



susannah\_palmer@worksaf  
e.vic.gov.au

31/01/2014 16:25

To vcat-admin@justice.vic.gov.au

cc louise\_close@worksafe.vic.gov.au

bcc

Subject VCAT Application P1404/2013 - NP Development Pty Ltd

P1401/2013

Dear Sir/ Madam

I refer to the above matter and enclose letter to The Registrar of the Planning and Environment List dated 31 January 2014 and written submissions of WorkSafe Victoria with attachments.

Please contact me with any queries.

Regards

Susannah



Head Office, 222 Exhibition Street  
Melbourne VIC 3000  
[www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)



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Attachment 1 to WorkSafe submission.pdf Attachments 2 & 3 to WorkSafe submission.pdf WorkSafe Submissions 31.1.14.pdf

31 January 2014

The Registrar  
Planning and Environment List  
Victorian Civil and Administrative Tribunal  
55 King Street  
Melbourne VIC 3000

By email: [vcat-admin@justice.vic.gov.au](mailto:vcat-admin@justice.vic.gov.au)

**VCAT Application P1404/2013 – NP Development Pty Ltd**

I refer to the above application which concerns a decision by the responsible authority (Hobsons Bay City Council) to review the failure to decide a permit application for a substantial residential development at 3-39 & 2-10 Nelson Place & 16-20 Kanowna Place, Williamstown.

The review site is located proximate to Mobil's Gellibrand Tank Farm which is a designated major hazard facility as defined by the *Occupational Health and Safety Regulations 2007*. WorkSafe Victoria ("WorkSafe") is not the statutory referral authority under the *Planning and Environment Act 1987 (Vic)* for the purposes of the planning application.

On 25 November 2013, WorkSafe received a letter from the Victorian Civil and Administrative Tribunal inviting it to make a submission on the application. WorkSafe is not an objector to the planning permit and does not seek to become a party to the proceeding.

WorkSafe now seeks to make a written submission explaining its position to the Tribunal so as to inform the Tribunal pursuant to section 98(1)(c) of the *Victorian Civil and Administrative Tribunal Act 1998*, attached. Should the Tribunal have any further queries in relation to the submissions, please contact me at 222 Exhibition St., Melbourne or at [susannah\\_palmer@worksafe.vic.gov.au](mailto:susannah_palmer@worksafe.vic.gov.au).

I understand this matter is set down for a Hearing commencing on 3 February 2014 for 16 days and apologise for the lateness of this submission.

Should you have any queries, please contact me.

Yours sincerely



Susannah Palmer  
Lead Lawyer  
Enforcement Group  
Direct 9940 4157  
Fax 9641 1092  
Email [susannah\\_palmer@worksafe.vic.gov.au](mailto:susannah_palmer@worksafe.vic.gov.au)

More information about



# Major hazard facilities

## Land use planning near a major hazard facility

### Summary

This information will assist planning and relevant authorities ensure exposure to risks from potential low frequency-high consequence incidents at existing major hazard facilities (MHF) is not increased by new developments or changes in land use surrounding them.

### Background

An MHF is an industrial facility where significant quantities of certain types of dangerous goods may be present as defined in the Occupational Health and Safety Regulations 2007 (OHS Regulations). It is safe to live or work close to an MHF because stringent design, operation and regulation of such facilities mean that a serious incident, with effects outside the site, is unlikely. However, incidents in Australia and overseas have illustrated the possible widespread effects on people surrounding a site. It is therefore important that land use planning minimises exposure of people close to an MHF.

To operate an MHF in Victoria a licence must be granted by WorkSafe Victoria. The licensing process includes assessment, clarification and verification of a Safety Case (prepared as a requirement of the OHS Regulations) and other relevant information. Following this licensing process, WorkSafe has information about the nature and extent of risks that may potentially effect the surrounding land and is able to provide advice to authorities responsible for planning.

There is no statutory requirement for planning or responsible authorities to contact WorkSafe on any proposed use or development of land close to an MHF, apart from section 55 of the *Planning and Environment Act 1987* that requires certain industrial developments to be referred to WorkSafe.

However, authorities with concerns about the proximity of an MHF to a proposed land use or development do seek advice from WorkSafe. Those who do not seek advice from WorkSafe may have limited knowledge of potential incidents at an MHF. It is therefore prudent for planning

or responsible authorities to seek information to assist them in deciding the appropriateness of a proposed use or development of land close to an MHF.

