Save Williamstown - Safety Issues and Concerns in response to the MHF Advisory Committee Discussion Paper

Part 1 KEY ISSUES Response to Questions

Save Williamstown answers:

1. Does the planning system effectively address existing or greenfield MHF or other hazardous industry that poses a risk to the safety of surrounding areas?

   Save Williamstown believes that current planning decisions do not sufficiently consider and address safety and amenity issues in areas surrounding Major Hazard Facilities (including high pressure pipelines).

2. How should planning address areas surrounding existing or proposed MHF or other hazardous industry that poses a risk to the safety of surrounding areas?

   Worksafe and the EPA need to play a much greater role. Licensed MHFs, industries with adverse amenity, pipelines and ports (MHF+) should have the area surrounding them mapped by Worksafe and/or EPA to provide formal advice to planners. Prescriptive methods including GIS (Geographical Information System) maps should be pre-defined (ie not calculated when a neighbouring planning application arises) by experts working on instruction of the authorities using the details contained in Safety Cases and Quantitative Risk Assessment (QRA). Specific buffer distances should be determined for each site, which can be referenced by planners applying the planning scheme. ie Each facility needs to be examined individually such that the prescriptive system for assessing MHFs is much more than just ticks boxes.

3. Should there be greater consultation when a new MHF is proposed or changes made that would require changes to its safety assessment? Who should be involved in that consultation?

   Land around the facility should be assessed for changed buffer requirements using the best independent research methods. Future change impacts on neighbouring land should also be considered. Worksafe and EPA should be responsible for professional assessment but the applicant operator should pay for the assessment as part of licensing fees. Reverse buffers need to be considered and consultation with police, emergency services and local councils may also be appropriate.

4. Should a definition for MHF be included in planning schemes, and if so, what might a definition include?

   Yes a section of the state scheme should be devoted to planning near MHF and hazardous industries, which do not reach the threshold of an MHF but have the potential to impact on safety of neighbouring properties. The UK calls this planning advice system PADHI “Planning Advice for Developments near Hazardous Installations”. Pipelines and ports should also fall within this section of the scheme. Definition: A site which needs a human safety risk and environmental risk buffer zone on the land it uses and/or beyond its property boundary because of safety and adverse amenity beyond specified thresholds. Those sites may be licensed MHFs, Hazardous Industries, Pipelines and Ports.

5. Should MHF emergency plans also be required to consider the affect a major incident would have on property within the land use planning areas and provide this in information given to the local community?

   Yes, residents and future residents MUST be given this information so that they can be prepared like in Bushfire Risk zones. The Worksafe Inner and Outer Planning Advisory Areas are substantially closer to the facility than is used in the UK HSE PADHI system for comparable facilities (see our issues explanations) which are applied in their advice to planners. It is important that the emergency plans should reflect realistic societal risk.
6. Should the WorkSafe methodology for Inner and Outer Planning Advisory Areas continue to be the basis for identifying risk areas around MHF and be used for the land use planning system?

Yes, but it should be expanded to have Inner, Middle and Outer Risk areas and sources of risk need to included not just Tanks in MHF but Pipelines, Transfer Points and Transportation Risks. These require different assessment techniques. The UK HSE PADHI system provides a good model to use and Worksafe is not only familiar with this system but has used it as a basis for its IPAA and OPAA (see report of PPWM AC). Victorians, both workers and residents deserve the best available research methods to be used. Buncefield UK Explosion (2005) changed the worldwide understanding of consequences. The UK and other countries have significantly changed planning law to deal with major hazard facilities.

7. Should risk areas around MHF, through Inner and Outer Planning Advisory Areas, be identified in planning schemes?

Yes. The maps should be predefined for ALL MHF and hazardous sites and GIS maps supplied to all relevant local government to provide prescriptive advice which is not subjected to evaluation or reinterpretation by adversarial means by the responsible authority (Council or by substitute VCAT).

There is a huge problem with the funding and accuracy of adversarial process for the determination of planning advisory areas (eg. in VCAT). It is well recognized that the payment of experts to give evidence by applicants or litigants can lead to such evidence being biased and unreliable.

8. Are there other more appropriate mechanisms other than the planning system that could be used to identify risk areas around a MHF that would alert landowners, tenants, permit applicants, facility operators and prospective purchasers and others about a MHF and the risk potential?

Yes. Reference to the position of the land that the MHF occupies should be included in the Safety Case. Worksafe information maps should be part of the Land Data database and supplied to prospective buyers as part of Section 32 of the purchase of property, just as flood or bushfire risk information is provided to prospective buyers.

Just as new property owners familiarise themselves with easements which are no go zones for development the open publication of the information should remove the ability of developers and land owners from fighting the exclusion zones.

9. Should modelled risk areas around MHF be translated into planning schemes, and if so, how could this best be achieved?

Yes. The QRAs should be prepared for all MHF+ in a similar way to the Quantarisk report, which includes all known hazards. Location of land (such as on a peninsula), prevailing winds and wind rose probabilities information are particularly important to be included in QRAs. The emergency services under the co-ordination of VicPolice response to any incident needs to be realistically modelled and include these factors. The cost of such preparation should be part of operator license fees.

Save Williamstown makes this point about wind probabilities and topographical locations because we understand that only one direction of prevailing wind is considered in the Safety Case for the Pt Gellibrand MHF. The risks are substantially increased if the wind is from the SE because with limited firefighting available from the waterside of the MHF, and the wind blowing onto the peninsula, emergency response will be compromised and smoke will be blown onto the emergency respondents and into the residential area. The Coode Island fires in the early 1990s demonstrated the importance of wind direction.
10. Is the treatment of MHF in State policy adequate/appropriate?

No. State Policy needs to be rewritten in this respect and consideration given to Worksafe becoming a Health and Safety Authority, which has statutory responsibility for not only workplaces but also communal and residential matters. Workplaces are required to have Health and Safety Committees and Representatives whereas residents do not have such requirements ie in the PPWM site when asbestos has been removed from the demolition site, Worksafe will inform nearby businesses but NOT residents because they have no responsibility for resident safety. EPA catches infringers but do not inform communities.

11. Should policy more clearly prioritise the protection of human life in areas around MHF similar to that provided under Bushfire policy?

Yes because in most instances there is time to evacuate as Bushfires approach with estimated speed and residents choose to react to STAY or GO, whereas with an MHF incident other factors come into play: explosion over pressures, speed of event, time and distance of spread of the event, density and egress for nearby population, Stay or Go decisions based on the type of event ie what chemicals are involved, heat of fire & smoke risks, etc

12. Could local planning policy play a greater role in managing conflicting land uses and sensitive land use near MHF and provide strategic guidance on how such areas are developed?

