

Rick Banyard

14 Bell St

Maryville

cdcopy@hunterlink.net.au

0419993867

The Department of Planning

plan_comment@planning.nsw.gov.au

project number 080_130 Contact Nick Hall

Nicholas Hall

NSW Planning

nicholas.hall@planning.nsw.gov.au

I wish to make a submission about the proposed Fuel terminal to be constructed on the Fuel Precinct of the Newcastle Port Corporations Mayfield Portside Concept Plan adjacent to wharf M7

Before raising my objections I wish to acknowledge the effort the proponent has gone to to inform the community and to respond to questions raised by the community.

I am a member of the Mayfield Community Consultative Committee administered by the Hunter Development Corporation. Despite many members of the committee calling for meetings the Chairperson and the HDC has not seen fit to hold a meeting. As such the Marstel proposal has not been discussed by the group.

I consider the proponent has developed a very thorough proposal however the issues beyond their fence cause me not to support the proposal.

I therefore wish to register a very strong objection and call for the proposal to be rejected.

Specific grounds for objection

1. Concept Plan not yet approved

The proposed site is part of one of the precincts within the Newcastle Port Corporations Mayfield Concept Plan. This concept plan is not yet approved and there are no approval conditions set for the total site and in particular for the Liquids Precinct.

I can not comprehend how the Concept Plan can be approved without a number of major approval conditions related to transport and freight movement to and from the area.

Given that there are no details relating to transport and freight movement from port side including but not limited to:-

- The provision of the port side rail line and associated roadway,
- The Newcastle Sydney rail corridor freight upgrade recently announced
- and very importantly the adjustments to the Port Botany container facilities
- The requirement of the 2021 State Plan

it is hard to envisage the final Mayfield Concept Plan and its associated approval conditions.

To even consider the Marstel proposal in the absence of an approved Concept Plan is unthinkable.

2 There is no Port Master Plan.

The absence of a Port Master Plan makes it absolutely impossible to judge if the Marstel site is suitable or the most suitable site for a fuel terminal.

If the Port Master Plan (or parts of it) do exist and are being withheld then clearly it would be breach of one of the key strategies of the NSW 2021 State Plan.

It would seem prudent that the ports fuel and bulk liquids terminals all be located in a similar area and share common wharf facilities and safety infrastructure.

The proposed arrangements will have ship tankers using D2, M4, M7, B4 and K2. There are in very separated parts of the harbor. A Port Master Plan would also show the rail and road freight transport arrangement for the Harbour.

It should be noted that BP import fuel into Newcastle Harbour by ship to D2. The statement in the Marstel document fails to acknowledge this.

3 Port site map and basic infrastructure.

The Marstel project is to be established on a new virgin site. The site is the product of the clearing of all the BHP structures and extensive remediation to the total area. The Marstel site does not even have a frontage to a roadway.

I ask how can the impacts of a proposal be assessed when there is not even a locality plan showing roadways and essential services.

4 Marstel site layout.

The Marstel proposal is a staged development of at least three stages.

Firstly the project will use M4 wharf and at a later time will relocate to M7 wharf. The proposal will

therefore change it's impact.

Secondly the project will use a temporary road access for an unspecified time until a new roadway is built. There are no details of this roadway or it's design. The proposal will therefore change it's impact.

Thirdly the project approval application is only for stage one of the sites proposal. A second and third set of tanks have been discussed with the community. The site layout would indicate this also.

This application is for diesel only however the potential in the future to handle petrol and other fuels have been raised.

I consider that if approval is to be considered for a fuel terminal on that side then the application should be for the full proposal and the consent conditions should allow for staged construction.

Quote from Marstel document detailing stage one.

