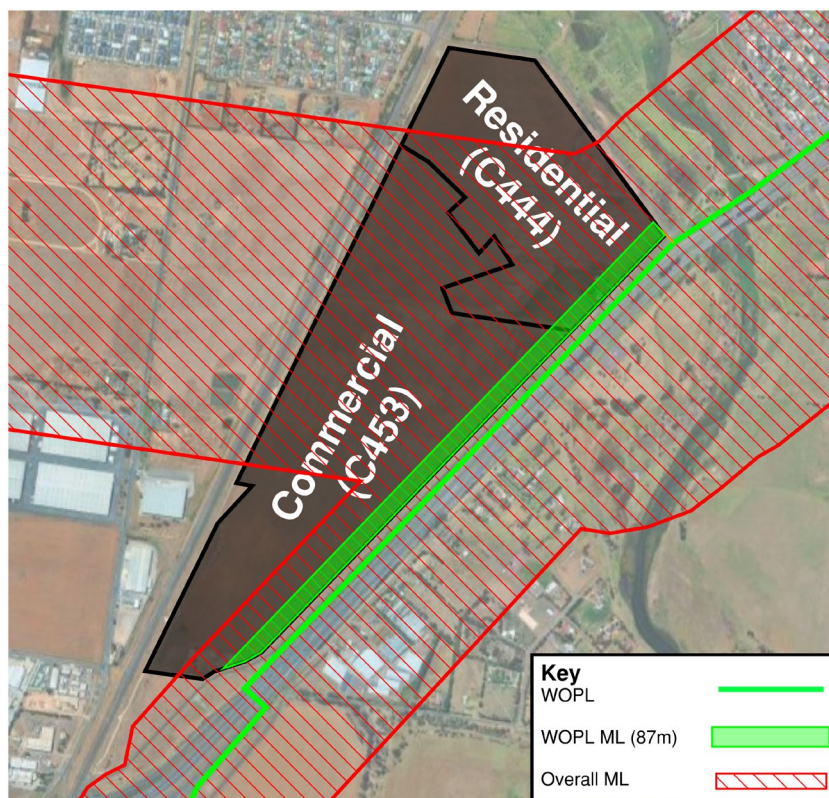
<sup>21</sup> Greater Geelong City Council Consideration of Submissions Report, Table 1, Row 24



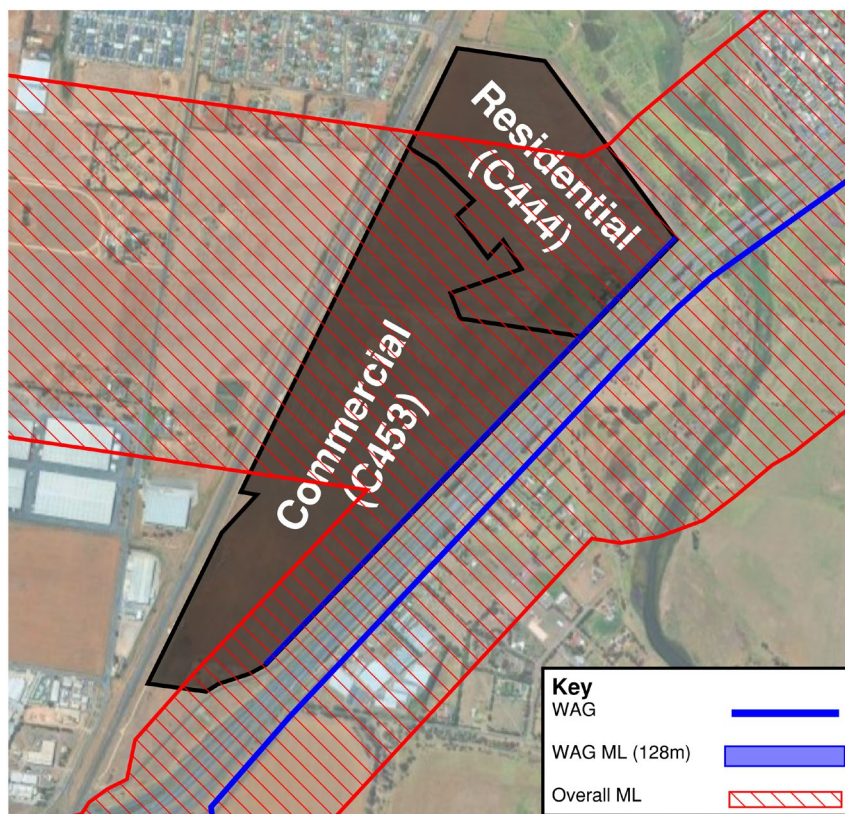
**Figure 11: Approximate impact on the Lara Farms land by Brooklyn to Lara pipeline measurement length**



**Figure 12: Approximate impact on the Lara Farms land by Brooklyn to Corio pipeline measurement length**



**Figure 13: Approximate impact on the Lara Farms land by WOPL pipeline measurement length**



**Figure 14: Approximate impact on the Lara Farms land by WAG pipeline measurement length**

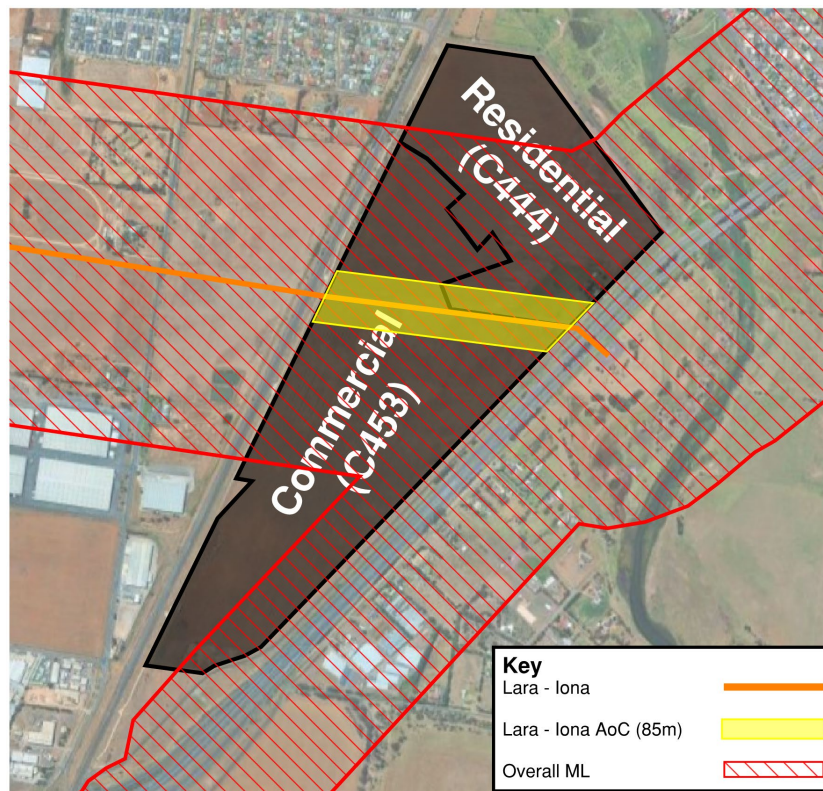


Figure 15: Approximate impact on the Lara Farms land by Iona to Lara pipeline area of consequence

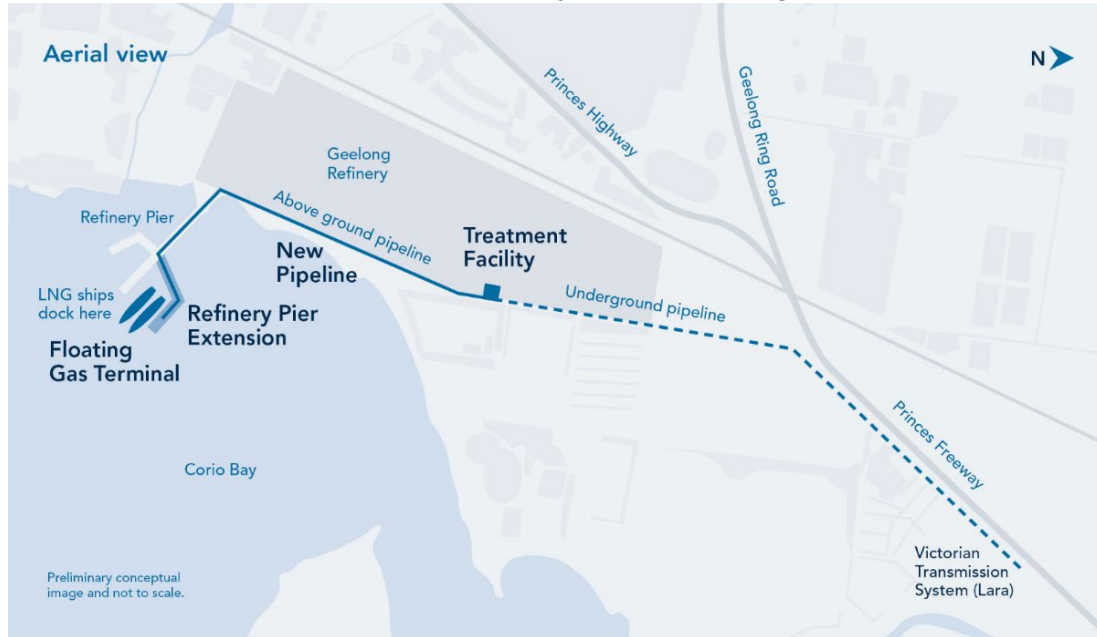
## 4.9 Viva Energy Hub Gas Terminal

4.9.1 Viva Energy proposes an extension to the existing Refinery Pier in Corio Bay, creating a floating liquefied natural gas (LNG) terminal (the **Gas Terminal Project**). This project includes <sup>22</sup>;

- a. *Floating Gas Terminal*  
A vessel which stores and converts LNG back into natural gas.
- b. *Refinery Pier extension*  
To accommodate the LNG ships and moor the Floating Gas Terminal, the existing Refinery Pier will be extended by approximately 570m. To allow the ships to berth and turn, some localised dredging will be required.
- c. *Treatment Facility*  
To meet Australian specification standards, all of the gas entering our terminal will go through the treatment facility located within the refinery boundary. Through this process, an odorant will be added to the gas, to give it its distinctive smell.
- d. *New pipeline*  
Approximately 7km of pipeline will be constructed to transport the gas from the terminal. About 3km of the pipeline will be located on the pier and refinery land. About 4km will be underground and within existing pipeline corridors.