Yes, extremely important. Local planning policy should be able to prohibit sensitive uses based on scientific advice. This may sterilize land and decisions need to be made as to compensation for land owners or compulsory purchase by the state.

13. Should a specific zone be considered and applied to all MHF such as the SUZ or a new zone?

Yes. SUZ (series of number) zones to cover the MHF and separate zone for Inner and Middle zones and possibly a further zone for Outer where sensitive use including high rise may be precluded.

14. Could or should SUZ or other zone boundaries extend off-site from MHF and Schedules used to allow certain use and development to occur?

Yes see our issues explanation of UK HSE PADHI.

15. Could any new or modified zone include purposes, permit requirements, decision guidelines that identify and manage sensitive uses?

Yes. The decision guidelines as they affect MHF+ and encroachment should be statewide and NOT overridden by site specific DDOs or DPOs signed off by the minister (see our issues). Save Williamstown believes that officers in the Planning Department have provided ministerial advice, which does not reflect the danger of the sites and the minister has then overlooked advice from Advisory Committees and Worksafe/EPA/Port Authorities. See our notes on the Port Zone recommendation for Pt Gellibrand. The public service advice has not been in the public domain and required freedom on information requests which are obtained too late to challenge the decisions and at too great a cost to the community. Raising complaints with the Ombudsman excludes ministerial decisions and the Supreme Court is too expensive for communities to contemplate. This system is too vulnerable to improper influence being exerted by private lobbyists.

16. Should zones prohibit intensification of use or should they maintain a discretionary permit process?

Yes. The number of persons anticipated on the site with use description are essential to proper planning decisions. Residents and workplace capabilities to organize in an emergency, and access to and capacity of escape routes should all be considered and change of use should require new permits to be issued. First principles should be observed in all
planning decisions to avoid incremental creep (ref Shell High St and Melbourne Rd VCAT
decisions.)

17. Could or should an existing or new overlay be used to identify risk and manage development on
land surrounding a MHF?

Yes even if this sterilizes the land. In fairness to current owners, compulsory purchase may be
appropriate.

Although not an MHF, the City of Casey Brookfields Park Landfill case in the Supreme Court
is relevant here. In this case, the initial council decision and initial EPA advice were
overturned by VCAT who required the responsible authority to issue permits. Subsequently
some years after residents moved into the properties, leakages from the landfill caused
residents to be evacuated and impacted/damaged their homes. The council and the EPA
were required to pay $23m in damages to the owners of the properties. Interestingly even
though the developer had taken the case to VCAT and obtained permission using expert
evidence, the developer is now also claiming damages from the responsible authority. This
shows that when something goes wrong, the responsible authority can be sued, even when it
was opposed to the development proceeding.

In the case of PPWM Stage 2, which is only about 10% of the full PPWM site, the property
value of $85m could become claimable in the case of an event such as a BLEV (Boiling Liquid
Expanding Vapour Explosion) at the MHF. Mobil’s Pt Gellibrand facility stores Crude Oil in
tanks, which has different risk factors to the PETROLEUM storage at Shell’s
Spotswood/Newport MHF. BLEV are recognized events internationally involving tanks with
floating roofs which containing some water within the hydrocarbon present, in particular
Crude Oil Tanks. Scientifically BLEV’s are known to involve a fireball from a roof fire
traveling up to 10 times the diameter of the tank. See “Floating Roof Storage Tank Boilover”
Shaluf & Abdullah 2011, Journal of Loss Prevention. Pt Gellibrand tanks are 40m diameter
and therefore when Mobil stated at HBC & PPWMAC that they considered 400m to be the
appropriate buffer it was based on scientific evidence. This information in recorded on the
tapes & submission documents of the hearings at VCAT 2014 as presented by Charmian Gaud
and would be available in the case of claims for such an incident. Although rare – there are
on average 10 such incidents worldwide per year. To protect against future financial risk
the responsible authority needs to make planning decisions based on scientific evidence and
the calculations of QRAs ordered by the health and safety authority with full cooperation of
the operator (often an expert) of the site. In the case of PPWM Stage 2 – Worksafe advised
VCAT against development but VCAT ordered HBC to issue the permit. Multiples of annual
rates collections are at stake if there were a major event following this VCAT decision.

18. Should both use and development of land around a MHF be managed in an overlay?

Yes. Even where a DDO or DPO is approved, overlays should be superior applicable statewide
policy, which cannot be overturned. These matters need to be arms length from ministers
and political parties where developers may be influential.

19. Could an overlay identify inner and outer hazards areas or be applied to identified areas (whether
default or modelled)?

Yes. There is only limited applicability to default zones – maybe petroleum cylindrical tanks
as defined by the UK HSE. Other zones need to be specifically calculated for defined levels of
societal risk. NB The zones applicable to sensitive use based on actual consequences
worldwide are greater than Worksafe Inner and Outer Advisory Areas. UK HSE Inner Middle
and Outer Zones are more appropriate (see Worksafe info in PPWM AC report). Mobil’s
statement to HBC Special Planning Committee June 2013 and presentations to VCAT PPWM
Stage 2). Modelling should be done at the direction of Worksafe NOT property developers
who seek to override Worksafe’s definition of zones to achieve development on cheap land,
which has a financial windfall because it has been rezoned.
20. Is notification of the risk status of land in proximity to a MHF important and how might it be achieved?

Yes. Property purchase documents ie Section 32 should include a statement of risk status of the land. To catch up EXISTING residents and business operating within MHF+ should be notified by council. Although this may be detrimental to property values, it is information that every person has the right to know. This has occurred with Bushfire Risk.

21. Would it be appropriate or beneficial to include key agencies such as the EPA and WorkSafe as referral authorities for permit applications lodged with identified risk areas around MHF?

Yes. Worksafe and EPA, as the authorities supervising the licensing, have the expertise to advise planning authorities. If prescriptive planning is adopted attendance at hearings should be minimal. Providing risk-based information to the responsible authority planners to use in a definitive way concerning the suitability of land would be a huge improvement on the current system.

22. Would the use of a zone or overlay provide the mechanism for engaging the EPA and/or WorkSafe as a referral authority for areas of risk around Major Hazard Facilities?

No – the referral authority status needs specifying and the funding needs to be provided for these new responsibilities. The referral status must be overt not subject to officer discretion.

23. Should Clause 52.10 be reviewed to provide more than just an advisory role in determining the need for permits for industrial and warehousing uses?

Yes many of the industries listed in 52.10 and in the parallel EPA regulations have safety risks and should be included with the changes in MHF+. The review should provide for reverse buffering and agent of change inclusion.

