

20 April 2012

Major Projects Assessment
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Copy by email: plan_comment@planning.nsw.gov.au

Dear Sir/Madam

**ONESTEEL LIMITED SUBMISSION
ENVIRONMENTAL ASSESSMENT FOR PORT WARATAH COAL SERVICES TERMINAL 4 (MP
10_0215)**

OneSteel Limited (**OneSteel**) makes the following submission in respect of the Environmental Assessment (**EA**) for the proposed T4 development.

1. Landowner consent

According to the EA, part of the T4 development is proposed to be located on OneSteel land.

Refer:

- Page 15, section 2.5.2 of the EA, which states that: *"The T4 project area land parcels are illustrated on Figure 2.5. They are made up of freehold land owned by PWCS, OneSteel Manufacturing Pty Limited, Pacific National Pty Limited and BHPB Billiton Limited, and Crown land"*.
- Table 2.3 of the EA, which shows that Lot 222 in DP 1013964 will be affected, and that this land is owned by OneSteel Manufacturing Pty Limited.
- Page 19, section 2.5.3(ii) of the EA which states that: *"the proposed location of the wharves, shiploaders and ancillary facilities on the south bank of the Hunter River South Arm is on land owned by OneSteel..."*

Under the *Environmental Planning & Assessment Act 1979*, consent from all owners of land on which the proposed development is to be built is required before approval can be granted. As such, OneSteel's consent to the project application is required.

We advise that OneSteel Limited has not granted consent to the application for this project or otherwise granted its consent to the project.

2. Loss of access to Tourle Street / traffic impacts / operational impacts

Transport and road access

According to the EA, a number of changes are proposed to traffic and access arrangements which will affect OneSteel land.

Refer:

- Page 43, Section 3.9.1(i) which notes that *"manned gatehouses or security gates, for example automatic sliding gates with card access will be built at each of the access points. Access during construction and operations will be the same"*.

- Page 255 Section 14.2.1 notes access to the south bank wharf area is proposed to be *“via an existing left in left out access point to the BHPB and OneSteel sites”*. This section also notes access to the south bank wharf area is proposed to be *“from Industrial Drive, either by a northern extension to Woodstock St, or at an alternate location further to the east. This access requires agreement from a number of different landowners, as well as road authorities, and has not yet been finalized”*.
- Page 263 Section 14.2.3 iv) notes the left turn egress from the OneSteel Site to Tourle St *“will deteriorate... with egress delays of up to 147 seconds in two of the morning peak hour periods considered”*. This is noted as being largely *“due to the predicted increase in background traffic flows (unrelated to the T4 project)”*. This section also notes *“that to avoid peak hour delays, exiting traffic could use the alternate egress and Industrial Drive/Woodstock St”*.

The proposal appears to have the potential to adversely affect road access to or from OneSteel land. OneSteel's consent would need to be obtained to any proposed impacts on access to or from OneSteel's site.

The reference to manned gatehouses or security gates does not specify whether this is intended to include Tourle Street and/or Woodstock St or the potential alternate access point/s further to the east. Given the industrial nature of the operations on the OneSteel site, security arrangements will need to be in place at any road access to OneSteel. OneSteel's consent would need to be obtained to any proposed changes which would affect security of our site.

Use of the OneSteel site

The EA does not adequately address the impact of the Proposal on existing activities or infrastructure on the OneSteel site.

Refer:

- Page 19 Section 2.5.3 ii) suggests in relation to the OneSteel site that *“the portion of the site where the T4 project includes laydown and construction stockpiling areas and internal roads, however, OneSteel is not actively using most of this area”*.

The Environmental Assessment does not assess the impact of the proposal on OneSteel slag processing operations (contracted to a third party) which occur in the eastern area of Site F. In addition, the proposal is likely to impact on the rail/road freight hub which consists of warehouse facilities, a rail siding, rail/road loading and unloading operations. It is located adjacent to the western boundary of the OneSteel site but has not been considered in the Environmental Assessment. In particular, the impact of the proposed road access along the western boundary of OneSteel has not been considered. OneSteel reserves its rights in respect of plans to continue to develop its steel terminal in this precinct. It is an integral hub for NSW steel distribution logistics.

Licensing arrangements and legislation

The EA does not identify the existing licensing arrangements in place for Site F.

Refer:

- Page 65 Section 4.3.2 notes *“the EPLs that relate to the T4 project area”*

The proposal does not identify all the relevant EPLs associated with T4 project and in particular Site F. The proposal would require Site F to be excised from OneSteel's EPL (EPL 11149 covers most of Site F of the T4 Project). In addition, a separate EPL (EPL 12764) covering the slag processing operations in the eastern portion of Site F exists, which would also need to be reestablished in an alternate location. All existing obligations under EPL 11149 associated with Site F would need to be transferred to the proponent.

Contamination Status of Site F

The contamination status of the Site F in the Environmental Assessment contains some factual errors and contextual omissions.

Refer:

- Page 103 Section 7.1.3 vi) which notes "*the OneSteel site is included on the list of NSW contaminated sites Notified to the OEH*". It also notes that "*the principal contaminants in Site F are benzene, PAHs (including naphthalene), petroleum, phenols, metals, cyanide and ammonia*".
- Page 118 Section 8.1.3 which notes "*that in particular there is an area of benzene contamination. Regulated under EPL 11149*"

In many parts of the proposal, the environmental assessment does not clearly discriminate between the low level contamination status of Site F as a whole, and the Benzene Impacted Area (BIA) which represents a small proportion of Site F in the western corner of the site, and remains listed as a Significant Risk of Harm site. It should be noted that Site F (with the exception of the BIA) was removed from the list of Significant Risk of Harm sites in 2005.

In the Environmental Assessment, the BIA is noted as being regulated under OneSteel's Environment Protection Licence (EPL 11149). In fact the BIA is regulated under the Contaminated Land Management Act, while ongoing groundwater monitoring for the remainder of OneSteel's Lot 222 is managed via the EPL. The BIA is managed under a voluntary investigation proposal in conjunction with the NSW EPA.

3. Market value references

We note that the Environmental Assessment refers to an aggregate land value of \$20 million. OneSteel disagrees with that value.

If you have any queries in respect of this submission, please contact the writer.

Yours sincerely

Mark Hedges
General Manager Property
OneSteel Limited