<sup>22</sup> <https://www.vivaenergy.com.au/energy-hub/gas-terminal-project/about-our-project>, last accessed: 01/04/2026

4.9.2 An illustration of the Gas Terminal Project is shown in Figure 16.



**Figure 16: Proposed floating gas terminal**

4.9.3 On 29 May 2025, the Minister for Planning announced the outcome of the assessment of the environmental impacts of the Gas Terminal Project, concluding that the potential environmental effects of the project can be acceptably managed.<sup>23</sup>

4.9.4 The Gas Terminal Project is relevant to the Amendments as it includes a new underground pipeline that will connect to the city gate to the east of the Land. I expect that the new pipeline will be located in the same corridor as the WOPL, BOPL, WAG, and Brooklyn - Corio pipelines.

4.9.5 As the design is still development stage, the designers of the proposed floating gas terminal will be aware of the proposed change in land uses at Lara Farms and therefore in my opinion, the buried pipeline will be expected to be designed for Industrial and T1 requirements. For example, this will include a no rupture pipe design to minimise the energy flux of a failure. Therefore, in my opinion this proposed pipeline will be unlikely to need further design enhancement because of the Lara Farms land use change.

## 4.10 Safety Management Studies for the Land

4.10.1 The Land falls within the areas of consequence and/or the measurement lengths for pipelines operated by both APA and Viva Energy.

4.10.2 Therefore, the land use changes associated with the Amendments will trigger a Safety Management Study in accordance with the Regulations and Standard.

4.10.3 The land use changes associated with the Amendments will increase the number of people exposed, should a loss of containment from a pipeline occur near the Land.

<sup>23</sup> [Viva Energy Hub Gas Terminal - Viva Energy Australia](#), last accessed: 01/04/2026

- 4.10.4 The Iona – Lara pipeline crosses the Land. The construction activities associated with the Amendments will increase the risk of a penetration of the pipeline.
- 4.10.5 Therefore, the SMS will likely result in interventions to mitigate against the increased risk profile associated with the Amendments.
- 4.10.6 In my opinion, the interventions are likely to include protective actions on the oil pipelines (such as over slabbing or encasement) and construction controls on some pipelines. In my opinion, the SMS will also likely result in some land use restrictions for both Amendments.
- 4.10.7 In my opinion, as the APA pipelines are seen to be no rupture in design<sup>24</sup>, there may be no requirement to consider the measurement length. Instead, only the 85m area of consequence requires consideration, lowering the impact to the development.
- 4.10.8 In my opinion, Viva Energy has not provided the same assurance for its pipelines, which are known to have been operational for a longer period and unlikely to be designed to the same land use requirements as those more recently installed. In my opinion, the full measurement length for the existing oil pipelines should be considered for the proposed amendments.
- 4.10.9 In my opinion, the Amendments are sufficiently clear to Viva Energy, and should be considered in the design and the SMS for the proposed new underground pipeline associated with the Gas Terminal Project.
- 4.10.10 In my opinion, the SMS workshop for each land use change needs to be undertaken late enough that sufficient information is known about the intended land use change, but, where protective actions are expected to be applied to the pipeline, soon enough such that the protective actions are completed before the commencement of works on the Land.
- 4.10.11 From my experience, the SMS workshop for land use changes is undertaken in time for submission as part of planning permit process or is undertaken during the planning permit process, but prior to planning decisions. In my opinion the optimum timing for the SMS land use change SMS workshop is late enough in the design phase for a development that details of the design, construction methods and known prior to the submissions for planning approval, so that the SMS can be part of those submissions.
- 4.10.12 As the SMS is owned by the operator, in my opinion, APA Group and Viva Energy will need to actively engage with the SMS process for the proposed land use changes related to the Amendments, including providing adequate information to determine appropriate interventions and land use restrictions, as detailed in Sections 4.4 and 4.5.

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<sup>24</sup> “Submission No. 024, Amendment C444”, 12/12/2025

## 5. Impacts to Residential Amendment (C444ggee)

- 5.1.1 It is understood that the residential usage in this area is unlikely to fall under the high-density category of more than approximately 50 dwellings per hectare<sup>25</sup>. Therefore, in my opinion the pipeline classification will be Residential (T1). This classification is more strenuous than the current classification of Rural (R1) and has the potential to require interventions to the Viva Energy oil pipelines. This will be confirmed and identified as part of the SMS process as laid out in Sections 4.4 and 4.10 above.
- 5.1.2 In the Greater Geelong City Council's *Consideration of Submissions Report*<sup>26</sup> it is noted that the Council Officer Response to the APA submission was that the requested changes are agreed. They have also agreed to changes to section 4.0 and inclusion of a figure to better designate the APA gas pipelines from the Viva oil pipelines.
- 5.1.3 In my opinion, the addition of a figure in DPO48 to differentiate the Viva and APA pipelines is appropriate as this will aid future applicants in understanding which pipeline operator they should be consulting and to also differentiate APA's concept of an area of consequence from Viva's use of measurement length. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April, 2026<sup>27</sup>.
- 5.1.4 In my opinion, the addition of the respective measurement lengths of the Viva pipelines and area of consequence of the APA pipelines would enhance the value of DPO48 to future land uses. However, such indications should state that these did not preclude full investigation by "Before You Dig" processes.
- 5.1.5 As discussed in Section 3.3 of this statement, I note that Viva Energy has requested that DPO48 clause 43.8 includes the requirement to engage with pipeline licensee for any necessary protective works and require a permit to subdivide land, construct a building or carry out works on land identified within or adjacent to the measurement lengths of the Westernport Altona-Geelong Pipeline and White Oil Pipeline, including a condition that requires mitigation measures to be implemented to safe guard the pipelines to the satisfaction of the Minister administering the Pipelines Act 2005.
- 5.1.6 It is my opinion that Viva Energy indicates that the oil pipelines are not designed or in a condition to meet the requirements of a residential (T1) land use and that additional protection would be highly likely as an outcome of SMS studies of the WAG and WOPL pipelines. In my opinion, it is appropriate that a requirement to engage with Viva Energy be in place with specific reference to the WAG and WOPL pipelines. It is beyond my expertise to form an opinion on the appropriate planning instrument by which to obtain this outcome. This opinion is subject to Council's "Day 1" version of the amendments to be circulated on 13 April 2026.
- 5.1.7 In my opinion the optimum timing for the land use change SMS workshop for the Residential Amendment is when details of the design and construction methods are

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<sup>25</sup> AS 2885.6: 2018 Gas and liquid petroleum Part 6: pipeline safety management, (AS/NZS 2885.6)

<sup>26</sup> Greater Geelong City Council, *Consideration of Submissions Report*, item 24, Table 1

<sup>27</sup> Greater Geelong City Council, Part A Submission to the Independent Panel, dated 30 March 2026, paragraph 14.

known at the time for an application for a planning permit. An SMS need not take full account of land use which is planned but not implemented. This is in accordance with AS/NZS 2885.6 section 2.1 as explained in section 4.4.8 of this statement.

## 6. Impacts to Business Park Amendment (C453ggee)

6.1.1 As stated in Section 3.1.5, the Business Park Amendment proposes to rezone the land from FZ to Industrial 1 Zone (IN1Z) and Industrial 3 Zone (IN3Z)<sup>28</sup>.

6.1.2 VicSmart Guide<sup>29</sup> defines these two zoning categories as;

*“Industrial 1 Zone*

*To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities. ...*

*... Industrial 3 Zone*

*To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.*

*To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.*

*To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.*

*To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.”*

6.1.3 When overlaying this to the land usages in AS 2885.6: 2018, it is likely to be matched with Industrial (I). The requirements for Industrial (I) are stated to be the same as those for Residential (T1), which in turn aligns the requirements across both amendments.

6.1.4 If it is identified that the industries in this area fall under the Heavy Industry (HI) requirement, a consequence assessment shall be undertaken, and depending on the assessed severity, the requirements of R2, T1 or T2 shall be applied<sup>30</sup>. In my opinion, this would be assessed as part of the relevant SMS workshop process, though it would be expected that some preparation work for the discussion has been undertaken.