"This proposal is seeking the approval of an initial operation phase at the Facility. During this initial operation phase, daily road traffic movements would consist of biodiesel tanker deliveries, the dispatch of diesel and biodiesel by fuel tanker, and the movements of employees and visitors. It is anticipated that Marstel would, in the future, seek approval to expand the operation of the facility when throughputs increased. Estimated truck movements at start up would be 18 trucks delivering to or dispatching from the Site per day. Ship movements would be in the order of 8 Medium Range vessels per year for imports of diesel

The Facility would be open for product dispatch via road and fuel delivery by ship 24 hours per day as required. Marstel is therefore seeking approval for 24 hour operations provided that noise levels from the Facility meet amenity criteria at sensitive receptor locations. Shipping operations would be undertaken as required, which could be at any time or day of the week, with unloading typically undertaken over a 36 hour period".

5 Neighbours

Because this is the first proposal on a "virgin site" the commercial activities of the neighbours will be restricted by the presence of this fuel terminal.

The restrictions caused must not down value or quarantine the potential of the site

6 Remediation

If consent is granted an approval condition should state that when Marstel cease to use the site as a fuel terminal the site should be remediated to it's "virgin site". In the event of ownership change this condition must be transferred.

7 The Port SEPP

The Marstel proposal is on port controlled land and is governed by a SEPP.

The key function of this SEPP is to stimulate employment and economic activity on Port Side land.

The Marstel proposal does neither to a significant level.

The terminal has only 3 on site full time staff, is a 24 / 7 operation that is unmanned much of the time. The project is to be managed and operated from Melbourne.

Truck drivers will be from national freight companies and there is little evidence that the drivers will live or be based near the Port. Trucks will not be stationed within the depot. This also raises the question as to where laden trucks will be parked once loaded.

The economic benefit of the terminal would not seem to relate to the economic benefits of the Newcastle Port SEPP.

The proposal economic or employment benefit is not compared to other possible uses of the site therefore the proponent has not demonstrated the project meets the requirements of the SEPP.

8 Commitment of the NPC and government to the proposal.

It would seem that the NPC and the Government has a vested and pecuniary interest in the proposal.

This interest is not clear and transparent. I sport this notion with the following examples.

- Firstly. There seems to be a deal to initially use M4 then a some time in the future transfer to M7. There are no details provided.
- Secondly The State budget made provision for \$1.2m infrastructure works for the fuel precinct. This indicates that funding is provided prior to planning approval being issued. It is noted that no other precincts within the Port Concept plans were given budgets. There seems to be no details readily available for this funding.
- Thirdly The Port Corporation is the landlord for the applicant. By perception this must give NPC and the Government (as owner of NPC) a pecuniary interest.

9 Transport Arrangements

A major component of this project is the transport arrangements to and from the site of product.

With the two main products being bulk ethanol and diesel being transported mostly from 50kms to 500kms from the site.

This places other road users at major risk because of the nature of the substance and the sheer volume of large trucks.

The proponent has stated movement number and safety precautions in their document. This information seems to be from a "perfect world" and minimum vehicle numbers. Small trucks, part loads and other customer requirements could raise the number of trucks, routes and even the load content considerably. It is even conceivable that multi compartment trucks could come to the site with compartments of petrol or other flammable liquids already loaded.

The Department of Planning would be aware of conditions of approval that prevent the use of B doubles to various potential customers.

Marstel does not appear to be contributing to road infrastructure to assist with meeting the demands placed on community infrastructure as a result of their transportation of product.

10 Use of pipeline

Much of Newcastle's fuel comes to the area via a pipe line from Sydney. This was to overcome the safety issues of transporting fuel by road or rail.

Whilst there are some limitations to the transport of fuel by rail the Marstel proposal does not consider the proposed port side rail line and associated roadway.

Given that almost all of the Marstel fuel will be delivered to Customers west of Rutherford and mostly West of Singleton it is logical that the fuel distribution terminal be located up the Valley and not on the port site.

Correct planning and infrastructure for the Hunter Valley would make the pipeline mandatory for such projects.

A pipeline could be contained in the same trench as other proposed pipe lines for gas and water. The pipeline could be shared and the cost minimised. This could remove other fuel tankers from the very busy and choked roadways that daily risk the lives of other road users.

It should also be noted that about 10% of the fuel will be carted by road to the Newcastle terminal for blending with the ship imported fuel.

Whilst it is a State policy to increase the use of biofuels to implement this strategy in a highly wasteful and environmentally un-friendly manner is certainly not part of the State 2021 Plan.