24. If so, what should such a review seek?

Cover Safety Risk issues, Facility licenses & buffer distances, New development criteria, Changed facility/industry use, Changed use of existing development, What came first & has current approvals, Agent of Change, Buffering & reverse buffering, Land impact of Ports and pipelines.

25. Should the EPA IRAE Guidelines be better articulated in the VPP to accord greater weight to separation distances for industry or sensitive use expansion?

Yes as the guidelines should be included in the VPP using the EPA expertise in amenity issues.

26. Are the separation distances/buffer distances in Clause 52.10 and the IRAE Guidelines clearly justified and appropriate?

Adverse amenity guidelines are only part of the issue - safety guidelines from expert QRA advise to government authority must be included too. WA EPA includes Safety Risk in its issues and requires a 1000m buffer zone around Fuel Importation by ship.

27. Might a clearer articulation in the planning system of principles around the need for buffers be useful?

Yes the right of every Victorian to live and work in a place, which uses the best safety risk protections available should be in the principles of the Planning Scheme.

28. Does the planning system currently allow and/or facilitate appropriate responses to the provision of buffers whilst ensuring the most efficient land use and land value capture outcomes around
MHF and industry?

No. This advisory committee report is needed because in recent years there has been more emphasis on changed use of industrial land. e.g. Hobsons Bay Industrial Land Management Strategy. This has lead to some poor planning decisions, which have increased risk to human safety.

29. Could the ‘agent of change’ principle be introduced to planning schemes for industry to ensure that the onus on ensuring appropriate buffers rests with the encroaching sensitive use.

Yes, it is absolutely essential because a bad decision on a new development can impact on the ability to operate safely. Worksafe has ensured a certain level of safety previously by licensing or approving operation of MHF+. In terms of economic growth and prosperity there should also be the right of industry to express its future growth needs and allow for the impact on lands surrounding its facilities. The question of sterilisation of land is problematic and needs to be addressed by the government. e.g. Mobil has purchased land on Kororoit Creek Road within the buffer zone (52.10) of its refinery, which prevents development, but adjacent land owners who were allowed to build against the wishes of Mobil who also live within the buffer are seeking residential permits and other vacant land owners are seeking change of land use from industrial.

30. Should sensitive uses be formally defined in the planning scheme?

Yes – see UK HSE definitions in PADHI

31. Would a Planning Practice Note(s) for interface planning between industry and sensitive uses be useful?

Yes, the practice note is an opportunity to explain the interface issues and put everyone onto the same page!

32. Given there is already a legislative framework for pipeline protection, does the planning system need to include additional provisions?

Yes Pipelines and Ports, which include many pipeline transfer issues, should be clearly enunciated in the scheme.

33. Could a risk based spatial overlay developed for MHF and industry with a specific schedule for pipelines be a potential tool for use in identifying major pipelines in planning schemes?

Yes – this has happened in the UK HSE PADHI and is a good model for Victoria to follow.
Save Williamstown has been involved in planning matters for the Port Phillip Woollen Mills Site (PPWM) for 6 years. We have submitted and presented at the Ports and Environments Advisory Committee (PEAC), Port Phillip Woollen Mill Advisory Committee (PPWMAC), Hobsons Bay Council Special Planning Committees (HBC SPC) for planning applications both demolition and construction at the Port Phillip Woollen Mill Site and the VCAT hearings in respect of those applications. Prior to 2009 some of our members were involved in submissions re Precinct 20 Nelson Place to the panel hearing for the Hobsons Bay Council.
Although we have always supported appropriate development on the PPWM site, there are major
constraints, which we believe impact good planning outcomes. They are people safety, heritage, access,
impact on neighbourhood and community services. This submission relates only to Safety and Access.
Our experience over 6 years lead us to believe that the planning systems fails to address societal risk from
MHFs and hazardous industries. We are therefore pleased that the Minister for Planning has agreed with
our various submissions to government that there is an urgent need for review. The previous minister
made many arbitrary decisions, which related to safety of the Pt Gellibrand MHF which we do not believe
to have been in the best interests of the citizens of Victoria and thus contrary to the P&E Act.

During the preparation of materials for submission and presentation over 6 years, we have voluntarily
committed to a great deal of research on related topics – some of which are listed in this presentation but
constrained by the 6MB limit on upload. We would like to share some of that with the MHFAC and assist
you to develop a good set of recommendations to the minister, which hopefully will be implemented more
fully than previous planning ministers have done.

TIMELINE LIST OF SW SUBMISSIONS:
2007 ILMS – Precinct 20 – included the PPWM site owned by Nelson Place Village (NPV). NPV has
changed its name at various stages but we will refer to the developer group as NPV throughout. NPV made
presentation with Expert Evidence to the Panel, which supported Precinct 20 being rezoned from
Industrial to Residential/Mixed Use & some Special Use to remain. At the Panel hearings the NPV safety
risk expert made assumptions about hazardous substances in the MHF tanks WITHOUT any access to the
Mobil Safety Case and used adverse amenity buffering in clause 52.10 tank category not refinery category
preferred by Mobil. There is no petrol storage at Pt Gellibrand except during maintenance of the refinery
– Port Gellibrand is the importation port for Altona refinery feedstocks of Crude Oil and other
hydrocarbons. So without chemical details of the MHF from the operator’s Safety Case, the developer’s
experts assumptions were used to inform the panel. The panel was examining changing zoning of
industrial land for recommendations to the minister.

2010 NPV Planning Application for DPO to HBC. Residential only development sought over the
whole site – about 300 dwellings. Council required documentation to be submitted which NPV did not
completely supply but in July 2010 NPV requested the minister call the site in because of council’s slow
response. A ministerial briefing informed the minister that no-one objected to residential zoning.
July 2010 Minister for Planning calls in the PPWM site - exempts himself and rezones the whole of the PPWM site Residential 1 even though part of the site was clearly within the 300m buffer from the bund of the MHF tanks. The minister also established the PPWMAC with very strict terms of reference whereby the residential zoning of the land would not be revisited. ie Even though residential was not considered suitable by Port of Melbourne Corporation (on record) and the site was being considered by the PEAC, no submission on zoning of the land other than residential would be considered.

2010 Hearings of PEAC – Port of Melbourne Pt Gellibrand Pier was included in the committee’s deliberations. NPV appeared at the hearings with expert witness who argued that the Pt Gellibrand MHF should not be defined as an MHF because it did not reach the threshold of hydrocarbons. Again this was WITHOUT any access to Mobil’s Safety Case and assumptions were made about the facility unsubstantiated by fact.