6.1.5 As discussed in Section 3.2 of this statement, I note that APA has requested that sensitive land uses should be limited within the measurement length, however they note that the

<sup>28</sup> “Preliminary Brief to Nigel Cann”, Norton Rose Fulbright Australia, 25/02/2026

<sup>29</sup> <https://vicsmartguide.com.au/application/land-use-in-commercial-industrial-mixed-use-capital-city-or-docklands-zones/>. (Accessed 25/03/2026)

<sup>30</sup> AS/NZS 2885.6:2018 Pipelines – Gas and Petroleum, Part 6: Pipeline safety management (AS/NZS 2885.6), clause 2.4 (d), p11

focus of any impact on their SMS would be for sensitive land uses located within the area of consequence, 85m from the pipeline. APA has requested that this reduced area of consequence be referred to instead of the measurement length in clause 5.0 of schedule 55 clause 43.02. They seek to have a map showing this, to be consulted in approving any development plan and that a list of sensitive land uses be added to DDO55.

- 6.1.6 In the Greater Geelong City Council’s *Consideration of Submissions Report*<sup>31</sup> it is noted that the Council Officer Response to the APA submission was that the requested changes are agreed to be made to DDO55. They have also stated that there is to be an inclusion of a figure to better designate the APA gas pipelines from the Viva oil pipelines.
- 6.1.7 In my opinion, the addition of a figure in DDO55 to differentiate the Viva and APA pipelines is appropriate as this will aid future applicants in understanding which pipeline operator they should be consulting and also differentiate APA’s concept of an area of consequence from Viva’s use of measurement length. This opinion is subject to Council’s “Day 1” version of the amendments to be circulated on 13 April, 2026<sup>32</sup>.
- 6.1.8 In my opinion, the addition of the respective measurement lengths of the Viva pipelines and area of consequence of the APA pipelines would enhance the value of DPO55 to future land uses. However, such indications should have state that these did not preclude full investigation by “Before You Dig” processes.
- 6.1.9 It is beyond my expertise to form an opinion on the appropriate planning instrument in which to obtain this outcome.
- 6.1.10 As discussed in Section 3.3 of this statement, I note that Viva Energy has requested that DDO55 clause 43.8 includes the requirement to engage with pipeline licensee for any necessary protective works and require a permit to subdivide land, construct a building or carry out works on land identified within or adjacent to the measurement lengths of the Westernport Altona-Geelong Pipeline and White Oil Pipeline, including a condition that requires mitigation measures to be implemented to safe guard the pipelines to the satisfaction of the Minister administering the Pipelines Act 2005.
- 6.1.11 It is my opinion that Viva Energy indicates that the oil pipelines are not designed or in a condition to meet the requirements of a residential (T1) land use and that additional protection would be highly likely to be an outcome of SMS studies of the WAG and WOPL pipelines. In my opinion, it is therefore appropriate for such a requirement and a condition to be in place with specific reference to the WAG and WOPL pipelines. It is beyond my expertise to form an opinion on the appropriate planning instrument in which to obtain this outcome. This opinion is subject to Council’s “Day 1” version of the amendments to be circulated on 13 April 2026.
- 6.1.12 In my opinion the optimum timing for the land use change SMS workshop for the Business Park Amendment is when details of the design and construction methods are known at the time for an application for a planning permit. An SMS need not take full account of land use which is planned but not implemented. This is in accordance with AS/NZS 2885.6 section 2.1 as explained in section 4.4.8 of this statement.

<sup>31</sup> Greater Geelong City Council, *Consideration of Submissions Report*, item 24, Table 1

<sup>32</sup> Greater Geelong City Council, Part A Submission to the Independent Panel, dated 30 March 2026, paragraph 14.

## 7. Expert Declarations

*I have made all the inquiries that I believe are appropriate and to my knowledge, no matters of significance which I regard as relevant have been withheld from the panel/advisory committee. I have identified any parts of my evidence that were generated using Artificial Intelligence.*

Signature

Date 8 April 2026

Name in full Nigel Cann

# Appendix A

## Curriculum Vitae



## Nigel Cann

I am passionate about shaping a better world by using my knowledge and experience of process safety to improve operations and lower risk to nearby society and infrastructure.

Nigel is a proven leader with over 40 years' experience covering risk management consulting, technical, engineering, project, management, and directorship roles in high hazard industries.

Nigel was an experienced General Manager at a Major Hazard Facility, with wide technical and business bases and brings extensive experience in Process Safety Management, Risk Engineering and Process Control.

With over 10 years' experience as an expert witness, Nigel has a demonstrated ability to articulate complex technical issues associated with dangerous goods planning matters in panel hearings and expert witness conclaves that can be understood by non-technical people involved in the processes.

### Profession

Professional Process Safety Engineer

### Current position

Associate Principal

### Joined Arup

2011

### Years of experience

42

### Nationality

Australia/New Zealand

### Qualifications

BE(Chemical and Materials)

Chartered Engineer (CEng-UK)

Chartered Environmentalist (CEnv-UK)

### Professional associations

Fellow Institution of Chemical Engineers (FICHEM)

Registered Professional Engineer of Queensland (RPEQ)

Professional Process Safety Engineer

### Publications

Cann N.K. "Process Safety and the challenges of the renewable energy transition", Hazardous Areas & Energy Safety Conference, Brisbane, May 2025

Cann N.K. "Rescuing Emergency Planning and preparedness from the 'tick box'", Hazards 34, Manchester, November 2024

Cann N.K. "Dangerous Goods Storage Practices, Emergency Response and Emerging Issues", 1 day workshop at DGO and Hazardous Materials – Australia and New Zealand, Melbourne, March 2024

Cann N.K., Sieverts L. and Smith J. "Process Safety – The demonstration and practice of meeting your duties", 1 day Workshop, ProSafe 2023, Melbourne, August 2023.

### Project experience

#### Selected Experience – Expert Witness

**Development Victoria (2022-2015):** Nigel has provided independent expert opinion report for Development Victoria in respect of Major Hazards Facilities (MHF) approximately 600m from a proposed development at Cairnlea, Victoria. The MHF produces formaldehyde-based resins, which under catastrophic incidents in certain weather conditions and wind directions could result in toxic clouds of formaldehyde or methanol passing over the proposed development. Nigel undertook consequence modelling to quantify the potential exposures, reviewed materials from a subsequent toxicologist's expert opinion to assess the risk to determine that no specific engineering or built environment controls were required could be reasonably practicable in the circumstances.

**Confidential Client (2019-current):** Nigel is currently acting as an expert witness in relation to prosecutions related to a warehouse fire in Tottenham in August 2018. The statement looked at the range of chemicals found to be present, the layout of the facility, the conditions expected of a compliant facility, the potential for interaction of chemicals and the resulting environmental and health effects from the chemicals and the combustion products of a fire. Subsequently, the prosecutions have been extended to a site in Western Victoria where unauthorised burial of dangerous goods and other hazardous substances have been discovered under the control of the same defendants. Nigel has supplied expert witness evidence in that matter also.

**Confidential Client (2023-current):** In the above fire matter, the clean-up of the premises was undertaken by a Victorian regulatory authority following inaction from notices under the Dangerous Goods Act. That authority is now undertaking proceedings to recover costs. Nigel has prepared an expert witness statement assessing the information provided in the cleanup notices, the knowledge available to the defendants, and prepared opinions on the

likelihood of dangerous goods being present, the state the dangerous goods were in (if there was likely to be any present) such that a cleanup was required and the danger the alleged dangerous goods posed to any person or property.

**Confidential Client:** Nigel provided expert evidence for a client in proceedings related to the design of storage and handling of dangerous goods at two separate water treatment processing facilities, including assessment of the impact on operations and maintenance functions on layouts, workstation design and PLC code. The work included detailed assessment of more than 100 alleged defects, detailed chemical reaction assessment and experiment, five expert statements and an additional report on safe work method statements and stop work notices. This has included expert witness conclaves and arbitration hearings. Nigel examined responses from the special referee on matters that were found to be subject to rectification evidence. Settlement was reached prior to a final submission of my report. (2015-2023)

**Confidential Client:** Nigel acted for three years as an expert witness in risk and explosives for a development proposal before the Queensland Environmental Court. This included preparing blast and risk assessments, redesigning layouts, preparation of “minor modification papers” and as the proponent’s expert being responsible for the development of joint expert witness reports for the court (two). This includes a hearing attendance on a minor change. (2013-2016).

**VCAT Proceeding P186/2023:** Approval had been given for a development to proceed in Spotswood in the vicinity of the Ampol and Viva Fuel Storage Terminals. The developer was seeking changes to a number of planning conditions and as a result of planning scheme changes had referred to WorkSafe for advice. WorkSafe had recommended against the changes based on overall objection to the development as it was now positioned in the Inner Safety Area where previously the development had been outside the Outer Planning Advisory Area. Nigel prepared a discussion paper on the changes to WorkSafe’s Guidance.

**VCAT Proceeding P1440/2022:** The applicant in this development sort amendments to the planning permit to allow a childcare centre and a gymnasium at a multistorey development inside the outer safety area of the Viva Energy Newport Terminal. Nigel provided evidence about the changes to WorkSafe’s guidance and the significant changes to surrounding land use that can occur when advisory areas are measured from the boundary of a major hazard facility rather than the hazard source resulting in potentially inappropriate sterilisation of land around such facilities.

**VCAT Proceeding P525/2022:** The applicant sort to change the operating conditions related to operating hours and patron numbers on a planning permit to operate a restaurant and recording studio venue inside the Inner Safety Area of the Yarraville Fuel Terminal. WorkSafe advised against the changes. Nigel prepared a risk study and suggested a modification to the hours of operation to maintain a negligible difference in exposure risk for patrons. Nigel appeared at the Tribunal. The applicants modified hours of operation were upheld by the Tribunal.