### Planning considerations

Operators of an MHF must reduce risk to the surrounding area so far as is reasonably practicable where it cannot be eliminated. WorkSafe's advice to planning and responsible authorities on any residual risk is an important step in the development and implementation of appropriate planning zones and determination of planning applications.

There is no standard methodology or criteria applicable to advise on planning proposals on land surrounding an MHF. However, all methodologies use the concepts of individual and societal risks<sup>2</sup> which can be expressed quantitatively or qualitatively. WorkSafe's advice on these risk concepts is based on a review of the Safety Case and any other relevant information that allows a reasonable estimate of areas of land affected by potential incidents at an MHF. More information about risk criteria and planning considerations for Australia can be found in the WorkSafe Victoria Guidance Note, *The Requirements for 'Demonstration' under the Occupational Health and Safety (Major Hazard Facility) Regulations* and the Planning NSW advisory paper No. 4, consultation draft, *Risk Criteria for Land Use Safety Planning*, available from [planning.nsw.gov.au](http://planning.nsw.gov.au).

WorkSafe believes it appropriate to present the extent of risk areas around an MHF as planning advisory areas:

1. Inner planning advisory area - the individual risk of fatality from potential foreseeable incidents is greater than or equal to  $1 \times 10^{-7}$  per year (one chance in 10 million years),
2. Outer planning advisory area - the consequence of a credible incident is not likely to cause a fatality but persons present may suffer some adverse effects or have difficulty responding to an emergency that may result in injury or harm.

<sup>1</sup> Individual risk is expressed as the probability of a typical user of the development under consideration (eg a dwelling, industrial use) being harmed in the course of a year from an incident at a major hazard facility.

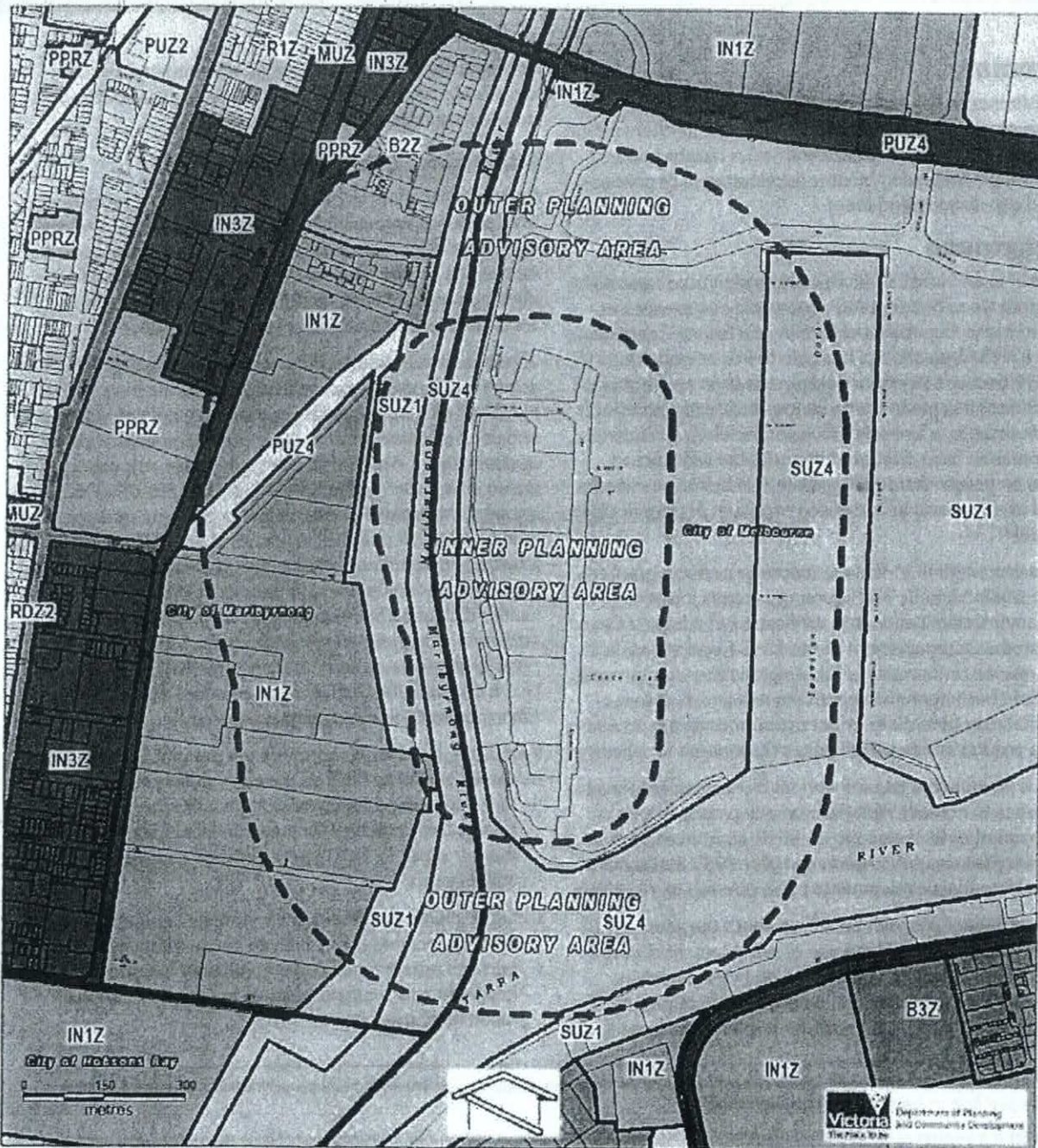
<sup>2</sup> Societal risk is a measure of the likelihood of a large-scale incident involving mass casualties. This measure depends upon integrating the risk of a major incident occurring with the number of people living or working in the vicinity of a major hazard facility who could be exposed resulting in death or major injuries.