In summary, Mr Naughton submitted that the NPV land should not be included in the port environs and noted that:

- the EPA recommended buffer distances are to be scribed around the envelope of the potential odour sources, rather than the industrial site boundary;
- while Clause 52.10 provides that separation distances are to be scribed from the premises boundaries, the Clause 52.10 separation distance serves a different function in the planning process (which is used to determine the suitability of candidate land parcels that require separation from sensitive land uses); and
- WorkSafe has adopted a “crude” approach to the application of the inner and outer planning advisory areas, and the evidence is that the Mobil tank farm contains relatively stable chemicals in the form of various mixtures of hydrocarbons known as crude oil.

Further, Mr Naughton submitted that given the nature of the material stored in each of the five tanks and the different buffer distances required for tanks with fixed roofs and floating roofs, the following buffer distances should apply:

- Tank 304 – not used to store any potentially hazardous chemicals (given there is no bund), so there is no need to specify a buffer distance (in any case it is more than 300 metres from the NPV site);
- Tank 506 – understood to be equipped with effective Volatile Organic Compound (VOC) emission controls - 100 metres buffer required; and
- Tanks 707, 901 and 900 – all have floating roofs, which require a 100 metres buffer. Tank 707 is closest, approximately 275 metres from boundary of the NPV the site.

On the basis that the NPV land should not be included in the port environs, Mr Naughton submitted there was no need to include the land in the PEO. However, if the Committee concluded the NPV land (or part of the land) should be included in the PEO then the version of PEO and PEO2 prepared by Mr Clarke were preferred.

When Mobil (leasing land from PoMC) and Save Williamstown discovered that matters to do with PPWM and the MHF were being discussed at the PEAC hearings, we both sought late leave to appear which was granted. Mobil presented information about the potential consequences of a Buncefield type incident occurring at the Pt Gellibrand MHF, the integration of the whole refinery via a network of pipelines from importation to distribution of refined product and Worksafe licensing. Save Williamstown was particularly concerned about the foreign ships arriving at the MHF and the capability of the port to deal with an incident on a ship. A maritime expert Captain Bill Korevaar presented for SW, who explained the dangers presented by foreign vessels, which may have leaking pipes and the risk of loss of containment at a port, explosions in tanks on board and at transfer to pipelines. Videoed examples of port explosions in Providence NY State USA, Dalian China were shown. Finally at the hearing a barrister acting for the SW community issued a legal warning about people safety.
May 2011 - PPWMAC
Submissions were accepted July August 2011
Hearings November 2010 – commenced but adjourned on application of SW residents until the findings
of PEAC were released. In late November 2010 before hearings were held there were State Government
Elections and a change of government with a new Minister for Planning Matthew Guy. At the adjourned
hearing in January 2011 PPWMAC determined not to await PEAC report and set a time for public hearings
to commence February. The PEAC report was not released until after the PPWMAC report taking 15
months to be released.

February 2011 Hearings PPWMAC. Safety concerns were expressed by many submitters, many stating in
written submissions that residential zoning was inappropriate. However during the hearings if any
presenter spoke about the inappropriate zoning of the land, the chairperson would remind them that it
was not permitted to comment on the zoning and if the chairperson missed it, then the barrister for NPV
would remind the committee of the prohibition. Mobil in its written submission (Aug 2010) referred to
appropriate buffer distances for its operations

The Hobsons Bay Planning Scheme, clause 52.10, stipulates a range of threshold distances
which should be considered in relation to petroleum processing and storage. These preclude
development within:
- 2000 metres of the refinery;
- 1000 metres of bulk storage for volatile organic compounds (quantities exceeding 1000T);
- 500 metres of other petroleum or coal production;
- 300 metres of bulk storage for petroleum products and crude oils in fixed roof tanks
  (quantities exceeding 2000T);
- 100 metres of bulk storage for petroleum products and crude oils in floating roof tanks
  (quantities exceeding 2000T);

Under current and potential future operation scenarios, tankage at Gellibrand Pier falls within
at least the second, fourth and fifth categories listed above and could potentially be
considered under category 1, as it is an integral part of the Altona refinery’s operations.
Furthermore, the potential environmental impacts and other risks associated with operations
at Gellibrand Pier are exacerbated by the ship handling operations which may not be
reflected in the buffer distances set down in Clause 52.10. In conjunction with the recent
work done to increase the draft in the shipping channel into the Port of Melbourne, the draft
at Gellibrand Pier has also been increased to allow larger, more heavily laden ships (up to
110 ML) to berth there and improve refinery feedstock freight economics. Such vessels sit
higher out of the water and will be much more visible to the surrounding community, while
the noise associated with cargo discharges will also travel further.

EPA guidelines and policies also encourage the preservation of suitable buffer zones
(minimum 300 metres) around a petroleum storage facility such as Gellibrand Pier tankfarm,
so as to minimise the chances of environmental impacts - noise, odours, etc - on the
surrounding community. In particular we refer to EPA Policy AQ286 Recommended Buffer
Distances for Industrial Residual Air Emissions. In practice, such a buffer will not always
obviate impacts on the community, as discussed above.

Mobil stated that under 52.10 a 1000m threshold applied at Pt Gellibrand. They also referred to Port
issues and the increasing size of vessels. At Pt Gellibrand a 1000m buffer is clearly a problem in terms of
existing residential encroachment as a large part of residential Williamstown is in that zone. Our map on
page 1 shows this zone as it effects Williamstown. Save Williamstown at the hearings took up the issue of
the dangers posed by the ships providing fuel stock for the Altona refinery via the MHF. We firmly
believe that although the ships are outside the jurisdiction of the Victorian planning regulations, the
potential for explosion on a ship/pier needs to be considered. Our later section about the Quantarisk
Report shows how ships were assessed in 1992/3 when Mobil owned the ships. Even if the ships are not
part of the MHF, the pier is and the pipelines and transfer arms are.
During the hearing Mobil also referred to appropriate buffer distances from the tanks given the type of known incident that could occur which was different and in addition to the potential Buncefield type incident of an Invisible Vapour Cloud.

Mobil’s presentation involved an expert who was aware of the Safety Case, whereas NPV had an expert who again made assumptions with no access to the Safety Case. They both spoke of the need for a QRA with NPV continuing to assert that the tank farm Mobil’s MHF should be considered only as floating roof tanks.

