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Objection Stolthaven Phase 1a Fuel Terminal Newcastle

I wish to strongly object to the proposal by Stolthaven to increase the size of their Newcastle fuel terminal at Mayfield North with a modification of their current proposal.

Whilst this is an individual submission I point out that I am involved with many community groups and would be very confident that my comments would be supported widely.

I base my objection on the following:-

1. The project as proposed does not seem to represent the real intent of the proposal.

The facilities currently under construction were promoted and approved on the basis of being a unique facility with future expansion plans to be subject to separate development applications.

Whilst it is acknowledged that the site plan made provision for future expansion and no doubt some plant and infrastructure had spare capacity the information provided in the original assessment and subsequent approve did not provide for a staged development under the original application.

For this EA to be put forward as Phase 1a is simply manipulating the planning process.

2. The size of the additional storages and plant and equipment seems greatly excessive for the extra throughput.

The proposal put forward was basically to double the throughput of the terminal by increasing the storage. This was rejected as it was considered to be outside the provisions of a 75W.

The expansion proposal as expressed in the exhibited EA is now for basically the same physical infrastructure with the stated throughput limited to about a 35% increase.

It should also be noted that the cost of the 35% increase is about 2/3 of the original project cost.

I believe circumstantial evidence suggests that the intent of the proponent is to double the terminals capacity by gaining approval for a physical expansion based on a gross underutilisation of the new infrastructure.

If Planning decides to approve this project then a condition of consent must

- specify a monthly, quarterly and annual volumetric limit on the throughput of the terminal based on the existing approved capacity plus the volume approved in this phase.
- Detail a mechanism for determining and reporting the throughput (including public exhibition.)
- Document the penalties for exceeding the approved throughput.

The community and other stakeholders have been assured by Stolthaven repeatedly that any expansion or change of handled product would be subject to a separate EA and a new assessment process. We now have a large increase in product, changes to the supply of biodiesel and a possible change to the product being handled. I ask how can the community have faith in a system if the basis of the approval request are not adhered to?

I note there would seem to be a major error in the EA as the new limit is reported as 4400 million litres. It is understood that the correct figure is 400ml of Diesel and 100ml of biodiesel.

3.2 Modification to Project Approval 08_0130

A review of the existing Project Approval was undertaken to examine which conditions would require amendment. Refer **Appendix F**

Condition 5, Schedule 3 of the Project Approval would require amending to account for the proposed increase in fuels throughput:

Existing Condition:

Limits on Approval

The Proponent shall not receive, store and dispatch more than:

- a) 264 million litres of diesel a year; and
- b) 36 million litres of biodiesel a year.

Proposed Amended Condition:

Limits on Approval

The Proponent shall not receive, store and dispatch more than:

4400 million litres of diesel and biodiesel combined per year.

3.3 Alternatives

3.3.1 Alternative Location

A number of alternative locations exist in and around the Port of Newcastle which could be used for the establishment of additional bulk fuels storage. The subject site is considered ideal as the proposed tanks will be constructed in association with an approved bulk fuels storage facility and can utilise the wharf, pumps and truck loading facilities that are already approved and under construction. This

3. No valid consideration of alternatives.

The EA in section 3.3.1 does not identify alternate sites or provide site evaluations. The only criteria is it is claimed the site is “considered ideal” because of its association with the approved facilities of Phase 1.

The use of a pipeline “ up the valley” would provide a major alternate to the port side storage and is likely to be a viable alternate. The Caltex Sydney to Newcastle pipe line is a model of what could be done.

It must also be noted that between 5% and 10% of the product dispatched from the site is also delivered to the site by road tankers. The EA does not discuss alternates for this product movement.

By way of example there are two sites that could be used for offsite storage and feed by pipeline. They are the loco service centres at Greta and at Hexham. (both are large diesel fuel users)

A pipe line between locations such as these would eliminate all inward tanker movements to the Mayfield site and a large proportion of all outward tanker movements.

A pipeline to the existing Shell depot at Hamilton North should also be examined.

The proponent should be required to formally consider the use of a pipeline to Hexham (or further west).

4. There is no traffic management plan detailing the off site impacts

The operation of a fuel terminal is unlike most other commercial activities.

A fuel terminal is about the product input, storage, handling and blending and then the discharge of the product.

The proposal only seems to have dealt with the in terminal activity.

The terminal must also consider and detail all three phases.