# Land use planning near a major hazard facility

## Land use planning advisory areas for major hazard facilities

Coode Island, Port of Melbourne

This map should be read in conjunction with the WorkSafe Victoria Information Sheet *Land use planning near a major hazard facility*, issued March 2010.



NRS users phone 133 677 and quote 03 9932 1000

**From:** Sue Gauci

**Sent:** Thursday, 4 April 2013 12:58 PM

**To:** 'geoffrey\_cooke@worksafe.vic.gov.au'

**Subject:** planning application referral - former Port Phillip Woollen Mills Stage 2 - PA1226025

Dear Geoffrey,

Yesterday I advised that you would receive a referral with documents attached. Please note that the electronic system failed in this regard so I am sending you a link to the documents instead.

[https://greenlight.e-vis.com.au/hbcc/public/main.aspx?frm=uc\\_submission.ascx&appTypeId=1&mlid=110&AppId=151268](https://greenlight.e-vis.com.au/hbcc/public/main.aspx?frm=uc_submission.ascx&appTypeId=1&mlid=110&AppId=151268)

As previously explained, the site forms part of the former Port Philip Woollen Mills and is partly located within the Advisory Area referred to in the Design and Development Overlay (DDO11) in the Hobsons Bay Planning Scheme.

The Planning Scheme requires that before deciding on an application within the Advisory Area, Council is required to seek the views of Work Safe Victoria. Hence the application is being referred to you.

Feel free to call if you have any questions regarding the application.

**Sue Gauci**

Urban Planner- Major Projects and Policy

Urban Planning and Development

T: 9932 1116

NRS users phone 133 677 and quote 03 9932 1000

[www.hobsonsabay.vic.gov.au](http://www.hobsonsabay.vic.gov.au)

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Geoffrey Cooke/MHU/VWA  
17/04/2013 03:43 PM

To Sue Gauci <[sgauci@hobsonsabay.vic.gov.au](mailto:sgauci@hobsonsabay.vic.gov.au)>@DMZONE01  
cc  
bcc  
Subject TRIM: Re: FW: planning application referral - former Port Phillip Woollen Mills Stage 2 - PA1226025

Hi Sue,

Just to confirm that I did receive your e-mail and doubt that I can provide any additional advice or comments other than to reiterate the comments in WorkSafe's submission made to the Advisory Panel, see attached.

If you wish I will have a look at the emergency planning documents and the one relating to blast overpressure. However, please let me know what advice and information in relation to health and safety you are specifically seeking from this referral to WorkSafe recognising that WorkSafe is not an emergency response agency nor can offer expertise in building design.