Worksafe appeared at the hearing and produced their document *Land use planning near a major hazard facility*. Geoff Cooke for Worksafe explained that they were not a referral agency under the planning scheme and were not funded for the research that would be needed to provide specific planning advice. They relied on the UK HSE information, which was documented in *Planning Advice for Developments near Hazardous Installations* (PADHI). The inner and outer planning advisory areas on the map of Pt Gellibrand in *Land use planning near a major hazard facility* used the Inner and Middle Zones of the PADHI for the defined distances from petroleum tanks. The PPWMAC report explained this. Our section on PADHI shows that PPWMAC used an oversimplified interpretation of how the UK HSE would deal with a “CRUDE OIL” facility.

In late 2011, the reports of PPWMAC & later PEAC were made public by the minister. PEAC had recommended that at Pt Gellibrand the PPWM site be covered by Port Zones (PO1 & PO2) which would enable the interests of the port to be considered within the planning scheme in a similar way to other port and airport land in Victoria.
However the minister overrode that recommendation and stated that the PPWMAC had considered the port issues and therefore he would not implement the recommendations of PEAC for the PPWM site.

The findings of the PPWMAC were also published. The committee informed the minister that although the TOR constrained the committee to only considering a Residential zone for the site, much of the evidence influenced by recent safety matters (ie Buncefield reports) showed that the minister should...
consider mixed use as more appropriate particularly along Kanowna St. This was the area within the Worksafe Outer Planning Advisory Area. The report also recommended that the whole site be required to have an emergency plan. The minister did determine the PPWM site to be Mixed Use instead of Residential 1 and authorised a new planning scheme amendment C86 DDO11. The following clauses were of relevance to the MHF and safety issues:  

(NB - we say were because this PSA has been recently replaced by PSA105 which know is more in keeping with the findings of the PPWMAC report)

1. An Advisory Area where height limits maximum height limits up to 25m applied;

2. Design Objectives
   • To protect state-significant operations of the Williamstown Shipyard Site, the Gellibrand Tank Farm and the Port of Melbourne.
   • To discourage development in the WorkSafe Planning Advisory Areas that attracts or accommodates significant numbers of people and which cannot respond to an emergency.

6. Notice and review provisions
   Before deciding on an application, the Responsible Authority should seek the views of the following: the owner and occupier of the Williamstown Shipyard Site; the owner and occupier of the Gellibrand Tank Farm; occupiers of adjoining/abutting land. (illustrated in clause 1 of this schedule), the Responsible Authority must seek the views of Work Safe Victoria.

7. Application Requirements
   • Specifications for development within the WorkSafe Planning Outer Advisory Area which detail measures to ensure the buildings can withstand overpressures of up to 6kPa.
   • For applications within the Advisory Area (illustrated in clause 1 of this schedule), an Emergency Evacuation Plan prepared in consultation with Council, Mobil, BAE, the Port of Melbourne Corporation and relevant emergency services agencies.

8. Decision Guidelines
   • Whether the buildings located within the WorkSafe Outer Planning Advisory Area can withstand overpressures of up to 6kPa.

Worksafe is mentioned in the DDO but is not a referral authority. The DDO refers only to seeking their views and the emergency plan is "in consultation with" so as we found out later the permit decisions were able to be made by VCAT (to direct the responsible authority) without taking advice given by Worksafe.

April 2012 Britannia Hotel application within the PPWM Site & within the Worksafe Outer Advisory Area. The application was to renovate and change the windows in the front wall and prepare a marketing suite with balcony for NPV. This was the first construction application within the Worksafe Advisory area. Council rejected the application and NPV referred the application to VCAT. Save Williamstown had asked HBC why Worksafe advice was not in the documents on the application file as required under the DDO. If alterations were to be made to the front wall then the 6kpa overpressure requirements of the DDO should apply. Also the number of people attending the Marketing Suite needed to be considered. An argument ensued with the Officer refusing to involve Worksafe stating it was unnecessary. SW contacted Worksafe.
At the VCAT hearing, SW supported Council in refusing the application and in the Statement of Reasons referred to the non compliance with overpressures and number of persons likely to attend. In the VCAT hearing, HBC reduced their objections to the Heritage style of the proposed windows only, thus nullifying the safety issues raised by Save Williamstown. Effectively the first application in the Worksafe Outer Planning Area had NO consideration of safety issues arising from the MHF.

June 2013 PPWM Stage 2 application partly within Worksafe Outer Advisory Area
Proposal involved demolition of Nugget Factory and construction of 178 dwellings including 11 townhouses in Advisory Area, 40m apartment tower within less than a metre of the Advisory Area and a number of other townhouses further from the Advisory Area but within 400m of the MHF. HBC SPC sat on 20th June to consider the application. The advice from Worksafe was that the safety issues had been considered in the PPWMAC and council should use that information in assessing the application. Worksafe did not appear at the council hearing. Save Williamstown, individual resident objectors and Mobil submitted and appeared. The developer NPV sent its planning representative Urbis who informed council that its decision was null and void because NPV had referred the matter to VCAT on the grounds of Council failing to decide within the statutory time of 60 days. Even though all submission documents had not been submitted to the satisfaction of council a situation where the clock stands still, HBC did not appeal the matter being sent to VCAT. The effect of the referral to VCAT was that the information in Mobil and other submitters presentation had no status in the subsequent VCAT hearings. Mobil made very strong statements about safety and Save Williamstown supported Mobil’s approach but also made presentation about the dangers of encroachment onto the Port of Melbourne pier and known safety issues re ships and piers. Mobil’s verbal submission on the tapes of the Special Planning committee is quoted below:

Hearings at VCAT commenced with preliminary matters in September 2014. Mobil, Save Williamstown and a number of individual community members entered Statements of Reasons, which referred to safety of the MHF. In September NPV requested via VCAT access to the Mobil Safety Case. Save Williamstown
had not been able to ascertain the status of the pier and ship unloading arms in relation to the MHF. The Worksafe documents referred to the buffer zone around the bunds of the tanks only and the pipeline authority when asked about who controlled the safety of the pipelines stated that as the pipelines were within an MHF the control was with Mobil and Worksafe. Port of Melbourne owned the pier and land at Pt Gellibrand which housed the MHF but leased it to Mobil. Therefore Save Williamstown also asked VCAT for a direction that PofMC provide information about the safety controls on the pier and transfer arms. The first preliminary hearings into these matters resulted in Mobil being required to make the Safety Case available and PofMC being required to supply information from their SEMP documents which were not in the public domain about the status of the pier.

The result on status of the pier was very interesting as it showed that in preparing the Inner and Outer Advisory Areas for Pt Gellibrand, Worksafe had failed to include the pier, which became part of the MHF in 2007 prior to the maps being published. The clip below summarises the inclusion in the MHF.

