



Correct Planning & Consultation for Mayfield Group

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for the seven new wharfs of Mayfield.

Submission to oppose the approval of Port Waratah Coal Services application for a new Coal Loader known as T4 on Kooragang Island and Mayfield North

TO : Rebecca Newman, Senior Planning Officer

NSW Department of Planning & Infrastructure, rebecca.newman@planning.nsw.gov.au

WE oppose the approval of the PWCS T4 Coal Loader (application Number 10_ 0215) for the reasons set out below.

We declare that we have not made a political donation related to this project.

1. Background. Our Group was formed in late 2010, and after 3 public meetings attended by the members of the local, and surrounding communities, in numbers of approximately of 100, 200+, and 200+ respectively. We now have about 550 members and supporters.

2. Lack of Resources.

Like many Community Groups we struggle to respond to new issues around Planning, Sustainability and the Environment.

We are all volunteers.

Some of us work full time; and some have a heavy load of domestic responsibility - either with Children; or at the other end of the spectrum, as part time or full time carers of infirm and / or aging relatives.

We have no Office infrastructure, and have very little resources – Cash or Otherwise.

In the case of CPCFM I am currently the full time carer of my wife who is significantly disabled. Fortunately for us she will make a good recovery – but it will be slow.
So my time for Community work is very constrained



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3. NCP Concept plan for 7 new wharfs at Mayfield

Our initial concerns in 2010, when we formed, were the impacts that would flow from the Newcastle Port Corp (NCP) Concept plan for 7 new wharfs on part of the old BHP lands at Mayfield.

a. Our particular concerns were that there was no genuine and realistic provision for land transport for all the goods, materials, and containers – projected by NCP at 1,000,000 Containers PA. which would go into and out of these proposed 7 new wharfs, except by road transport.

Our calculations and assessments were that the Local Road system would fail – Particularly Industrial Drive at Mayfield and in adjoining suburbs.

These assessments were supported by Newcastle City Council (NCC), which came to the same conclusions, in submissions it lodged to NSW Planning in response to the NCP Concept Plan.

We called for that Concept Plan not to be approved until realistic Land transport provisions were worked out.

No decision has yet been made by NSW Planning on the NPC Concept Plan approval.

b. In particular, we called for:

**a new goods rail line to be constructed along the edge of the Southern arm
of the Hunter River from Hexham to Carrington.**

Newcastle City Council passed a unanimous resolution in 2011,
also calling for the building of the same goods rail line.

NSW Greens have adopted the same rail line plan as part of their policy

We see this goods rail line to be part of, and a natural extension to, the Goods freight rail line bypass in the lower Hunter, that has been identified and called for by many plans and studies over the last 10 to 15 years.

Several routes and destinations have been suggested, and one frequently mentioned is the Fassifern to Hexham bypass.



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4. Part of the T4 rail proposals would fit “hand in Glove” with these new goods rail proposals, but they appear to have been developed in complete disregard and isolation from them.

So who is looking at cumulative impacts, and the possibility of coordinated efforts for new rail infrastructure?

Certainly not PWCS

5. New Issues

As a result of the actions referred to above by our group, in 2011 and 2012, we have been asked to get involved with several other proposed developments such as:

Marstel Diesel Fuel Storage & Distribution Tank Farm at Mayfield;

and matters of environmental concern such as:

ORICA KI and its 4 chemical spills since August 2011.

6. We have developed the position that what our group needs to do is to work hard

“TO KEEP US ALL SAFE – IN THE WIDEST SENSE OF THOSE WORDS”.

7. No New Coal Loaders in Newcastle

a, At our 3rd Public meeting in Oct 2011, attended by 200+ community members, we had a speaker’s panel of 6. They included:

Two of our members who spoke about the PWCS T4 proposal; and other developments around Newcastle Port;

NCC Councillor Tim Crakenthorp who spoke about the Council Resolution calling for the Hunter River goods train line referred to above;



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The Managing Director of Hunter Ports (one of Nathan Tinkler's Companies) who spoke about their proposal for a new Coal Loader in Mayfield, adjoining the NPC Concept plan for 7 new wharfs(which was know to locals as Tinkler's T5) ;

And Tim Owen AM MP, State member for Newcastle – whose topic was dust monitoring.

In the course of his address and Q & A, Tim stated that T4 would go ahead.

That was before the T4 Application had been lodged with Planning!!

What did Tim know that the rest of us didn't??

At the conclusion of that meeting 200+ community members voted unanimously for

NO NEW COAL LOADERS IN NEWCASTLE.

It appears PWCS made no mention of this resolution in its aprox 4,500 pages supporting its T4 application.

b. Following through from that “No new coal loaders in Newcastle” resolution we were active in representations opposing the Tinkler T5.

Our meetings on this included an extensive briefing by Hunter Ports on T5; and our objections to T5 expressed by many from our group, and by other Community leaders.

The Office of Premier & Cabinet rejected T5.

8. T4

Members of the CPCFM committee have worked hard over more than 3 years, in attending meetings, workshops etc to try and get a better understanding of the proposal; asking dozens of questions, and expressing our opposition based on various grounds, many of which are set out, or referred to, in this submission, and other submissions we have seen.

Our group has been in meetings with, and communicating with, 14 other community groups to get a better understanding of issues, problems, and best Community Responses to T4.



