

Steve Mitchell
Scentre Group c/o Urbis Pty. Ltd.
85 Castlereagh Street
Sydney NSW 2000

31 March 2022

Dear Mr Mitchell

Westfield Eastgardens Planning Proposal Land Use Safety Study

I am writing in response to the Eastgardens Development Societal Risk Results Scentre Case Technical Note prepared by Sherpa Consulting Pty Ltd dated 23 December 2021 (the risk assessment), for the Westfield Eastgardens Planning Proposal dated December 2019 (the planning proposal) at 152 Bunnerong Road, Eastgardens. This latest risk assessment has been prepared to demonstrate the planning proposal's consistency with the NSW Land Use Safety Planning Framework (the Framework).

Because the planning proposal is located within the Botany Industry Park (BIP) area of consequence, compliance with the Framework needs to be demonstrated. As you are aware, the NSW Department of Planning and Environment (the Department) is responsible for preparing and administering the Framework and the associated guidelines, including:

- NSW Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning (HIPAP No.4);
- NSW Hazardous Industry Planning Advisory Paper No.6 – Hazard Analysis (HIPAP No.6); and
- the most recent Botany Industrial Park Quantitative Risk Assessment dated December 2018 (BIP QRA 2018). Specifically, this requires that the planning proposal does not elevate the overall risk surrounding BIP.

The Department is satisfied that the risk assessment has been prepared in accordance with HIPAP No.6 and compared against HIPAP No.4, because it:

- demonstrates the effect of the proposed changes facilitated by the planning proposal on the cumulative societal risks based on the BIP QRA 2018 Approved Case;
- is based on a detail population analysis which establishes the existing population of retail customers and employees;
- establishes the future population introduced from the planning proposal based on retail gross lettable area (GLA) and the three new commercial towers;
- includes the same technical assumptions with the BIP QRA 2018; and

- includes the identical set of population from the existing and approved development surrounding the BIP other than the Eastgardens shopping centre.

The Department's detailed response to the risk assessment comments are below. This includes updates to the planning proposal required before submission of a Gateway request.

NSW Land Use Safety Planning Framework - Individual Risk

The individual risk is used to determine whether a parcel of land is subject to a risk exposure that is above the risk criteria for the specific land uses.

The Department agrees with risk assessment that the planning proposal complies with the individual risk criteria, because the site is located outside of the risk criteria for sensitive uses, being:

- approximately 280m north of the Botany Industrial Park; and
- more than 400m from the nearest processing and storage areas.

NSW Land Use Safety Planning Framework - Societal Risk

Societal risk considers the risk of incidents from the hazard sources which may critically injure multiple people. The population assessment is critical to determining the societal risk. The risk assessment considers cumulative societal risk, including the existing population and the additional population introduced by the planning proposal. This includes any residential and non-residential populations.

The risk assessment indicates that the population introduced from the planning proposal will not result in change to the cumulative societal risk identified in the BIP QRA 2018 Approved Case. This has been demonstrated by refining the population of the shopping centre building located within risk contour of 1×10^{-9} per year from BIP.

The Department is satisfied that the planning proposal adequately addresses the Framework, provided that the population within the area identified in Section A2 of Appendix A in the risk assessment does not exceed 2,444 people, assuming 1 person per 16 m² of GLA. In this regard, it is necessary to reduce the GLA from 14,152 m² to 11,711 m², or to approximately 83% of the proposed GLA, within the 1×10^{-9} per year contour.

Required updates to the planning proposal to address the NSW Land Use Safety Planning Framework

The planning proposal will need to be updated prior to Gateway to include a plain English explanation of provisions which provides for consideration of the Framework and the risk assessment as part of any future development application. Specifically, this provision will need to:

- apply to development at 152 Bunnerong Road, Eastgardens, which is legally described as Lot 1 DP 1058663 (the site);
- give effect to the conclusions of the risk assessment to ensure no change in the cumulative societal risk as indicated in the BIP QRA 2018 Approved Case; and
- ensure notification to and consideration of any comment from the Department's Hazard and Risk technical experts by the consent authority prior to the issuing of any development consent.

This provision is necessary, as in some circumstances, an additional risk assessment may be required to demonstrate the compatibility of future development, especially if any future development application results in a greater estimated population than that contemplated in the risk assessment.

Specifically, this additional risk assessment would be assessed against HIPAP No.4 and the most recently endorsed BIP QRA, including the suitability of detailed design solutions needed to demonstrate compatibility with the hazard risks.

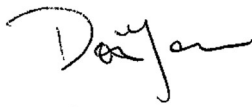
Next Steps

The Department does not object to the planning proposal proceeding for a Gateway determination on hazard and risk grounds once it has been updated with the requirements of this letter. Nonetheless, the Department still needs to assess the strategic and site specific merit of the planning proposal as part of a Gateway determination request if received.

Should Bayside Council or proponent have any questions related to the various matters raised in this letter, the Department can provide further information or assistance as necessary.

If you have any more questions, please contact myself at the Department on 9274 6110 or at doris.yau@planning.nsw.gov.au.

Yours sincerely



Doris Yau

Team Leader - Industry Assessments (Hazards)
NSW Department of Planning
and Environment

cc: Bayside Council - Clare Harley, Manager Strategic Planning

Encl: Eastgardens Development Societal Risk Results Scentre Case Technical Note prepared by Sherpa Consulting Pty Ltd dated 23 December 2021 (ref. Doc. No.: 21449-TN-004 Rev 0)