**VCAT Proceeding P858/2020:** This matter related to a proposed childcare centre on South Road, Bentleigh East which had the WAG pipeline located in the Centre Island of South Road. The operator of the pipeline objected to the Council approval and required the developer to be a participant in the Safety Management Study and subsequent ALARP processes undertaken by an independent facilitator. Nigel acted as the risk advisor for the developer, attending the SMS workshop, reviewing the ALARP report (completed by the pipeline operators independent risk consultant), prepared an expert witness statement and attended the VCAT hearing. The VCAT Panel upheld the Council’s approval.

**VCAT Proceeding P2042/2014:** Nigel provided expert advice regarding the safety risks of 3 pipelines (2 high pressure gas and 1 jet fuel) to a new residential development in close proximity. The scope of works includes consequence modelling of the release and fire scenarios, calculations of the individual risk to the affected population groups in the new development, a critique of safety management studies as well as a report. (2015)

**VCAT Proceeding P3193/2012 and P1401/2013:** Nigel appeared as an expert witness to a planning tribunal (VCAT) assessing the impacts from a crude oil importing and storage facility on a proposed multi-level housing development nearby (but not close). Work included detailed consequence modelling, review of safety case information and assessment of planning requirements in Australia and UK. Scope included presenting evidence at the hearing. (2013-14)

**Confidential Client: Risk advice for planning application within MHF Outer Planning Approval Area (OPAA).** Nigel provided expert advice for a new activity centre incorporating catering on the outer fringe of the Coode Island OPAA. The work has involved discussion with an operator on Coode Island, incident modelling and preparation of a risk report and emergency management plan (2016-2017).

**VCAT Proceeding P1087/2016:** Nigel prepared an expert statement covering a risk study for a childcare facility on the boundary of the OPAA from Viva Energy's Newport Storage Terminal and exposed to risks from above ground hydrocarbon pipelines. The report covers fire risks from the pipeline and explosion risks from the storage terminal and makes recommendation for structural features and requirements of an emergency management plan. Nigel appeared at the panel hearing (2016).

**Donnybrook and Woodstock PSP:** Nigel provided an Expert Witness Report that reviewed the Safety Management Study that was prepared for the Precinct Structure Plan (PSP). The development area incorporated two existing high-pressure gas pipelines. Nigel completed an assessment of the pipelines based on AS2885.1 to inform his opinions. (2016)

#### Working with Regulators

**WorkSafe Victoria Renewable energy Regulatory Strategy (2025)** Nigel provided technical oversight and oversaw the development of a Strategic Plan for WorkSafe Victoria. The review looked at a wide range of renewable energy streams from wind and solar, to battery storage, hydrogen and its deliverable, synthetic fuels and future developments. Consultation was undertaken with WorkSafe teams, external stakeholders and a wide literature review was undertaken. The plan developed for four strategic objectives encompassing 17 specific recommendations.

**Risk Management for the Energy Safety Regulator (2017).** Designed and developed workshops for Energy Safe Victoria to define bowties that reflected the regulatory controls and influence that Energy Safe had in regulating the gas and electricity markets for transmission, distribution and appliances. Controls included Safety Cases, review of pipeline management and MAOP settings, influence and management of the relevant Australian standards (many chaired by Energy Safe) and influence on Regulation setting.

**Arup is a Specialist Assessor of Major Hazard Facility Safety Cases for Comcare, the Federal Regulator in Australia.** All safety cases must be independently reviewed by and verified by audit on-site by a specialist assessor before submission to the Regulator with appropriate recommendations that the facility can be operated safely, a recommendation to licence, and if so are any conditions recommended.

**Thales Explosive Ordnance (EO) Storage Facilities:** Nigel led the Arup team completing Safety Case Approved Assessments for 13 EO facilities across the country either at or near Department of Defence Bases (2019-2020 and again in 2024-5).

#### Additional Publications

Cann N.K. and Smith B. "Hydrogen in our neighbourhoods?", Hazards Australasia 2019, Brisbane, November 2019

Cann N.K., Smith, B. and Li, J. "Taking process safety out of the plant", Hazards Australasia 2018, Perth, June 2018

Cann N.K. "Chemistry and land use planning – the designers and developers' viewpoint", RACI Centenary Congress 2017, Melbourne, July 2017.

Cann, N.K., "Navigating emerging risks: Climate Change", Proceedings of 2nd Annual Chief Risk Officer Forum 2017, Sydney, March 2017.

Cann N.K., Li X., Schlevort L. "Lessons from the Tianjin Explosions", to be presented at Hazards Australasia, Melbourne, Nov 2016.

Cann N.K. & Li X. "Tianjin Explosions: One Year On", 'HSE – Explosions & Chemical Accidents – Why do they keep happening?', RACI Seminar, August 2016.

Cann N.K. "Improving policies and procedures to drive safety improvements", Safety in Oil and Gas 2016, Brisbane, March 2016

Cann N.K., Cheng P., Li J., "Process Safety and Road Transport", Hazards Australasia 2015, Brisbane, May 2015.

Cann N.K., "Integrating Process Safety and Maintenance", Process Safety Management 2014, IQPC, Brisbane, November 2014

Cann N.K., "Lessons from a Management of Change Incident", Loss Prevention Bulletin 239, Oct 2014, pp12-14

Cann N.K., "Lessons from a Permit to Work Incident", Loss Prevention Bulletin 236, April 2014, pp20-22

Cann N.K., "Lessons from a Management of Change Incident", Hazards Australasia, Perth, Nov 2013

Cann N.K., "Lessons from a Permit to Work Incident", Hazards Australasia, Perth, Nov 2013,

Cann N.K., Casey S., Mills R, Ross J, "Reducing Mining and Mineral Processing Fatality Risks", MetPlant 2011, Perth

Cann N.K. , “Investigating Major Incidents – Managers Perspective”, Risk 2010, Melbourne 2010.

Cann N.K. ““Critical Events” – Applying Continuous Improvement to Incident Reporting”, Loss Prevention 2007, Edinburgh, Scotland, May 2007.

Cann N.K. “Going Beyond the Safety Case and Risk Assessment Approach to Achieve Continuous Improvement”, HAZMAT 2006, Melbourne, May 2006.

Cann N.K. “Safe systems development”, Technology Improving Performance, Human Factors & Ergonomics Society of Australia, Canberra, Nov 2005.Plus 21 more

Appendix B  
Letter of Instruction

25 February 2026

Norton Rose Fulbright Australia  
ABN 32 720 868 049  
Level 38, Oldfleet  
477 Collins Street  
MELBOURNE VIC 3000  
AUSTRALIA

Tel +61 3 8686 6000  
Fax +61 3 8686 6505  
GPO Box 4592, Melbourne VIC 3001  
DX 445 Melbourne  
nortonrosefulbright.com

**Direct line**  
+61 3 8686 6319

**Email**  
nick.sutton@nortonrosefulbright.com

**Your reference:**  
**Our reference:**  
4059475

Dear Mr Cann,

**Preliminary brief**

**Greater Geelong Planning Scheme Amendments C444ggee and C453ggee**

**Land: 76-156 Canterbury Road East, 705-765 Princes Highway, 785-805 Princes Highway and 610 Rennie Street, Lara**

We act for Lara Farms Pty Ltd (**Lara Farms**), the proponent in respect of Greater Geelong Planning Scheme Amendments C444ggee and C453ggee.

Amendment C444ggee (**Residential Amendment**) and C453ggee (**Business Park Amendment**) (together, **Amendments**) propose to facilitate the transition of the Land for urban purposes, generally in accordance with the outcomes sought under various strategic planning documents including the *G21 Regional Growth Plan*, *City of Greater Geelong Settlement Strategy* and *Lara Structure Plan* respectively.

The Amendments have been referred to an independent Panel. The key dates at this point are:

- (1) The Directions Hearing will be held online at **10am, Monday 2 March 2026**; and
- (2) The Hearing will start on **Monday 13 April 2026** and has been anticipated by Planning Panels to run for six days. Subject to participation and expert evidence, we expect it may run for up to 10 days, but greater clarity should be provided at the Directions Hearing.

**Amendment C444 (Residential Amendment)**

The Residential Amendment proposes:

- rezoning the land from the *Farming Zone (FZ)* to *General Residential Zone – Schedule 1 (GRZ1)* with a relatively small edge rezoned from the FZ to the *Industrial 3 Zone (IN3Z)*;
- inserting a new *Development Plan Overlay - Schedule 48 – South East Lara Residential Growth Area (DPO48)* to guide future land use and development outcomes;
- applying the *Environmental Audit Overlay (EAO)* to ensure that potentially contaminated land is assessed, and, where necessary, remediated prior to the use or development that could pose a risk to human health or the environment;

APAC-#315060592-v1

- amending the *What does this Planning Scheme consist of?* (Clause 72.03) to insert the new map 19DPO proposed to comprise part of the Scheme;
- amending maps 18ZN, 19ZN and 18DPO; and
- inserting maps 19DPO and 19EAO.



**Figure 1: Residential Amendment Land**

**Amendment C453 (Business Park Amendment)**

The Business Park Amendment proposes:

- rezoning the land from the FZ to the *Industrial 1 Zone (IN1Z)* and the IN3Z;
- applying the *Design and Development Overlay – Schedule 55 (DDO55)*; and
- amending maps 18ZN, 19ZN, 26ZN, 18DDO, 19DDO and 26DDO.



Figure 2: Business Park Amendment Land



**Figure 3: Land subject to the Amendments**

Lara Farms has instructed us to brief you, with a view to you providing independent expert opinion and evidence in this matter. Accordingly, we provide the following brief.

