

30 May 2013

Mining & Industry Projects
Department of Planning and Infrastructure
Attention: Ashley Cheong - Planning Officer (Major Projects Assessment)
GPO Box 39
Sydney NSW 2001

By email: ashley.cheong@planning.nsw.gov.au

Dear Ashley

**Re: Marstel Bulk Fuel and Dispatch Facility Modification Application 08_0130 MOD1
(the "Proposed Expansion")**

Response to Submissions Report 1 A

We refer to the above mentioned Proposed Expansion, our submissions to you dated 19 April 2013 ("OneSteel Submissions") and the submissions report prepared by Stolthaven Terminals Pty Ltd (the "Proponent") dated 10 May 2013 (the "Report").

We have reviewed the Report. We continue to have a number of concerns regarding the Proposed Expansion and the issues we raised in the OneSteel Submissions which we have commented on below using the same numbering as set out in section 4 of the Report.

Item 26 - Traffic and Transport

OneSteel is also of the view there continues to be inconsistency in the information provided about truck and traffic movements as a whole associated with the Phase 1 and Phase 1 A of the development.

We request the Department to press the Proponent to provide more specific and firm details about heavy fuel vehicle movements and details about all other traffic movements associated with the development and the Proposed Expansion both individually and as a whole prior to approval of any Proposed Expansion. We also request such information and details be provided to OneSteel for consideration and comment.

We refer the Department to OneSteel's position regarding traffic movements and use of Steelworks Road set out below under Item 28.

Item 27 - Power

We have a number of concerns and comments in relation to the response in the Report on this item.

We note the Proponent has indicated the "electricity infrastructure is commonly owned". This is not correct and we refer the Department to the OneSteel Submissions which explains that the relevant power distribution facilities which distribute power to this electricity infrastructure is owned by and/or located on land owned by OneSteel in the Mayfield area ("OneSteel Infrastructure").

In relation to the Proponent's statement that it will "undertake connection to this infrastructure", we again reiterate the infrastructure in question relies on OneSteel Infrastructure and to date, we have not yet provided our consent to this connection or use. We confirm discussions between ourselves and Newcastle Port Corporation around a temporary connection arrangement together with a proposal for a permanent solution to provide power to the Proponent (and others) independent of OneSteel Infrastructure are progressing positively but have not yet been finalised.

Given the status of discussions between OneSteel and Newcastle Port Corporation and the potential impact for any connection by the Proponent to affect OneSteel's Infrastructure (and therefore our operations), we remain of the view Condition 21 of the original project approval should be amended as we suggested in the OneSteel Submissions. .

Item 28 - Steelworks Road

We confirm negotiations between OneSteel and Newcastle Port Corporation are progressing in respect of a private agreement permitting a certain number of Stolthaven's heavy fuel tankers only to use Steelworks Road.

We note any such private agreement would include limits on the number of fuel tankers which could use the road each day (at this stage, we will likely be proposing a limit of 18 fuel tankers each day). Significantly, all other traffic associated with the development would be required to use Selwyn Street as the operational access which we also note is consistent with the previous environmental assessment submitted by the Proponent for Phase 1 of the development.

As we have outlined in the OneSteel Submissions, access to Steelworks Road is of significant concern to us. Given the Proponent's comments that it cannot use Steelworks Road until agreement has been reached, we are of the view it is appropriate for this to be reflected in the conditions around operational access. Therefore, we again request that the Department amends the existing condition 15 of the Project Approval as we have suggested in the OneSteel Submissions.

Item 29 - Fire Safety Study and Emergency Plans

We are satisfied with the amendment proposed by the Proponent to Conditions 18 and 19 in relation to the Fire Safety Study and Emergency Plan.

Overall, OneSteel continues to be concerned about the development, not only in its original form but even more so now with the Proposed Expansion particularly in regards to Steelworks Road. OneSteel requests confirmation from the Department as soon as possible that it will adopt the conditions and amendments as we have outlined in this letter and the OneSteel Submissions to accommodate our concerns regarding the development. If the Department has any concerns regarding the proposed wording of the amendments, we ask the Department to please contact us to discuss as soon as possible.

Yours faithfully

Howard Masters
REMS Manager - OneSteel