The consequences of the shipping movements and the transport of the product should be detailed in the EA and regulated by the conditions of consent.

With the road tankers the vehicle data, vehicle major routes, and the impacts of those truck movements should form part of the EA as they are a fundamental component of the Stolthaven Operation.

For the EA to simply say the product will be transferred from the wharf to the terminal and then from the terminal by road to Industrial Drive is simple inadequate.

5. There is no ship management plan

There is no ship management plan and therefore there is no way of assessing the impact on the shipping movements on the community.

By way of example will the ships be permitted to enter the port during the normal hours of sleep thereby raising the ambient noise levels and the ship horn blasts.

There is no detail in the EA as to how a ship spill or fire would be handled. These are identifiable risks and as such should be addressed in the EA.

The proximity of the fuel berth, the shipping channel and ship turning bay to Orica (ammonium nitrate production and storage) is on major concern and should also have been addressed in the EA.

Once again the data in the EA would seem to be inaccurate as section 3.6.5 states

It is proposed that approximately 12 extra ships per year would enter Newcastle Port to unload at Mayfield M4, resulting in a total of 20 ships per year for Phases 1 and 1A combined.

Section 4.3.0 states

The increase in ship traffic from 15 ships per year to 27 ships per year

The documentation provided for the new Wharf M7 indicates the use of considerably larger tankers.

The EA also seems to downplay the significance of the ship movements in the Port of Newcastle and the impact on the community.

Firstly 27 ships equates to 54 shipping movements or an extra one per week.

The extra shipping reduces the safety of the harbour, creates extra noise and vibration and in particular extra particulate emissions.

Shipping exhaust emissions are a major problem within the port.

The EA does not provide details of the environmental issues as a result of shipping directly related to Stolthaven Terminal activities.

Whilst it is noted that the ships and terminal will operate under the ISGOTT and AS3846-2005 guidelines and regulations the issue of how these will be policed is not explained in the EA.

In the event of approval of this proposal the consent conditions and the EPL must spell out very clearly that Stolthaven is totally responsible for the emissions of the ships carrying its product into or out of the Newcastle harbour.

6. The emissions would seem to be unassessed

Noise, odours and other emissions would seem to have been poorly assessed due to the methods used, the use of old and inaccurate data and the failure to assess off site issues.

The cumulative impacts seem to have been glossed over.

The emissions from the terminal for this proposal were not discussed with the community.

7. There is no cost benefit analysis to demonstrate the community benefit.

Any facility or enterprise must be of net benefit to the owners, the community and to the region.

The EA has no cost benefit analysis that shows there is benefit to the region and in particular to the adjoining community.

The EA does show that employment is very minimal, that economic activity for Newcastle is very low and that the hazards are quite high.

Where are the benefits? What would be lost to Newcastle if the application was rejected?

Clearly there are many other issues that are not adequately considered in the EA.

Conclusion

This proposal is very confusing and should be considered as a totally new activity.

This proposal uses overcapacity of the original facility to raise throughput by the addition of disproportionately large tanks.

It would seem that once this phase is implemented it is highly likely that there will be a request to have added through put “by more efficiently utilising the existing plant”.

The processing of the initial EA, this EA and future EA’s would seem to be circumnavigating the assessment of the cumulative impacts. This is unacceptable.

It is also of major concern that the community consultation has been almost zero and that the proposal under consideration was simply delivered to the community liaison group as a fait accompli.

The EA fails to assess the significant off site impacts of the activity on the community.

Finally the project shows no evidence of significant economic, social or community benefit of the project for Mayfield, The Newcastle LGA or the Hunter region. By contrast the proposal identifies many very serious negatives many of which are not accurately assessed in the published EA.

The DG required

- An assessment of the potential hazards and risks to adjacent port and industrial operation, people and/or the environment associated with the modified project;
- How ecological and human risks posed by contaminants in the context of past, existing and future land uses would be managed; and
- How the modified project would not interfere with the remediation works previously undertaken on the site.

This information is not in the EA.

There would seem to be little consistency with the Mayfield Concept Plan approval however I consider some of this to be due to failures of the Newcastle Port Corporation to fulfil their obligations.

I believe this project should be rejected outright.

If the proponent wishes to proceed then a new accurate and fully detailed EA needs to be prepared and exhibited.

I am prepared to answer questions or clarify points if required.

Rick Banyard