## 2 Background

- 2.1 The overall Amendment Area is bound by the Melbourne-Geelong railway corridor to the west, Canterbury Road East to the north, and Rennie Street and Princes Freeway to the east and southeast.
- 2.2 The Residential Amendment is supported by a strategic planning policy setting which includes, inter alia, the *G21 Regional Growth Plan*, *City of Greater Geelong Settlement Strategy* and *Lara Structure Plan* respectively.
- 2.3 The Business Park Amendment is also supported by a strategic planning policy setting which includes, inter alia, the *G21 Regional Growth Plan* and *Lara Structure Plan* respectively.
- 2.4 Lara Farms lodged submissions in respect of the Amendments, which are provided at Tab E of your brief.

## 3 Land (Residential Amendment and Business Park Amendment)

- 3.1 The Land subject to the Residential Amendment and Business Park Amendment is shown below.

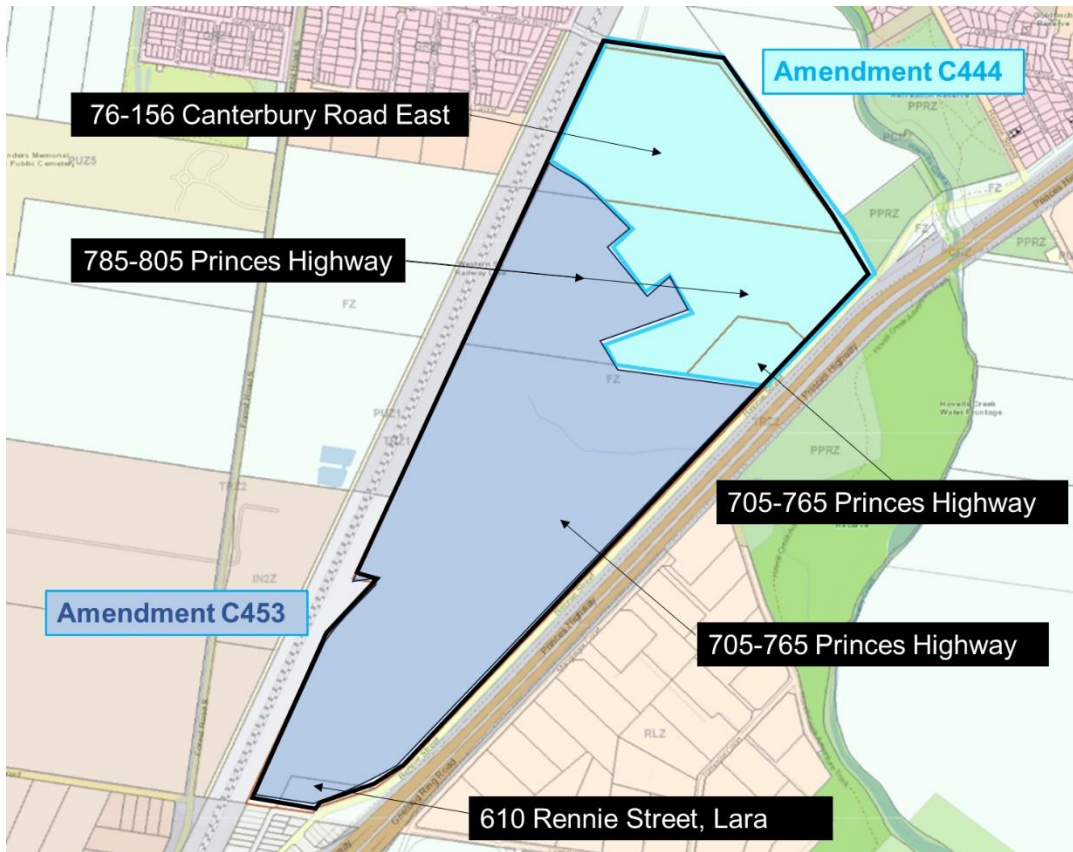


Figure 4: Residential Amendment and Business Park Amendment Land

3.2 The current zoning pattern of the Land and surrounds is shown below in Figure 5.

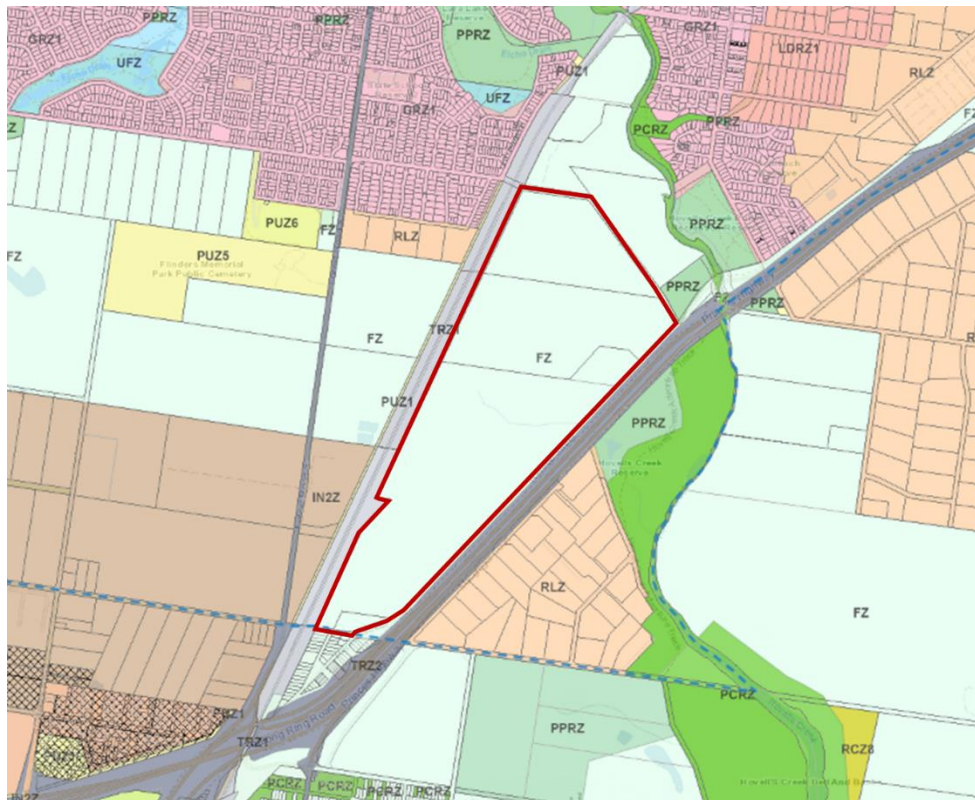
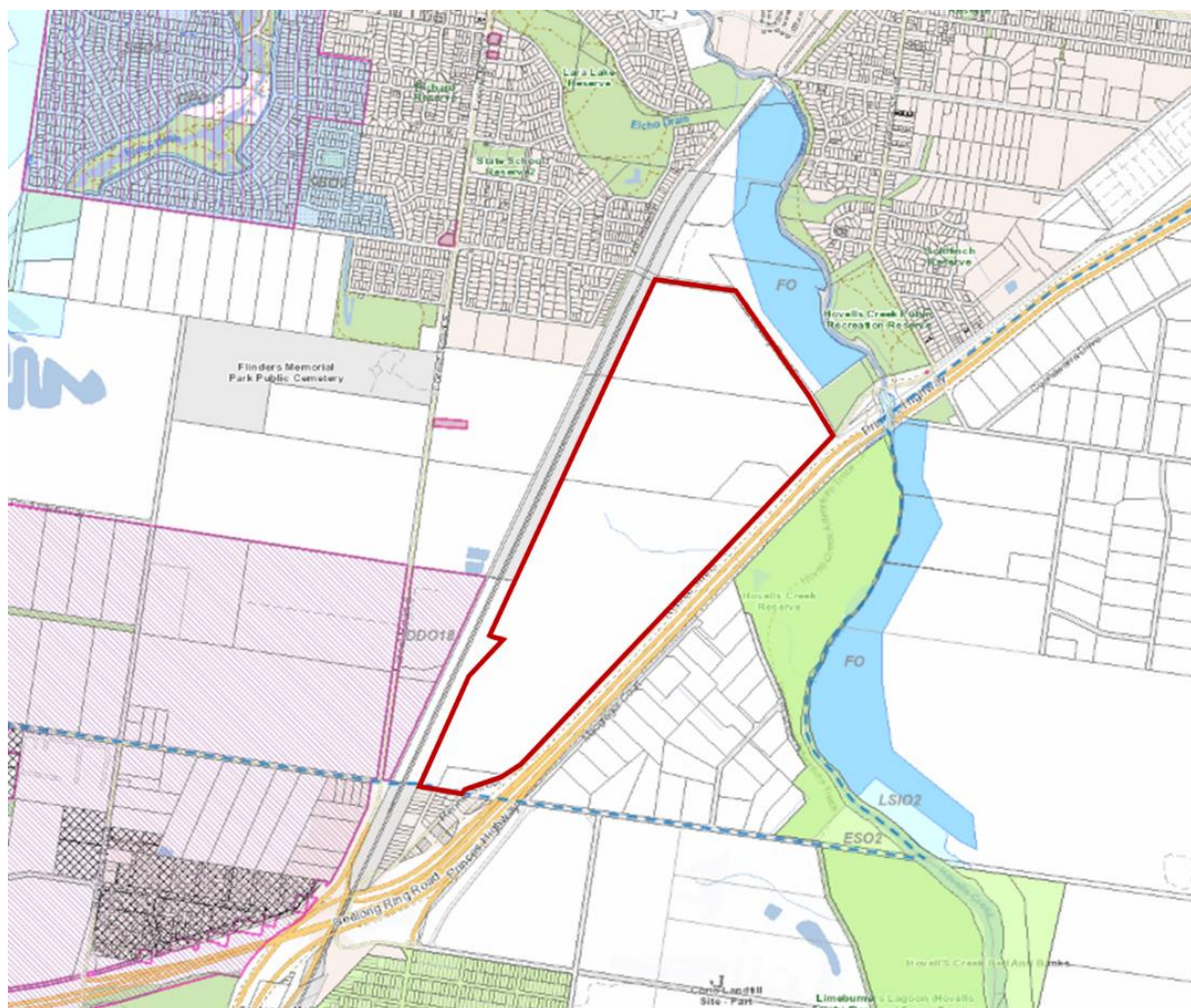


Figure 5: Map of existing zoning - Residential Amendment and Business Park Amendment Land

3.3 The current overlays applying to the areas surrounding the Land are shown below in Figure 6.



**Figure 6: Map of existing overlays – surrounding Residential Amendment and Business Park Amendment Land**

**4 Residential Amendment Land**

4.1 The Residential Amendment Land has an area of approximately 40 hectares and comprises the parcels noted below. We are instructed that this description of the Residential Amendment Land supersedes the details included in the exhibited Planning Report and aligns with what is shown in the exhibited Explanatory Report.