A second preliminary hearing was held on the Mobil Safety Case matter because Mobil refused to provide NPV with access to the Safety Case. The final decision of VCAT was that Mobil be ordered to remove Safety from its “Statement of reasons” and that the access to the safety case be granted to NPV's lawyer and safety expert witness, HBC's lawyer and safety expert if they presented such evidence and that NPV would only be required to respond to any safety expert report. Such report for NPV was to be provided a week after the closing date for all other reports. The barrister for NPV warned that if Mobil spoke about safety at VCAT they would be in breach of this decision. Save Williamstown requested access to the Safety Case if we presented a safety expert but that was denied by VCAT. HBC decided not to produce safety evidence and Save Williamstown through lawyers obtained a cost estimate for the presentation of a safety expert and the legal costs in making that presentation. It was prohibitive – in the region of $50K, which was not the sort of money the community could raise and if the hearing lasted for a long time then the costs would mount. Regrettably Save Williamstown realised that the legal representatives for NPV had managed to remove Safety from the agenda of the VCAT hearing. Mobil would only be objecting regarding access to site in an emergency and noise. With this in mind, as an individual objector, Charmian Gaud, read the specific details of the VCAT decisions and saw an opportunity to force NPV to provide safety evidence. As all reports were required by mid January, she therefore engaged a Safety Expert to write a report WITHOUT accessing the Safety Case. The effect of this was that NPV now would need to respond to the Safety Report and take up its access to the Safety Case.

When the hearing opened in early February 2014, on the first day HBC noted that Worksafe hadn’t objected to the application. NPV’s safety expert report stated that Mobil had not objected on safety grounds and NPV also stated that Worksafe hadn’t objected. However on the third day of the hearing a detailed fax with Worksafe’s opinion arrived at VCAT office. It is a long document which should be reviewed by the MHFAC but in essence it stated that dwellings were inappropriate in the advisory area because residents are not capable of evacuating in an emergency which of course contrasts with workplaces where there is a requirement for a Health and Safety Committee and Representatives and evacuation plans are in place and tested. Also Worksafe referred to Buncefield and UK HSE PADHI, their maps of Advisory Areas, the density of persons on site, etc. VCAT were told that Worksafe advised against the development.

Although the Safety Expert appearing for Charmian Gaud did not have access to the Safety Case, the SS Leyte Spirit loss of containment incident in 2009 at the Pt Gellibrand pier contained information which could be used about the particular hydrocarbons which were present and the expert was able to compare Pt Gellibrand with Coode Island rather than Yarraville/Spotswood/Newport Petroleum Storage.
But the crux of the matter is that VCAT gives status to expert evidence over submitter statements. Expert evidence with access to the Safety Case is very expensive to obtain (costs in excess of $50K). Other expert evidence is also expensive and depends on time of cross examination. Why did the adversarial approach at VCAT fail to produce good results:

Organisations with access to the safety case

- Mobil – the operator of the MHF with in house expertise were prevented from presenting Safety evidence
- Worksafe chose to submit a written opinion only and not appear or be cross examined
- NPV as developer had a financial incentive to obtain the planning permits and thus if needed it would prepare an Expert Safety Report and the costs were reaped back profitably if the application for permit was successful.
- Hobsons Bay Council decided not to present a Safety Expert neither with nor without access to the safety case – presumably because of the costs involved when there is no in-house expertise and also the decision by Maribyrnong Council in the Sandbar case re viewing the safety case probably represents a rational view of local government’s involvement

Submitters without access to the Safety Case

- Save Williamstown was not in a position to fund a Safety Expert and cross examination expenses
- Individual objectors. Charmian Gaud chose to retain a Safety Expert who agreed to present on matters in the public domain. This was personally costly but safety was no longer excluded from the VCAT hearing.

The problem with an adversarial approach is that there needs to be two equally resourced sides to the argument. Without that the VCAT members have no alternative evidence to consider. We have defence without prosecution if it is taken that Worksafe is the “closest” to the State’s position in these matters.

As noted in the discussion paper p24 NP Development Pty Ltd v Hobsons Bay CC & Ors (Including Summary) (Red Dot) [2014] VCAT 861 (25 July 2014) contrasted with the Shell Case and the Melbourne Rd case where the advisory area and intensification of persons was applied with no leeway.

In relation to the issue of risk and safety, the Tribunal considered that the Advisory Area is relatively large and they could envisage a range of commercial uses for the land. All of these uses have the potential to attract more people to the Advisory Area than the townhouses. The Tribunal was of the view that the residential use associated with the townhouses results in a relatively low number of persons within the Advisory Area. This, together with the design of the townhouses to withstand overpressures of 6kPa, resulted in an acceptable outcome.

Whilst Mobil sought to limit the number of residents in the apartment building due to it facing the GTF, the Tribunal noted that the apartment building falls outside the nominated Planning Advisory Area. The Tribunal did not consider that a reduction in the number of building levels is called for because the apartment building will face towards the GTF.

By way of explanation as we were present throughout the hearing, the assumptions about alternative commercial use were based on a question of one Urban Design expert about what other use could occur. Had the community spoken of alternative uses then the VCAT chair would have stated that no alternative uses were before the committee and therefore the question was irrelevant. However the VCAT report fails to mention the issue of vulnerability of residents of the townhouses raised by SW and the community. NPV stated intention was to sell the townhouse properties planned for the OPAA on freehold so there would be no body corporate to manage the emergency evacuation plan. It was assumed that the evacuation plan would have committed volunteers in the high rise apartment buildings. There was no
consideration of children arriving home from school on their own, elderly or infirm people living in the properties, people with disabilities. The approved plans had no provisions to ensure that emergency plans would work in the townhouses. As the decision was clearly against Worksafe advice, Save Williamstown investigated taking this VCAT decision to the Supreme Court but again the costs were prohibitive. The ultimate question is whether this planning decision is in the best interests of the people of Victoria.

Another matter that the committee needs to be aware is that when Decision Guidelines are specific to a site, the Decision Guidelines within VPP are not applicable. Thus VCAT only considered PSAC86 DDO11 and did not consider the VPP Decision Guideline Clause 65.01 (Discussion Paper p 14)

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

LEGISLATIVE FRAMEWORK

MHF Regulations include Shipping infrastructure

Reverse Buffering application to Shipping and Tanks
PREVIOUS RISK ASSESSMENTS - PT GELLIBRAND

Quantarisk Report for the Victorian Health and Safety Authority 1992
This report included the industry standard QRA of Mobil’s facilities at Pt Gellibrand and Breakwater Pier. This study included the Tank Farm, transfer arms and pipelines on the piers, transfer arms on ships and tanks on the Ships
Since the early 1990s, a number of changes have occurred: the size of ships has increased 5 fold; Mobil no longer operates ships but they are all under foreign flags; Safety Cases for ships are the responsibility of Flag State Governments; PofMC pier leased to Mobil is included in the Worksafe Safety Case.

