



Final Due Date:

Correspondent:

Subject: Beverly Hills Masterplan Land Use Safety Study

Signatory: Doris Yau

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Ms Gail Connolly
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1st November 2021

Dear Ms Connolly

NSW Land Use Safety Planning and the Beverly Hills Masterplan

Thank you for your correspondence requesting comments from the NSW Department of Planning Industry and Environment (the Department) on the Land Use Safety Study (the LUSS) prepared by Arriscar for Council's proposed Beverly Hills Masterplan (the masterplan). As Council are aware, the Department is responsible for preparing and administering the NSW Land Use Safety Planning Policy and the associated guidelines.

The Department is satisfied that the LUSS has been prepared in accordance with the NSW Hazardous Industry Planning Advisory Paper (HIPAP) No.6, including:

- capturing site-specific information on the pipeline, including concrete slapping, operating pressure and pipe thickness;
- adoption of appropriate technical assumptions; and
- consideration of both the individual and cumulative societal risks compared against the HIPAP No.4 risk criteria.

The Department has also reviewed the comments provided by APA Group (the pipeline operator) on the masterplan.

The Department's response to the LUSS and pipeline operator comments are discussed below, including necessary updates to the masterplan.

Individual Risk

The individual risk can be 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. In this instance, the LUSS established that the exposure is above the individual fatality risk criteria in the areas for:

- residential uses (1e-6 pmpy) from 20 to 35m on either side of the pipeline. This is identified by the area bounded red in **Figure 18** of the LUSS. This is also known as the 1e-6 pmpy contour; and

- sensitive uses (0.5e-6 pmpy) from 60 to 75m on either side of the pipeline. Sensitive use is defined as a development that may be difficult to evacuate, including schools, aged-care facilities, childcare and hospitals. This is identified by the area bounded orange in **Figure 19** of the LUSS. This is also known as the 0.5e-6 pmpy contour.

Update to Masterplan

The masterplan will need to be updated as follows to satisfy the individual risk criteria for:

- residential land uses within the 1e-6 pmpy contour - Council will need to explore alternative land uses for this identified land which are compatible with the risk criteria. These could include commercial or open space uses.

This may require amending the proposed zoning and associated development standards identified in the masterplan for this affected land to ensure compatibility with the individual risk.

Alternatively, Council can retain existing development densities and permissibilities; and

- sensitive land uses within the 0.5e-6 pmpy contour - the masterplan can leverage the recently adopted Clause 6.16 - Development in areas of activity hazard risk of the new Georges River LEP 2021.

This means sensitive uses on the identified land will need to demonstrate through the development application process that they are compatible with the relevant hazard risk criteria found in Hazardous Industry Planning Advisory Paper (HIPAP) No.4.

This can be demonstrated through detailed design solutions, where various solutions such as building setbacks can be investigated to satisfy HIPAP No. 4.

The Department can then provide comment to the consent authority through Clause 6.16 to confirm an application satisfies the relevant land use safety planning requirements.

Societal Risk

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

The cumulative societal risk assessment has been undertaken in accordance with HIPAP No.6 guideline and demonstrates the LUSS complies with the societal risk criteria. As such, the proposed population can be supported on hazards and risk grounds.

Update to Masterplan

The masterplan should note that if the estimated population contemplated in the LUSS increases by either amendment of the masterplan or as part of a development application, a further risk assessment to re-evaluate the cumulative societal risk will be required.

The Department can assist Council to determine if a further risk assessment is required at either the master planning or development application stages.

Pipeline Operator Submission

On 24 September 2020, the pipeline operator provided comments on the masterplan. The Department supports this engagement by Council and strongly encourages this collaboration to continue as the masterplan progresses.

It was noted that the pipeline operator requires the preparation of a Safety Management Study (SMS) for sensitive development in accordance with AS 2885. It is understood that a SMS is typically prepared through a workshopping process in collaboration with the pipeline operators, developers and Council. The preparation of the SMS can be undertaken during either the rezoning process or the development application stage. The Department recommends Council consult with the pipeline operator in relation to the timing for preparation of the SMS.

The Department also acknowledges that the definition of sensitive uses under AS 2885 differs to HIPAP No.4 under NSW Land Use Safety framework. The SMS should be undertaken for the sensitive uses as defined in the pipeline operator's submission.

Update to Masterplan

The masterplan should be updated to account for the consultation outcomes with the pipeline operator concerning the SMS process.

Once Council has updated the masterplan to address the various matters raised in this letter, the Department is happy to provide further comment to Council. This will ensure the masterplan responds appropriately.

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
Specialist Hazards
NSW Department of Planning,
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Encl: Land Use Safety Study prepared by Arriscar dated 23 September 2021 (ref. Doc. No.: J-000466-01
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