Perhaps give me a call to discuss.

Regards,

**Geoff Cooke**  
Manager Major Hazards  
Workplace Hazards and Hazardous  
Industries Group

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WorkSafe Submission - Port Phillip Woollen Mills Advisory Committee.pdf

Sue Gauci <[sgauci@hobsonsabay.vic.gov.au](mailto:sgauci@hobsonsabay.vic.gov.au)>



**Sue Gauci**  
<[sgauci@hobsonsabay.vic.gov.au](mailto:sgauci@hobsonsabay.vic.gov.au)>  
16/04/2013, 11:56 AM

To Geoffrey.Cooke/MHU/VWA@WorkCover  
cc  
Subject FW: planning application referral - former Port Phillip Woollen Mills Stage 2 - PA1226025

Hi Geoffrey

I just wanted to make sure you received the email below. Can you confirm please?

Thanks

**Sue Gauci**  
Urban Planner- Major Projects and Policy  
Urban Planning and Development  
Hobsons Bay City Council  
T: 9932 1116  
W: [www.hobsonsabay.vic.gov.au](http://www.hobsonsabay.vic.gov.au)

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John Keaney  
Chair - Former Port Phillip Woollen Mills Advisory Committee  
Planning Panels Victoria  
PO Box 500  
East Melbourne VIC 3002

25 August 2010  
MH/CO/10/275

Dear John

**Proposed Redevelopment of the Port Phillip Woollen Mills, Nelson Place, Williamstown**

Thank you for your letter of 27<sup>th</sup> July 2010 inviting WorkSafe to make a submission regarding the appropriate form of planning control for the subject land.

As you know, the proposed development site is located near to the Gellibrand Tank Farm operated by Mobil Refining Australia Pty Ltd. The Gellibrand Tank Farm is a Major Hazard Facility (MHF) as defined by the Occupational Health and Safety Regulations 2007, by virtue of the large quantity of flammable liquids present.

The scope of WorkSafe's response to proposed changes in land use or new developments near a MHF is limited to providing advice and information about matters that could affect the health and safety of members of the community present on land surrounding those facilities. This position is summarised in an *Information Sheet entitled Land use planning near a major hazard facility*, available on WorkSafe's website which defines two planning advisory areas. This information aims to assist planning, and other relevant authorities to ensure exposure to risks from potential low frequency-high consequence incidents at certain industries is not increased by new developments or changes in land use surrounding them.

When determining the location of two planning advisory areas, WorkSafe reviews available information relevant to make a reasonable estimate of areas of land that might be affected by potential incidents at a MHF. Amongst other things, the information reviewed for fuel storage terminals that are MHFs, includes the findings from the extensive research that was undertaken following the 'Buncefield Incident' in the UK. The 'Buncefield Incident' occurred in the early hours of Sunday morning on 11<sup>th</sup> December 2005. Significant damage occurred to both commercial and residential properties in the vicinity of the fuel storage depot. Prior to the Buncefield investigation, the possibility of such violent explosions at fuel terminals was not considered credible by safety professionals. The occurrence of a 'Buncefield type' incident at an Australian facility, or anywhere else in the world remains unlikely. However, such an event is possible and is now viewed as a foreseeable or credible event by industry, safety professionals and regulators.

WorkSafe has conducted a review of relevant information<sup>1</sup> about the possibility of a Buncefield type incident occurring at the Gellibrand Tank Farm and has discussed this information with Mobil Refining Australia Pty Ltd, the operator of this MHF. At this stage, WorkSafe estimates that the land

at the proposed redevelopment site is outside the 'inner planning advisory area', but will be partly within the 'outer planning advisory area'. The appropriate planning advisory areas for the Gellibrand Tank Farm are estimated to extend a distance of 185 and 300 metres respectively, measured from the boundary of the bulk storage tank bunded areas. A bunded area is the secondary containment area surrounding the bulk storage tanks.