The status of the Quantarisk Report is that it was never released in Victoria, the copy obtained by Save Williamstown is available from Commonwealth Government records. In 1992 Mobil had a number of objections to the report which effectively said the operations were unsafe. They asked that data be changed to reflect their responsible management of the facility and addendum to the report was issued. Butedieine importation no longer occurs at Breakwater pier. However it is useful to see what a QRA should analye.

Risk Map for Pt Gellibrand
QRA findings

1992/93 Pt Gellibrand
QUANTARISK QRA Risk Assessment Report

Suppressed by Kennett Government 1993

...Clearly to meet the currently applied group risk criterion, a reduction of current population density would be required.
Pt Gellibrand QUANTARISK
Risk Assessment Report

Quantarisk QRA calculated that a fire or explosion could reach up to 1473m from the ship. Mobil operated the ships in 1992 and owned the ships with their own crews. Today the ships are about 4 times the size and are under foreign flags. Mobil has no control over the Ship Safety Case. It is Port of Melbourne's responsibility to vet the ship safety case before permission to berth.

Probability of death 1.2 to minus 7 or 1 in 10 million at 1473m.

Quantarisk QRA calculated that a pool fire radius for Tank TK000 of 457m.
Mobil states that 10 x the diameter of the tank (40m) is the international standard.
After Buncefield UK HSE - for tanks with bunds the CD is 400m.
Worksafe Advisory Outer Area is 300m.
Should authorities be conservative in their approach?

Save Williamstown Submission to MHF Advisory Committee 8/2/16
In discussion with a safety expert, it was mentioned that QRAs had been prepared by Worksafe for other potential developments at Pt Gellibrand. Save Williamstown wanted access to recent risk assessments for Pt Gellibrand and the Jetty to assist with our submissions to VCAT. Our request to Worksafe was declined although Mr Thomas was told there were 3 or 4 such assessments. Confidentiality under the OHS Act was cited.

In an outline of the worst-case scenario of an explosion while oil was being transferred into or from the five tanks, the report warns of a possible "fireball up to a kilometre in diameter." The study failed to consider the adjoining ship building dockyards, which store large quantities of LPG.
From: geoffrey.coole@worksafe.vic.gov.au
Subject: Re: Risk Assessments for Pt Cellbrandy Williamstown and Port of Melbourne Jetty
Date: 3 June 2013 at 4:06 PM
To: info@SaveWilliamstown.net
Cc: adrian_simonetta@worksafe.vic.gov.au

Dear Adrian,

Your request has been forwarded to me by Adrian Simonetta.

I personally do not have any knowledge of the report that you refer to in your letter to Adrian of 10 May 2013. I am advised by Adrian that although the results of such documents, the documents were archived along time ago and are not likely to be retrievable.

Section 10 of the Occupational Health and Safety Act 2004 (OHSA) prevents the disclosure of information acquired during the exercise of powers or performance of functions by inspectors or employees of the Victorian WorkCover Authority except to certain limited circumstances. I believe the release of the reports mentioned in your letter of 10 May 2013 is likely to contravene the confidentiality provisions as set out in the OSHA Act.

Sincerely,

Charmian Good

Manager Major Hazards

WorkSafe Victoria

Western Australian EPA - Shipping issues are covered in other Australian Jurisdictions – the pier side / pipeline side should be considered by the MHF AC.

OTHER AUSTRALIAN JURISDICTIONS - SHIPS AND PIERS SAFETY

Western Australian EPA - Shipping issues are covered in other Australian Jurisdictions – the pier side / pipeline side should be considered by the MHF AC.
After Shipping Safety issues had been raised by both Mobil and Save Williamstown at PEAC, the developer NPV did not want appropriate buffers for Shipping and Piers to be on the agenda for consideration at the PPWMAC.

Safety Risk experts Messrs Dreher (for Mobil) and Jarman (for NPV) gave evidence about the risk associated with the Mobil tanks to the PPWMAC. When cross-examined that both stated that they had little experience of shipping safety and thus the committee should not have assigned expert status to what was said. Despite this the PPWMAC report found that:

"Based on the evidence of Mr Dreher [the witness called by Mobil Refining Australia Pty Ltd] and Mr Jarman [the witness called by Nelson Place Village Pty Ltd], and on the advice from WorkSafe, the Committee considers that any mishaps at the berthing facility (or on board a ship berthed there) pose no serious threat to the NPV site."

This was a serious omission of considered evidence because Save Williamstown had made extensive presentations of major incidents in ports and the impact on the land and dwellings. Also the SS Leyte Spirit experienced a loss of containment incident at Pt Gellibrand and there was potential for escalation between the MHF Tanks and the ship in port. Save Williamstown’s expert witness on Shipping Safety at PEAC & PPWMAC was maritime Captain Korevaar who had personal experience of explosion/fire on board a hydrocarbon carrying vessel in the Indian Ocean, resident of maritime Williamstown, captain of one of the tugs with fire fighting equipment which escort oil tankers into port. Because he was so concerned about the safety of the vessels arriving at Pt Gellibrand and the inability of emergency services to deal with an explosion from the waterside, he had made a submission to PPWMAC. However, his status as an expert witness subject to cross examination was questioned by the Mr Gobbo, the barrister for the developer – an intervention which was accepted by the committee. The special council for HBC Mr Appudurai made the interesting observation in his closing address to the PPWMAC (taken from the transcript):

“This non-issue about the independence of witnesses: whether they are paid; whether they are in house; whether they are local; whether they are Mr Kelsall looking for his ? papers, they all have something to say. And you are more than capable of separating the wheat from the chaff.

I'm not going to single out anybody else but Captain Korevaar what was said about him today reminded me about what I heard the Chief Commissioner of Police say when he was talking about violence family violence and how people sometimes think well it is just fighting. He said "in my experience of this" he said "you don't know what it's like until you have been in a fight"

Now when Captain Korevaar was talking about what he has done, he was the only person I think in this room unless I'm mistaken, who has been in a fight. So, he's not being alarmist. He's being a realist

He did not say to you the risk is anything less than one in 10 million or One and 1 million, he was saying... what he was saying is what the Buncefield report said, what the Kurnell land study says, that was all he was saying like all these papers, he was saying lets be careful out there.

For Mr Gobbo to have not been in a fight and to dismiss the Captain is nothing short of incredulous. Captain was very measured in his evidence you could see that unlike some of the experts where something was against his interests.