The only reason given by Marstel for not using a pipeline related to the ability to unload ships quickly. If the pipe line up the valley is not capable of economically transferring the fuel direct from the ship then a bulk storage tank could be located port side. Fuel would then be transferred to the distribution centre located up the valley in a smaller and more viable pipe. There would be major freight cost savings to Marstel as each load to customers would save about 70kms plus of on road travel.

The elimination of all the truck movements from the Lower Hunter roads would be a major benefit to road safety and to the environment (a key State 2021 Plan objective).

The pipeline from portside to say Rutherford would eliminate the need to cart 10% of the fuel (ethanol) from Rutherford to Mayfield and then back to Rutherford as part of the blended fuel.

Stages two and three of the project would also benefit from the distribution terminal being located at a location west of Maitland.

Has The Department of Planning sought comment on the Maitland City Council about the Marstel fuel terminal and the massive transport of dangerous product through its LGA?

11 The Cumulative Impact

The cumulative impacts of the Fuel terminal are massive for such a small project due to the huge off site activity generated by the fuel transportation.

Marstel and Shell have indicated that the stage one of the project will involve the transportation of 3m litres per annum of diesel fuel, blended diesel fuel and blending product involving the use of B double truck.

Over some of the states most heavily used roadways. There are already many serious choke points and grid lock is common. In no way does this project address this key issue.

The transport issue will also change as new vehicle types are introduced and regulations change. The introduction of B triples is an example

Although Marstel and Shell indicate that the fuel trucks (both empty and full) will only use dedicated B double routes neither company are in a position to police and enforce this.

The cumulative impact of the cartage of diesel on the same route as the extensive cartage of ammonium nitrate could be catastrophic according the Work Cover as these two products when combined are the key explosives used for mine blasting.

This cumulative impact of fuel transportation is not only a major safety issue but also will act as an economic negative on many other businesses, industries and communities.

A large number of vehicle have no choice other than to use roadways such as Industrial Drive. It is grossly unreasonable and very poor planning to force these people to compete against an operation that has a viable alternative via a pipeline and is simply using a roadway as an easy way out.

This cumulative impact is simply unacceptable given that the fuel could be transported readily by rail or pipeline.

The Sydney Newcastle pipeline is proof that it can be done and that the benefits are substantial.

Conclusion

In conclusion the additional activity in Newcastle Harbour is beneficial provided that the infrastructure is within the agreed Port Master Plan. This Master Plan is yet to happen.

The use of temporary wharfage and a fuel terminal within a yet to be serviced "Precinct" in an un approved Concept Master Plan hardly fits the mould of quality planning, sound economic evaluation and quality environmental assessment require by a SEPP and planning process dedicated to these items.

For the associated transportation to impede on the community and other economic activity to the point where any benefits are heavily outweighed by negatives is unacceptable and certainly in conflict with the 2021 State Plan.

Whilst Shell clients require fuel for their operation the use of a shoreline terminal and lots of trucks is not an appropriate operation for the Hunter as it moves forward on very inadequate and congested roads.

Newcastle as a port is heading towards exporting a coal volume in the near future to the entire world export volume now.

The transport of fuel need to for safety reasons, for efficiency and the environment utilise where possible pipelines and railways and not road trucks.

I reserve the right to do make additions and modifications to this submission prior to the 15th January 2012.

I am available to discuss the content of this submission and to answer any questions.

Rick Banyard

23 12 2011

Tanker rolls, shuts road at Sandgate

10 Sep, 2011 04:00 AM Newcastle Herald.

MAITLAND Road was partly closed for several hours last night after an accident involving a petrol tanker truck at Sandgate.

Police said an eastbound lane was shut soon after 6.30pm when the truck left the road near the Wallsend Road turnoff, rolled down a bank and hit power lines.

The driver was taken to John Hunter Hospital with non-life threatening injuries.

The vehicle was opposite Sandgate cemetery

Hi All

The Marstel fuel terminal will provide about 50 more chances per day for this type of thing to happen!

All the more reason for the fuel to be piped up the valley.