WorkSafe's general position is that buildings for residential use should not be located within the outer planning advisory area. Also, given the potential significant increase in population density at the subject land, WorkSafe's position is that the Advisory Committee's considerations of building form, layout and emergency management of residential buildings for the redevelopment should have regard to:

1. Opportunities to locate residential buildings outside WorkSafe's identified outer planning advisory area described above.
2. Opportunities for the building form to be capable of protecting persons from injury in the event of an explosion involving flammable liquids present, or which may be present, at the MHF at Gellibrand Pier. A review of the research reports following the Buncefield incident suggests that an explosion may generate a side-on overpressure in the range 5 to 8kPa at the subject land. These pressures are generally described as causing damage in the range of minor structural to partial demolition of houses respectively.
3. Opportunities to ensure that persons at the proposed development are able to safely evacuate any buildings at the request of the emergency services, and be capable of safe evacuation should the building be affected by smoke from a fire at the MHF at Gellibrand Pier.

We have advised Mobil Australia Pty Ltd of the general nature of the comments provided in this letter. If you have any questions, please contact Geoff Cooke on 03 9641 1539 or e-mail [geoffrey\\_cooke@worksafe.vic.gov.au](mailto:geoffrey_cooke@worksafe.vic.gov.au).

Yours sincerely



**Rodney Gunn**

Acting Director, Hazard Management Division

Direct 03 9641 1545

Fax 03 9641 1201

Email [rodney\\_gunn@worksafe.vic.gov.au](mailto:rodney_gunn@worksafe.vic.gov.au)

<sup>1</sup> Relevant information reviewed includes but is not limited to:

- a. Safety and environmental standards for fuel storage sites, Process Safety Leadership Group, Final report, UK Health and Safety Executive (In particular, Table 6 - Substance propensity to form large flammable vapour clouds).
- b. Recommendations on land use planning and the control of societal risk around major hazard sites, Buncefield Major Incident Investigation Board (In particular, figure 22 and page 59)
- c. Buncefield Explosion Mechanism, Phase 1 Volumes 1 and 2, Prepared by the Steel Construction Institute for the Health and Safety Executive 2009 (In particular, Figures D.18, F.1 and Table D.3 that illustrate potential explosion damage at distance from source).



**IN THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL  
PLANNING AND ENVIRONMENT LIST  
VCAT Reference: P1401/2013**