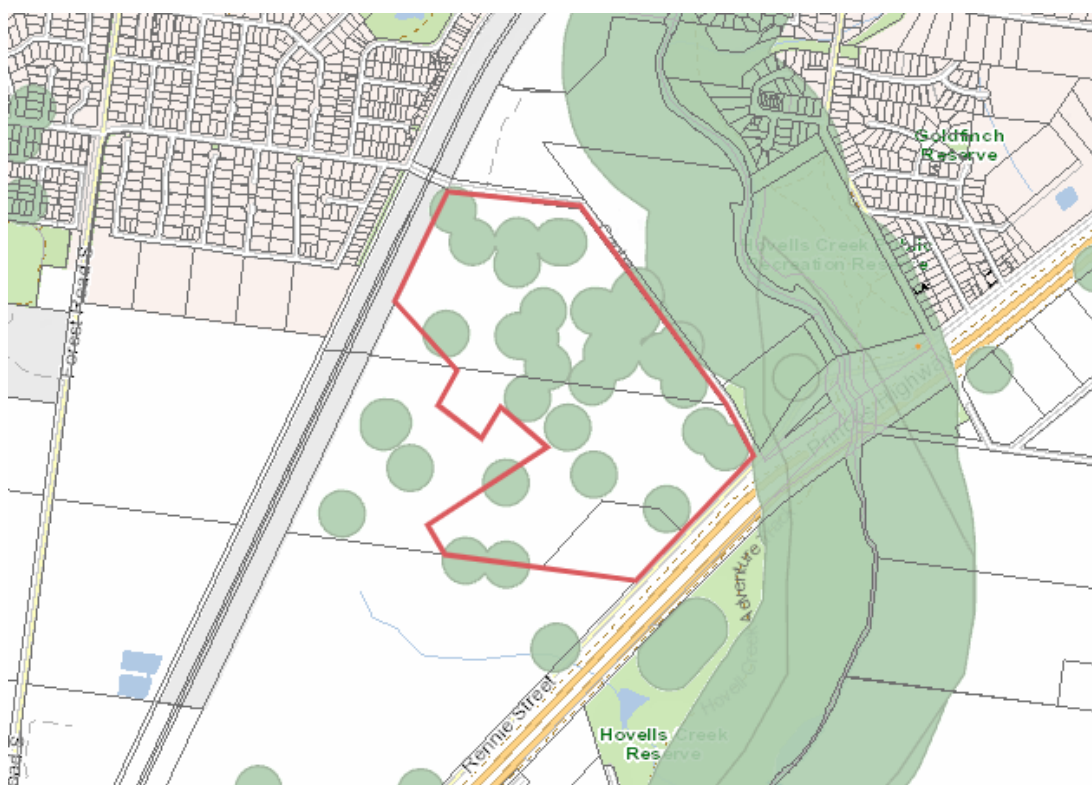
Street Address	Certificate of Title	Parcel description	Registered proprietor
76-156 Canterbury Road East	Volume 09925 Folio 167	3C\15B\PP5452	Lara Farms Pty Ltd
705-765 Princes Highway	Volume 09329 Folio 313	Lot 1 on Title Plan 191059	Trevor Clarence Nash, Anthony Leo Raso and Janine Baird (executors of the estate of Donald Nash)
785-805 Princes Highway	Volume 12385 Folio 750	Lot 1 on Title Plan 156147	Lara Farms Pty Ltd

4.2 Pursuant to the Scheme, the Residential Amendment Land is:

- (1) currently wholly within the FZ ;
- (2) partly covered by *Areas of Aboriginal Cultural Sensitivity*;
- (3) in a Bushfire Prone Area; and
- (4) not affected by any overlays.

4.3 The Residential Amendment Land is bound by:

- (1) to the immediate northeast, land within the FZ and *Public Parks and Recreation Zone (PPRZ)* respectively, with Hovells Creek, public open and the established GRZ1 area beyond. Further north is the Lara Town Centre and Lara Train Station (north of Station Lake Road);
- (2) to the immediate east is the Princes Highway, beyond which is land within the PPRZ, *Public Conservation and Resource Zone (PCRZ)* and Hovells Creek;
- (3) to the immediate south, land within the FZ Farming Zone (the subject of the Business Park Amendment); and
- (4) to the immediate west, the rail corridor, beyond which is land within the FZ, the *Rural Living Zone (RLZ)* and established GRZ1 area.



■ Areas of Aboriginal Cultural Sensitivity

**Figure 7: Areas of Aboriginal Cultural Sensitivity – Residential Amendment Land (VicPlan)**

4.4 Figure 1 to the DPO48, extracted below at Figure 8, contains the *South East Lara Residential Growth Area Framework Plan*.

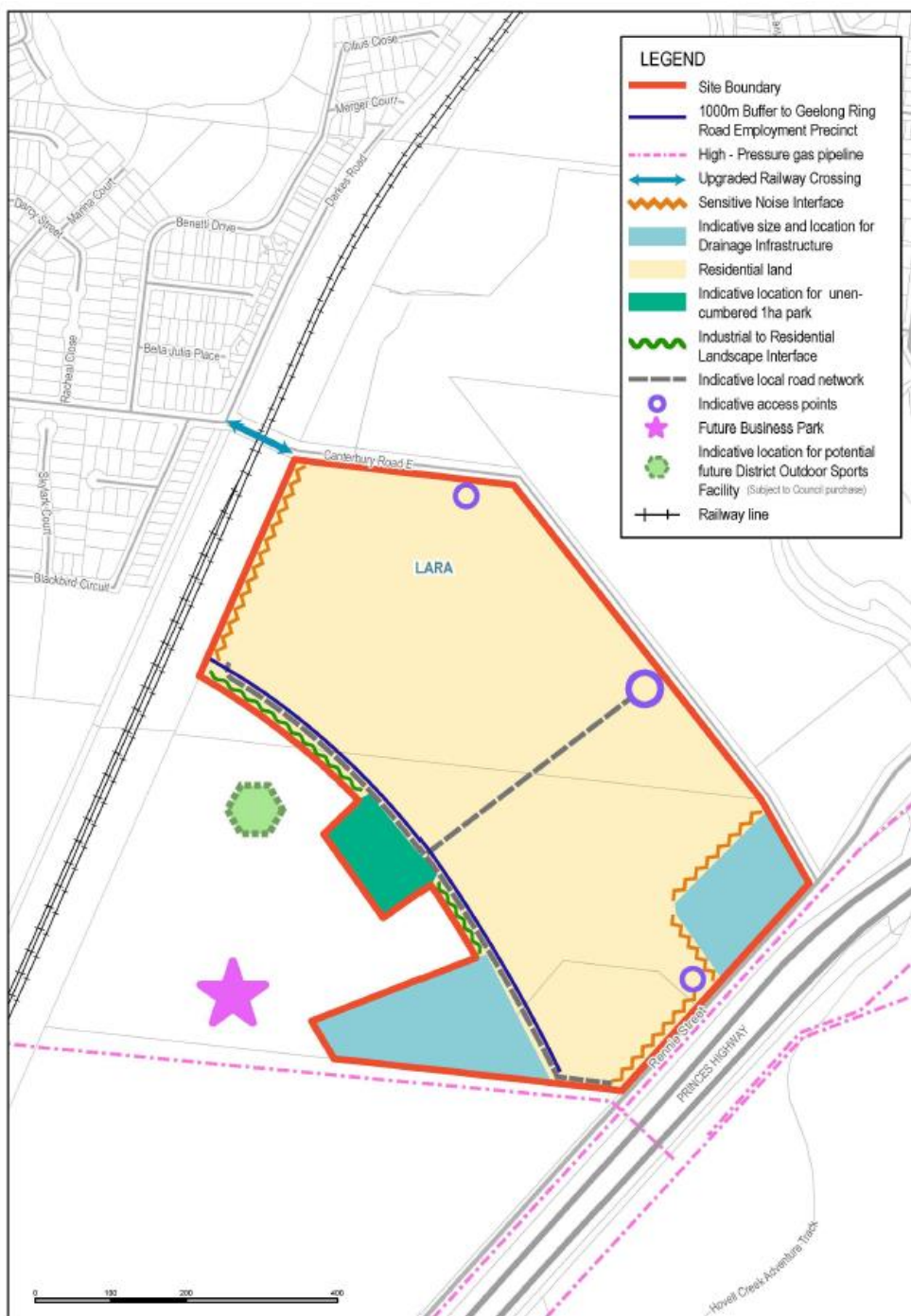


Figure 8: South East Lara Residential Growth Area Framework Plan (DPO48 – Figure 1)