Later when PPWM Stage 1A application was referred to VCAT, Save Williamstown was in possession of a copy of the Quantarisk report, which stated that there was a risk of fire/explosion impacting over 1000m from the transfer arms of the ship to importation of hydrocarbons. Save Williamstown did not consider that all the safety issues for new dwellings had been dealt with by the PPWMAC. We trusted VCAT to consider all matters to achieve an outcome which was in the interests of the people of Victoria. NPV informed SW that in the event of VCAT approving the permit, costs may be claimed.
UK HSE PADHI

Worksafe relied on publicly available information from the UK HSE to calculate advisory areas. In considering the need for prescriptive planning for MHF in Victoria, SW believes that the committee should use the UK HSE information.

Worksafe needs to be funded to develop GIS maps with zones which planners can refer to. It is suggested that a contract be entered into with UK HSE to provide advice in the initial set up of a hazardous facilities planning system.

It should first be noted that UK HSE has a standard procedure with set distances for cylindrical petroleum storage tanks but for all other installations the inner, middle and outer zones are defined based on facility specific information. IE a Petroleum tank (Spotswood, Yarraville) is less likely to have a boilover because virtually no water is contained in that product but Crude Oil (Pt Gellibrand) will contain varying amounts of water and has a higher probability of having a boilover and the impact area is calculated by 10 x the diameter of the tank.
The site specific zones are determined by UK HSE an online GIS mapping system is available to Local Government Planning Authorities. The planning authority determines what the development application type is ie its sensitivity level and which zone IZ, MZ or OZ that the development lies within. Based on that a decision matrix informs the planning authority as to whether UK HSE advises against development or does not advise against. Once the GIS maps are prepared and available, the decision process is simple & logical.

During our research we contacted Mr Addersley of UK HSE to see if he would be able to give advice to Save Williamstown about appropriate consultation distances in Pt Gellibrand.

Cc: PADHISupport@hse.gov.uk, Gerry.Addersley@hse.gsi.gov.uk
FW: PADHI consultation distances for fuel importation ships in port.

Dear Me Gau,

I am responding to your email (below) to HSE’s PADHI Support Line.

HSE is always pleased to see that its methods and systems are of interest to health and safety regulators and others, outside Great Britain. However, our budget is limited and requires us to concentrate on our role in this country. HSE’s resources for the provision of and used planning (LUP) advice are currently very stretched and I am unable to spend time answering your questions in detail. However you, and WorkSafe Victoria, are free to refer to any of the information that HSE has placed in the public domain. For example, on the LUP pages of HSE’s website, at:

http://www.hse.gov.uk/landuseplanninglup.html

there are links to documents which describe and review our methods for determining consultation distances (CDs), including those for flammable substances. You should be aware that, in determining, CDs, HSE assesses the legal entitlement to hold dangerous substances which is defined by hazardous substances consent (HSC). The details in a HSC will vary between major hazard installations resulting in a range of CDs. The reference to “Land use planning advice around large scale petroleum storage sites SP/TECH/HSE/99” has been updated - see:


However, the four zone distances that you quote are unauthorised.

On the question of shipping dangers that you raise, HSE has no role in determining the hazards and risks from ships in UK waters. HSC is limited to dangerous substances present on, over or under land. Dangerous substances in ships are a matter for the UK Marine and Coastguard Agency.

http://www.mft.gov.uk/mca/

Yours sincerely,

Rash Rowlands

Principal Specialist Inspector
Hazardous Installations Directorate, OEMHD 5
22 Redgrave Court
Morton Road, Bristol
Moseleyside L20 7HS
 tel: 0151 951 3338
 fax: 0151 951 3339
 working part-time: Tuesday - Thursday

Save Williamstown Submission to MHF Advisory Committee 8/2/16
We also contacted the planning authorities covering Avonmouth, which is a complex of many hazardous facilities including a port which has existing housing close to the industrial complex and where new planning applications would need considering using the PADHI scheme.

We asked about community information and emergency management and were informed about the Sirens system. Local government is involved in community trained to deal with an event which occurs in much the same way as Victoria deals with Bushfire areas.
Britain has become a world leader in planning controls for encroachment onto hazardous sites and in emergency management since the Buncefield explosion in 2005. The map below shows the distances for damage at Buncefield and was quoted by Worksafe, Mobil and Save Williamstown at the various hearings and cases.
**Reality check**

**Buncefield UK Explosion 2005**

- **Deadly** - “Pancake Shaped” Invisible Vapour Cloud - heavier than air
- Never anticipated by any hazard assessment (anywhere in the world)
- Huge fires involving oil fuel tanks
- Explosion causing damage to property and people over 3 km radius
- Evacuation of 2000 residents
- People suffered permanent hearing loss
- Homes evacuated for over a week
- Schools closed over 12 km radius

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**Buncefield UK 2005 - Distances transposed to Gellibrand**

**Redefined Safety Issues Worldwide**

_Fig 4.1 Superimposition of worst-case Buncefield accident explosion on Tank 901 at GTF; photo courtesy of NearMap._
BOILOVERS
The boilover situation is possible at Pt Gellibrand – we find it difficult to understand why Worksafe has not taken this into account in its IPAA and OPAA maps.

OTHER MATERIAL
This is only a small amount of the material held by Save Williamstown and we would be pleased to supply more information including full documents which are not on the internet such as the Quantarisk report.

CONCLUSION
Save Williamstown has been a voice for the community for over 6 years, representing what we consider to be the interests of current and future residents. See our website www.savewilliamstown.net. We have had to raise funds for legal representation and our campaigns but the cost of legal representation over hearings which last 25 days in VCAT and providing expert witnesses so that our submissions are taken seriously is prohibitive. The time imposition on members of the community is also quite unreasonable.

Developers have one financial objective to make as much profit from the land they develop. This is achieved by enhancing the zoning to the highest value per sq m. Obtaining planning approvals at all costs and as quickly as possible. Funding experts often multiple experts in all aspects of cases.

Experts are briefed by the organisations or individuals who engage them even though ostensibly they are there to advise the committee. The errors in advice are palpable.

To appear before a hearing or panel and attempt to present evidence on behalf of the community is extremely difficult when it gets into the technical area of safety. Councils are reluctant to resource, Worksafe says it does not have funding, in the case of PPWM Stage 2 Mobil were ordered by VCAT not to present evidence. In reality, the government needs to fund Worksafe to work with the operators of hazardous facilities and Pipeline Authorities to establish a proper land database of safety zones to which planners can refer for final advice and these matters are not well served by adversarial approach in committees or VCAT.