**NP Development Pty Ltd**

Applicant

AND

**Hobsons Bay City Council**

Responsible Authority

**SUBMISSIONS ON BEHALF OF WORKSAFE**

**Introduction**

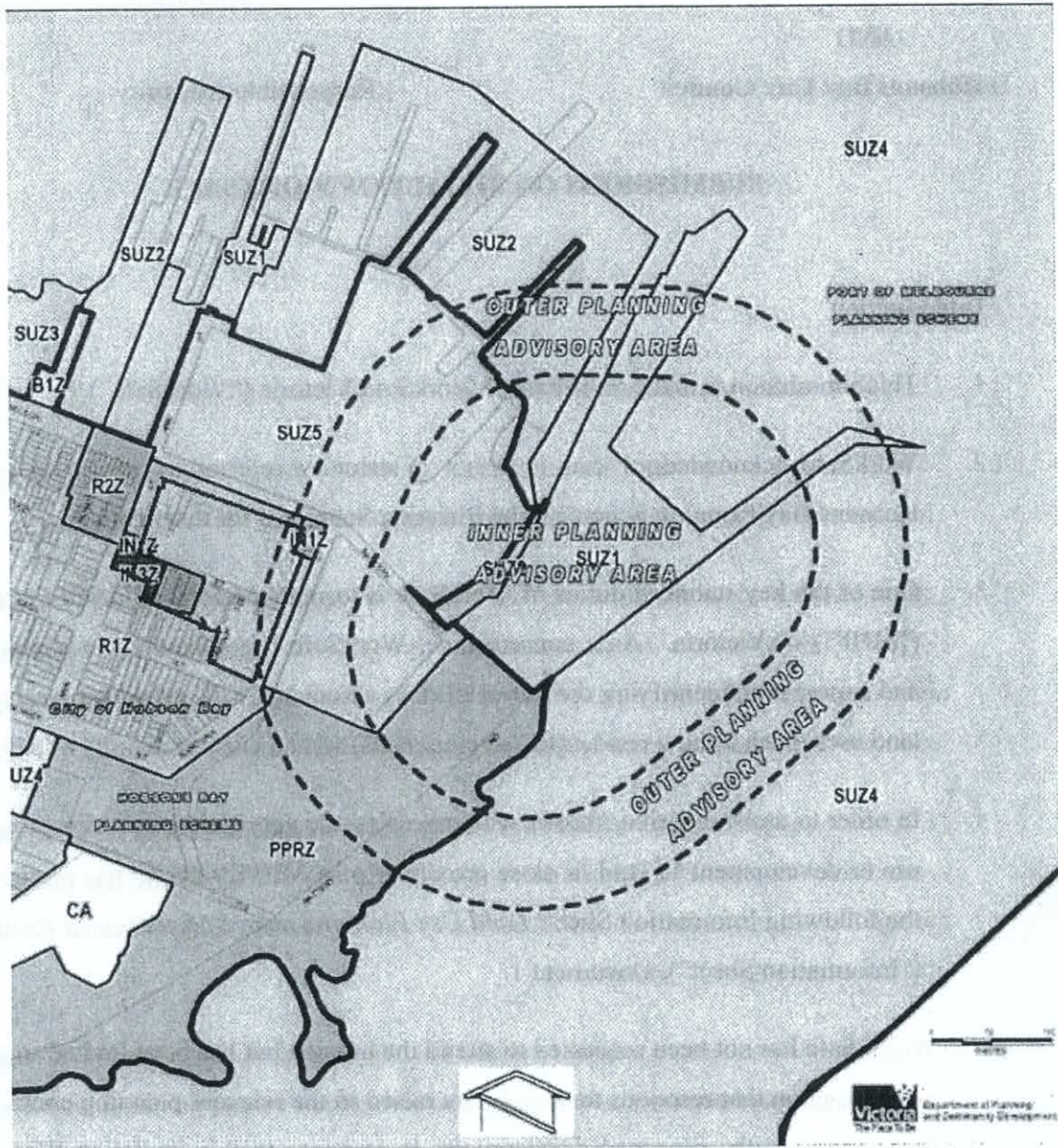
1. This submission is made on behalf of WorkSafe Victoria (“WorkSafe”).
2. WorkSafe acknowledges that it is not a statutory referral authority under the Hobsons Bay Planning Scheme (“the Planning Scheme”) for this application.<sup>1</sup>
3. One of the key statutory duties of WorkSafe is to regulate Major Hazard Facilities (“MHF”) in Victoria. As a consequence, WorkSafe has considerable experience and expertise in identifying the potential risks associated with introducing sensitive land uses (such as new residential developments) within close proximity of MHF.
4. In order to assist decision makers with assessing the appropriateness of a proposed use or development of land in close proximity of a MHF, WorkSafe has produced the following Information Sheet: *Land Use Planning near a Major Hazard Facility* (“Information Sheet”), Document 1.
5. WorkSafe has not been requested to attend the hearing but has been invited to make a submission that responds to the matters raised in the relevant planning controls as they relate to the proposed development. In response to this invitation WorkSafe seeks to make a written submission in these proceedings to assist the Tribunal with its decision (and the debate) regarding this application for review.

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<sup>1</sup>WorkSafe had been requested to provide written advice pursuant to clause 6 of schedule 11 to the Design and Development Overlay of the Planning Scheme by Hobson’s Bay City Council (“HBCC”) by letter dated 25 November 2013.

## Location

- The location of the subject land (3-39 & 2-10 Nelson Place & Kanowna Place & 16-20 Kanowna Place) relative to the WorkSafe land use planning advisory areas as described in Document 1 is shown below:



## Summary of advice

- The land at the proposed redevelopment site is outside the 'inner planning advisory area', but is partly within the 'outer planning advisory area'. WorkSafe's position is that buildings for residential use should not be located within the outer planning advisory area.

8. WorkSafe would not support the granting of a planning permit because the granting of a planning permit for residential development within the outer planning advisory area will increase exposure to the future residents of the dwellings to a potential major incident at the Gellibrand Tank Farm and may set a precedent for future residential intensification near the MHF.