**5 Business Park Amendment Land**

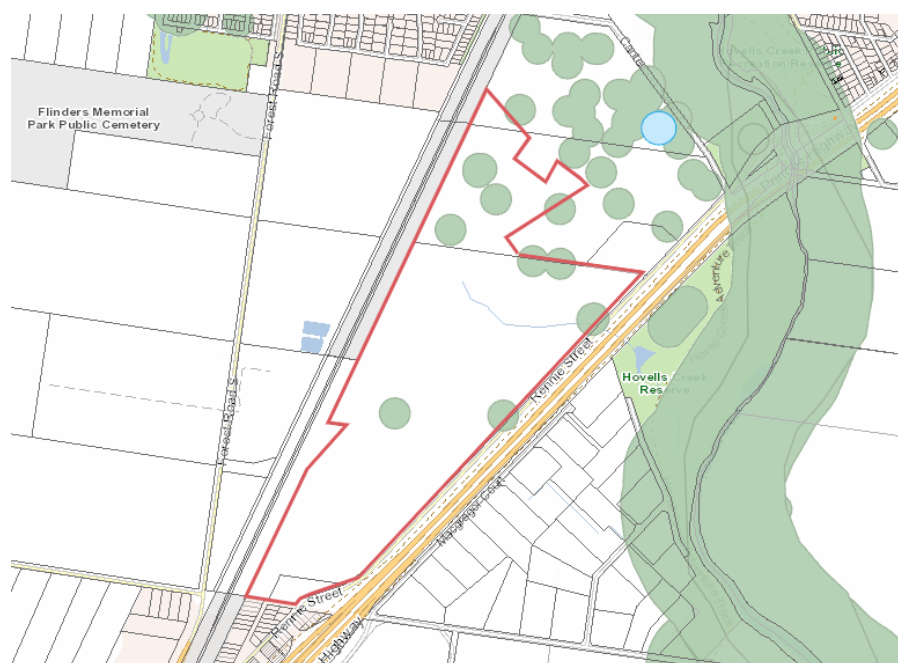
5.1 The Business Park Amendment Land has an area of approximately 78 hectares and is comprised of the 4 parcels noted below.

Street Address	Certificate of Title	Parcel description	Registered proprietor
76-156 Canterbury	Volume 09925 Folio	3C\15B\PP5452	Lara Farms Pty Ltd

Road East	167		
705-765 Princes Highway	Volume 09002 Folio 660	Lot 2 on Plan of Subdivision 098249	Lara Farms Pty Ltd
	Volume 09329 Folio 313	Lot 1 on Title Plan 191059G	Trevor Clarence Nash, Anthony Leo Raso and Janine Bird
785-805 Princes Highway	Volume 12385 Folio 750	Lot 1 on Title Plan 156147J	Lara Farms Pty Ltd
610 Rennie Street	Volume 09002 Folio 659	Lot 1 on Plan of Subdivision 098249	Benjamin Fabretto

5.2 Pursuant to the Scheme, the Business Park Amendment Land is:

- (1) currently wholly within the FZ;
- (2) partly covered by *Areas of Aboriginal Cultural Heritage Sensitivity*;
- (3) in a Bushfire Prone Area; and
- (4) not affected by any overlays.



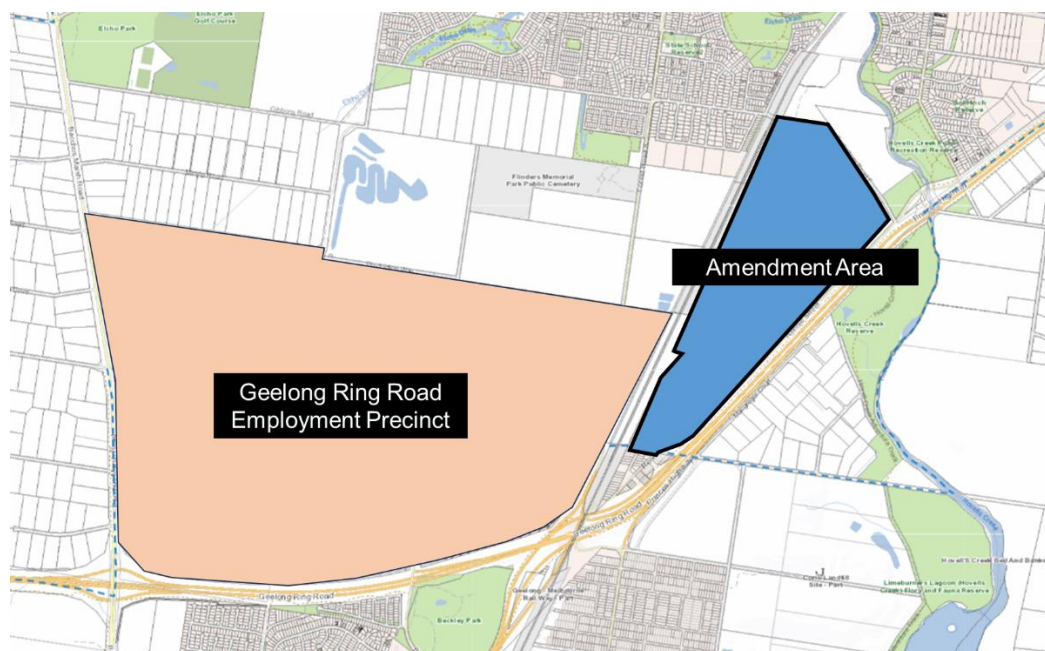
 Areas of Aboriginal Cultural Sensitivity

**Figure 9: Areas of Aboriginal Cultural Sensitivity – Business Park Amendment (VicPlan)**

5.3 The Business Park Amendment Land is bound by:

- (1) to the immediate north, land within the FZ (the subject of the Residential Amendment), beyond which to the northeast is land within the FZ and PPRZ respectively, with Hovells Creek, public open and the established GRZ1 area beyond. Further north is the Lara Town Centre and Lara Train Station (north of Station Lake Road);
- (2) to the immediate east is the Princes Highway, beyond which is land within the PPRZ, PCRZ, Hovells Creek and land within the RLZ;

- (3) to the immediate south, land within the FZ Farming Zone; and
- (4) to the immediate west, the rail corridor, beyond which is land within the FZ, and land in the *Industrial 2 Zone (IN2Z)* within the *Geelong Ring Road Employment Precinct*.



**Figure 10: Geelong Ring Road Employment Precinct**

## 6 Submissions

- 6.1 Council received 25 submissions concerning Amendment C444ggee and 17 submissions concerning the Amendment C453ggee.
- 6.2 Council prepared a report in response to the submissions (**Submissions Report**), which is provided at Tab E of your brief.

### Amendment C444ggee

- 6.3 The following authorities provided submissions in respect of the Amendment C444ggee, all of which are in support of the Amendment:
  - (1) APA Group, subject to refinement of the exhibited DPO48 that would:
    - (a) reduce the area (from 525 metres either side of the relevant gas transmission pipeline to 85 metres) which the development plan must address (through identifying the location and extent of the easement, being accompanied by a Safety Management Study and ensuring that sensitive uses are avoided or mitigated through appropriate siting and design measures);
    - (b) require APA Group to be consulted in approving any development plan by the Responsible Authority;
    - (c) require the pipeline 'area of consequence' (85 metres either side of the pipeline) to be mapped in the development plan; and
    - (d) list sensitive land uses to provide clarity to future permit applicants about what are considered as 'sensitive uses' under the DPO48.

Council has agreed to the changes requested by APA Group, and has also indicated that it would update the DPO48 (including at Figure 1) to better designate between the Viva Energy and APA Group gas pipelines.

Council has indicated that the exhibited DPO48 may be amended to restrict child care centres, retirement/residential villages, aged care facilities and dwelling densities in the Residential Amendment Area to the extent that it is affected by the 'area of consequence'.

- (2) Barwon Water, subject to its recommendations around integrated water management;
- (3) CCMA;
- (4) DEECA;
- (5) DTP, subject to draft markups to the exhibited DPO48 and changes to the Traffic Impact Assessment (including a combined assessment that considers the cumulative impacts of Amendment C444ggee and Amendment C453ggee);
- (6) Viva Energy, subject to its recommendations around protection measures in the DPO48 to include:
  - (a) a requirement for a permit applicant to engage with the Pipeline Licensee for any necessary protective works; and
  - (b) a requirement for a permit to subdivide land, construct a building or carry out works on land identified with or adjacent to the measurement lengths of the Westernport-Altona-Geelong Pipeline and White Oil Pipeline, which must include a condition requiring mitigation measures to be implemented to the satisfaction of the Minister administering the *Pipelines Act 2005* for the safeguarding of the pipelines.

Council has agreed to the changes requested by Viva Energy, and has also indicated that it would update the DPO48 (including at Figure 1) to better designate between the Viva Energy and APA Group gas pipelines.