### **About WorkSafe**

9. WorkSafe is a division of the Victorian WorkCover Authority. The statutory obligations of WorkSafe are set out in several Acts of Parliament (including the various Regulations) including:
  - a) *Occupational Health and Safety Act 2004* ("OHS Act").
  - b) *Dangerous Goods Act 1985* ("DG Act").
10. WorkSafe is a statutory referral authority under section 55 of the *Planning Environment Act 1987* for certain types of industries and warehouses defined by clause 52.10 of the Victorian Planning Provisions.
11. WorkSafe's advice on land use planning matters is governed by Part 2 of the OHS Act.
12. The impetus for the drafting of the Information Sheet commenced in March 2009.
13. In March 2009, the Major Hazards Advisory Committee ("MHAC")<sup>2</sup> discussed an initiative for WorkSafe to provide the Department of Planning and Community Development and local Councils with advice to assist them with their consideration of risk from MHFs in planning decisions and implementation of planning policy. This initiative was proposed because there were a number of cases where WorkSafe had been approached by Councils and Town Planning Consultants for information

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<sup>2</sup> WorkSafe's administration of the safety case regime for Victorian Major Hazard Facilities is guided by advice from the Major Hazard Advisory Committee (MHAC). Members of the MHAC include:

- a) A community representative;
- b) Plastic and Chemical Industry Association;
- c) Australian Institute of Petroleum;
- d) Australian Manufacturers Workers Union;
- e) Australian Workers Union;
- f) National Union of Workers;
- g) Australian Industry Group;
- h) An independent technical expert;
- i) Department of Treasury and Finance;
- j) WorkSafe.

and advice regarding introducing sensitive land-uses close to existing MHF and it was anticipated that the number of such requests would increase.

14. The Information Sheet has been considered in a number of planning matters regarding the introduction of sensitive land uses within close proximity of MHF, including:

- a) *Sandbar Properties Pty Ltd v Maribyrnong City Council*<sup>3</sup>
- b) *Shell Company of Australia v Hobsons Bay CC & Ors (Red Dot)*<sup>4</sup>
- c) *VJA Consultants Pty Ltd v Hobsons Bay CC*<sup>5</sup>

15. As WorkSafe does not have an operational role in emergency planning, nor has expertise relevant to building design, WorkSafe believe it is not appropriate to provide advice on these matters.

#### **About the Gellibrand Tank Farm**

16. The Gellibrand Tank Farm includes a number of storage tanks and ship unloading facilities. The tank farm is an MHF by virtue of the large quantity of flammable liquids present.

17. A MHF is defined in the *Occupational Health and Safety Regulations 2007*<sup>6</sup> and refers to a facility where materials (as set out in Schedule 9) are present or likely to be present in a quantity exceeding their threshold quantity, or a facility determined by WorkSafe to be a major hazard facility under Regulation 5.2.29.

18. In 2001, the operator of the Gellibrand Tank Farm notified WorkSafe (in accordance with the regulations) that materials were present or likely to be present in a quantity exceeding their MHF threshold quantity.

19. The Gellibrand Tank Farm is licenced for the following materials:

MATERIAL	DESCRIPTION
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<sup>3</sup> VCAT Reference No. P2132/2009

<sup>4</sup> VCAT reference No. P2860/2011, P2490/2011 / Permit Application no. PA11224466

<sup>5</sup> VCAT reference No. P1646/2012

<sup>6</sup> At Regulation 1.1.5.

Flammable Materials	Liquids which meet the criteria for Class 3 Packing Group I Materials
Flammable Materials	Liquids which meet the criteria for Class 3 Packing Group II or III

Note: Crude oil may be classified as Packing Group I, II or III

#### **WorkSafe's advice to the Tribunal**

20. WorkSafe's advice to the Tribunal is the same as that advice provided to the Former Port Phillip Woollen Mills Advisory Committee and to Hobsons Bay City Council by letter of 25 August 2010, Document 2, and by email of 17 April 2013, Document 3 respectively.
21. The Gellibrand Tank Farm has the potential to be dangerous to life and health. In the event of a major incident at the Terminal, the risk to life and health is immediate. Therefore it is essential that land use planning minimises the exposure of people to such risks.
22. In respect to the risks to people working at the Gellibrand Tank Farm, there are various occupational health and safety plans and strategies in place in the event of an incident.
23. In respect to the proposed development however, there is no inbuilt mechanism to warn residents or to protect them from the effects of an incident at the Gellibrand Tank Farm.
24. As noted above at paragraph 7, part of the proposed development is located sufficiently close to the potential hazards at the Gellibrand Tank Farm that in the event of a major incident there is a risk of persons present suffering some adverse effects or having difficulty responding to an emergency which may result in injury or harm.

#### **Technical basis for this advice**

25. The letter to the Former Port Phillip Woollen Mills Advisory Committee of 25 August 2010 explained that:

- a) The scope of WorkSafe's response to proposed changes in land use or new developments near a MHF is limited to providing advice and information about matters that could affect the health and safety of members of the community present on land surrounding those facilities. This position is summarised in the Information Sheet which is available on WorkSafe's website which defines the two planning advisory areas. This information aims to assist planning, and other relevant authorities to ensure exposure to risks from potential low frequency-high consequence incidents at certain industries is not increased by new developments or changes in land use surrounding them.
- b) When determining the location of the inner and outer planning advisory areas, WorkSafe reviewed available information to make a reasonable estimate of areas of land that might be affected by potential incidents at a MHF. Amongst other things, the information reviewed for fuel storage terminals that are MHF, includes the findings from the extensive research that was undertaken following the 'Buncefield Incident' in the UK. The 'Buncefield Incident' occurred in the early hours of Sunday morning on 11th December 2005. Significant damage occurred to both commercial and residential properties in the vicinity of the fuel storage depot. Prior to the Buncefield investigation, the possibility of such violent explosions at fuel terminals was not considered credible by safety professionals. The occurrence of a 'Buncefield type' incident at an Australian facility, or anywhere else in the world remains unlikely. However, such an event is possible and is now viewed as a foreseeable or credible event by industry, safety professionals and regulators.
- c) WorkSafe has conducted a review of relevant information about the possibility of a Buncefield type incident occurring at the Gellibrand Tank Farm and has discussed this information with Mobil Refining Australia Pty Ltd, the operator of this MHF. At this stage, WorkSafe estimates that the land at the proposed redevelopment site is outside the 'inner planning advisory area', but will be partly within the 'outer planning advisory area'. The appropriate planning advisory areas for the Gellibrand Tank Farm are estimated to extend a distance of 185 and 300 metres respectively, measured

from the boundary of the bulk storage tank bunded areas. A bunded area is the secondary containment area surrounding the bulk storage tanks.

26. As noted, the proposed development site is located partly within the outer planning advisory area. WorkSafe advises against new residential development at this distance because people present in residential buildings may not be able to safely respond to a potential emergency situation that may result in injury and harm and possibly fatality. In addition, in the event of a Buncefield type explosion emanating from the Gellibrand Tank Farm the blast over-pressure at the development may generate a side-on overpressure in the range 5 to 8 kPa at the subject land. These pressures are generally described as causing damage in the range of minor structural to partial demolition of houses respectively.

#### **The Advisory Area Map**

27. A number of Buncefield Investigation reports were referenced in WorkSafe's determination of the advisory map areas. WorkSafe concludes that:
- a) the activities at the Gellibrand Tank Farm have the propensity to create a large vapour cloud; and
  - b) the revised land use planning advice around large scale petroleum storage sites legislated in the UK's planning systems would advise against any new large residential building, residential building, and new occupied buildings for any use, within 300m, 250m and 150m respectively measured from the tank bunded area; and
  - c) the potential explosion damage from a flammable liquid storage tank can extend several hundreds of metres.

#### **Conclusion**

28. For the reasons outlined in this submission, WorkSafe's reiterates the advice previously provided to the Port Phillip Woollen Mills Advisory Committee, that buildings for residential use should not be located within the outer planning advisory area.

29. WorkSafe's advice to the Tribunal is that it should not issue a planning permit for the proposed development.
30. In the event that the Tribunal is minded to grant a permit, consideration should be given to the potential significant increase in population density at the development site, considerations of building form, layout and emergency management of residential buildings for the redevelopment which should have regard to:
- i. opportunities to locate residential buildings outside WorkSafe's outer planning advisory area described above.
  - ii. opportunities for the building form to be capable of protecting persons from injury in the event of an explosion involving flammable liquids present, or which may be present, at the MHF at Gellibrand Pier.
  - iii. opportunities to ensure that persons at the proposed development are able to safely evacuate any buildings at the request of the emergency services, and be capable of safe evacuation should the building be affected by smoke from a fire at the MHF at Gellibrand Pier.

**WorkSafe Victoria**