#### Amendment C453ggee

6.4 The following authorities lodged submissions in respect of the Amendment C453ggee, all of which are in support of the Amendment:

- (1) APA Group, subject to refinement to the exhibited DDO55 that would reduce the area (from 525 metres either side of the relevant gas transmission pipeline to 85 metres) on which a permit application would be required to include a Safety Management Study;
  - (a) Council has not appeared to agree with APA Group's submission that the DDO55 should include a list of sensitive uses:

*Regarding the comment about sensitive land uses, the Area of Consequence is mainly located on the proposed IN3Z land. The uses listed in the submission that are not prohibited under Clause 33.03-1 but require a permit are:*

- *Child care centres*
- *Educational Establishments (only Employment training centre and Tertiary institution).*
- *Place of assembly (other than Cinema based entertainment facility which is prohibited)*
- *Service Station or Industrial / Warehouse uses that have large volumes of volatile and hazardous material.*

*The IN3Z schedule can regulate leasable floor area but not land use. Nor can the DDO which is a design and built form control. It is highly unlikely*

*that any of the uses listed above would be proposed within the Area of Consequence and DDO55 contains a permit application requirement for a Safety Management Study led by the pipeline licensee.*

- (b) Council does not consider it necessary to apply a Buffer Area Overlay, but has provided as follows (**emphasis** added):

*Clause 19.01-3S includes the strategy: Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided. PPN92 identifies the Buffer Area Overlay (BAO) as a purpose-built tool to manage buffers through the planning system. PPN92 says the BAO could potentially be applied to licensed pipelines in certain circumstances. An example is BAO1 Major Pipeline Infrastructure in the Latrobe Planning Scheme which triggers use permits. Given the circumstances of C453, it is not considered necessary to apply the BAO **however Council welcomes further consideration of this matter by the panel and developer.***

- (2) Barwon Water;
- (3) CCMA;
- (4) DEECA;
- (5) DTP, subject to draft markups to the exhibited DDO55 and changes to the Traffic Impact Assessment (including a combined assessment that considers the cumulative impacts of Amendment C444ggee and Amendment C453ggee); and
- (6) Viva Energy, subject to its recommendations around protection measures in the DDO55 to include a requirement for a permit applicant to engage with the Pipeline Licensee for any necessary protective works.

## 7 Your engagement

7.1 It is envisaged that your engagement will include:

- (1) Review of this memorandum and the background materials in your brief;
- (2) Provision of your independent expert opinion in respect of the appropriateness of the proposed Amendments, having regard to relevant matters within the limits of your expertise;
- (3) If instructed, preparation of an expert witness statement; and
- (4) If instructed, appearance before the Panel, to provide independent expert evidence.

7.2 You will be provided with further instructions in due course.

7.3 Any evidence should be prepared in compliance with the enclosed *Planning Panels Victoria Practice Note 1 – Expert Evidence*.

## 8 Enclosed documents

8.1 Your briefing materials are enclosed via Dropbox link. Please advise us should you require any printed copies of documents.

## 9 Fee proposal

9.1 Please arrange for your fee estimate to be provided to us in the first instance, for our client's review and instructions, prior to you undertaking any work in this matter.

9.2 If engaged, please issue your accounts directly to our client, the details for which will be confirmed upon acceptance of your proposal.

## **10 Confidentiality**

10.1 This letter and enclosed documents and all future communications between us and between you are confidential (**Confidential Information**) and are subject to a claim for privilege and must not be disclosed without our consent or the consent of our client.

10.2 The duty of confidentiality will continue beyond the conclusion of your instructions.

10.3 If you are obliged by law to disclose Confidential Information, it is not a breach of this engagement if you first give written notice to us of that obligation, if you can do so without breach of any law.

10.4 You must return all documents and other media, including copies, which contain Confidential Information to us. You must delete all electronically stored material immediately when requested to do so by us.

10.5 You must take all steps necessary to maintain Confidential Information and notes in strictest confidence.

## **11 Change of opinion**

11.1 If for any reason you change your opinion after delivering your expert evidence statement, please advise us as soon as possible. If that change is material, a supplementary report will need to be prepared, which explains the reasons for the change in your opinion.

Please contact the undersigned on 0476 574 032 should you have any questions regarding this matter or require any further materials.

Yours faithfully

## Supplementary Letter of Instruction



30 March 2026

 NORTON ROSE FULBRIGHT

You will note that not all materials provided within your brief will necessarily be relevant to your expertise and instructions. You are instructed to determine for yourself what is relevant to your instructions in this matter.

Please contact the undersigned on 0476 574 032 should you have any questions regarding this matter or require any further materials.

Yours faithfully

Partner  
Norton Rose Fulbright Australia

# Appendix C

## Documents which have been considered

## Tab A. Land Details

- Title search - Volume 09002 Folio 659 - 610 Rennie Street
- Title search - Volume 09002 Folio 660 - 705-765 Princes Highway
- Title search - Volume 09329 Folio 313 - 705-765 Princes Highway
- Title search - Volume 09925 Folio 167 - 76-156 Canterbury Road East
- Title search - Volume 12385 Folio 750 - 785-805 Princes Highway

## Tab B. Amendment C444ggee – Public Exhibition Details

1. Explanatory Report
2. Instruction Sheet
3. Schedule 48 to Clause 43.04 Development Plan Overlay
4. Schedule to Clause 73.02 What Does This Planning Scheme Consist Of
- 5(a). Map001DPO
- 5(b). Map 002ZN
- 5(c). Map 003EAO
5. Council Meeting Minutes - 25 March 2025
6. Acoustic Report, Enfield - January 2024
7. Affordable and Social Housing Overview, UrbanXchange - March 2022
8. Bushfire Risk Assessment, Beacon Ecological - June 2022
9. Fauna Assessment Report, Austral - November 2024
10. Infrastructure Servicing Assessment, Loetis - November 2024
11. Limeburners Bay Ramsar Wetland Impact Assessment Report, Venant Solutions - November 2024
12. Planning Report, Tract - September 2025
13. Preliminary Risk Screen Assessment, AAA Environmental - June 2023
14. Section 173 Agreement, Community Infrastructure Contribution
15. Site History Review, Compass Environmental - May 2022

## Tab C. amendment C453ggee – Public Exhibition Materials

1. Explanatory Report
2. Instruction Sheet
3. Schedule 55 to Clause 43.02 Design and Development Overlay
- 4(a). Map 001DDO
- 4(b). Map 002ZN
4. Council Meeting Minutes - 25 March 2025
5. Bushfire Risk Assessment, Beacon Ecological - June 2022
6. Cultural Heritage Assessment, Terra Culture - August 2022
7. Fauna Assessment Report, Austral - November 2024
8. Infrastructure Servicing Assessment, Loetis - November 2024
9. Limeburners Bay Ramsar Wetland Impact Assessment Report, Venant Solutions - November 2024

Evidence Statement to Lara Farms Amendment C444 (Residential Amendment) and Amendment C453 (Business Park Amendment)

10. Planning Report, Tract - November 2024
11. Preliminary Risk Screen Assessment, AAA Environmental - June 2023
12. Section 173 agreement 610 Rennie Street Lara - 21 July 2025
13. Site History Review, Compass Environmental - May 2022
14. Stormwater Management Strategy, Loetis - November 2024
15. Targeted growling grass frog and golden sun moth surveys, Austral - February 2025
16. Traffic Impact Assessment, Ratio - October 2024
17. Vegetation Assessment, Mark Trengove Ecological Services - November 2024

## **Tab D. Background Documents**

1. Lara Structure Plan - April 2011
2. G21 Regional Growth Plan - April 2013
3. City of Greater Geelong Settlement Strategy - August 2020
4. Draft Greater Geelong Industrial Land Supply Review 2025 - August 2025
5. Section 173 Agreement (Affordable Housing) - September 2025

## **Tab E. Submissions**

1. Compilation of submissions – Residential Amendment - 17 November 2025
2. Compilation of submissions – Business Park Amendment - 17 November 2025
3. Final C444ggee Combined Submissions
4. Final C453ggee Combined Submissions
5. Council Delegated Authority Report - Consideration of Submissions - 22 January 2026

## **Tab F. Panel Correspondence**

Amendment C444ggee and C453ggee - Directions Hearing Letter

Amendment C444ggee and C453ggee - Panel Directions, Timetable, Distribution List

## **Tab H. Part A Submission**

Greater Geelong Amendment C444ggee C453ggee - Council Part A Panel Submission

## **Other Documents**

Attachment-3-EES-Inquiry-and-Advisory-Committee-Report-No-1

Attachment-3-EES-Inquiry-and-Advisory-Committee-Report-No-2

T13-FT116-3.1-General-Residential-Zone

## **Documents Referenced in Text**

“Preliminary Brief to \_\_\_\_\_”, Norton Rose Fulbright Australia, 25/02/2026

“Submission No. 024, Amendment C444”, 12/12/2025

“Submission No. 017, Amendment C453”, 12/12/2025

“Submission No. 023, Amendment C444”, 28/11/2025

“Submission No. 014, Amendment C453”, 17/11/2025

“Infrastructure Servicing Assessment”, Loetis, 7/11/2024

<https://www.vivaenergy.com.au/energy-hub/gas-terminal-project/about-our-project>, last accessed: 01/04/2026

“Viva Energy Hub Gas Terminal - Viva Energy Australia”, last accessed: 01/04/2026

<https://planning-schemes.app.planning.vic.gov.au/Victoria%20Planning%20Provisions/ordinance/32.08>, last accessed: 01/04/2026

AS 2885.6: 2018 Gas and liquid petroleum Part 6: pipeline safety management (AS/NZS 2885.6)

“SCHEDULE 48 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY”, Author unknown, Date unknown

Greater Geelong City Council, *Consideration of Submissions Report*, item 24, Table 1

Greater Geelong City Council, Part A Submission to the Independent Panel, dated 30 March 2026, paragraph 14

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