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9. We note that: The PWCS application is about 4,500 pages long. In the face of such a big series of documents we **support the call for:**

- a, **A further substantial extension of time to lodge submissions;**
- b. **a full day workshop in Newcastle, run by NSW Planning, where the Community can hear and question representatives from PWCS; and for that to take place before T4 submissions close;**
- c. **The production of a Comprehensive Newcastle Ports Master Plan, so that the Community can assess the Cumulative Impacts of T4 with all the other existing Businesses around the Port; and the proposed new businesses that the Government - across all its departments, has knowledge of. This needs to be produced before T4 submissions close.**
- d. **If the Workshop and the production of the Compressive Port Master Plan happen after the T 4 submissions close, then there should be a new submissions period declared.**

10. We know that **PWCS claim that they have carried out extensive Community Consultation**, Meetings and Publicity about T 4 both before and after lodging their application for a New Coal Loader with NSW Planning.

We dispute that PWCS attempts (as described immediately above) have been comprehensive, meaningful or successful.

We say this because PWCS have not disclosed in any of those Meetings, Briefings or Publicity many of the very serious consequences of the Proposed T4 Coal Loader;

- a. An especially bad example of this is in their N Herald advert (Attached).

Their employment claims are overstated, or just plain wrong - and those claims do not match up with what PWCS state in their aprox 4,500 pages of documents.

The simple facts are there will be no significant increase, or **no increase at all, in PWCS's fulltime workers, if T4 proceeds.**

- b. I / We don't think PWCS told the Community in any of those meetings and briefings about the 41 more loaded coal trains plus 41 empty trains through Newcastle and Maitland every day, increasing dust related health problems such as asthma and other respiratory ailments.



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c. We know, or have been told, that there are many other serious claims made by PWCS that are misleading or wrong; and that PWCS have been silent on other issues that the Community should be informed about

So, I / we say **this application:**

should not proceed now;

and that the Director General of NSW Planning should direct PWCS to undertake Open, Honest and Meaningful Community Consultation - under the close supervision of the NSW Dept of Planning;

and then order a new extended period for Public Submissions

11. Because Port Waratah Coal Service's 4th Coal Terminal (T4) is a proposal for a massive new coal terminal in Newcastle, NSW, we see that, if approved, T4 would allow an additional 120 million tonnes per annum of coal to be transported through our suburbs and shipped out of Newcastle.

Our key issues and concerns include:

Serious health issues due to long term exposure to more and more Coal Dust, and more and more Coal Gas

Impacts on Habitat, Endangered and Threatened Species, and Migratory Birds•

Air Quality, dust, noise, vibration and more•

Impacts from Dredging and increased Water Pollution•

Impacts of Increased Coal Mining in NSW•

The minimal employment opportunities due to automaton•

The very small economic benefit for Newcastle•

The coal freight rail impacts on passenger services•



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The cumulative impacts of more and more coal, especially when combined with more and more other industrial activity in Newcastle & The Hunter

This new coal terminal will

- Facilitate the expansion of coal mining in the Hunter and Liverpool Plains, by nearly doubling the export capacity of Newcastle
- Double the dust and the noise for communities already affected by the coal trains in Newcastle and beyond
- Destroy rare migratory bird habitat, endangered ecological communities and habitat for nationally threatened species
- Double the greenhouse pollution impact of the coal exported from NSW.

Matters needing further investigation include:

- Locally, the fourth coal terminal project would see 41 more loaded coal trains plus 41 empty trains through Newcastle and Maitland every day, increasing dust related health problems such as asthma and other respiratory ailments.
- Pollution from coal affects all major body organ systems and contributes to the leading causes of morbidity and mortality.
- The Fourth Coal Terminal would facilitate many more large coal mines (the equivalent of at least 15 'mega-pits') in the Hunter and Liverpool Plains which threaten food and water security by destroying prime agricultural land, irreversibly damaging ground water systems and polluting waterways.
- The proposal also carries the risk of mobilising toxic contaminants on the Toxic Dumping Grounds of Kooragang Island, the former BHP Steelworks site, and in the South Arm of the Hunter River, and too little is known about the risks to ensure the communities of Newcastle will be protected from toxic accidents, seepage and accidents. There is no plan to fully remediate the sites.



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- The coal exported would provide the capacity to feed at least 15 more large power stations around the world emitting 288 million tones of carbon pollution each year and fuelling climate change.
- This project would damage internationally important wetlands that provide critical habitat for protected migratory bird species and nationally threatened species including the Green and Golden Bell Frog and the Australasian Bittern.
- An area within the site is currently owned by the National Parks service, and provides irreplaceable habitat for migratory shore birds. The proposal will mean loss of habitat and disruption to an ecologically significant proportion of a population of four migratory shorebird species listed under international conservation conventions.
- At least 11 species of migratory birds recognised by international treaties rely on the habitat at "Deep Pond" and its proximity to the Hunter estuary Ramsar site. Most of Deep Pond, the only freshwater refuge in the Hunter estuary, would be lost to this project.
- The Environmental Assessment fails to meet the requirements set out by both the State and Federal agencies, and the proposal represents an unacceptable risk to the Australasian Bittern.
- After construction, the coal terminal will provide *no additional employment*. Rather, it is likely to result in the loss of other economic activities in the port, such as tourism, fishing and other shipping

12. PWCS argues that the T4 application should be looked at insolation:

and not in conjunction with all of the impacts up and down the Hunter Valley, and over the range at the Liverpool Plains etc;

and that certainly the use of the coal after shipping by PWCS is not the responsibility of PWCS.

However this argument does not hold up for a number of reasons including:

- a. PWCS is a joint Venture Company owned by a number of the Miners and Shippers
- b. The claimed legal obligation that PWCS has to expand capacity is contained in a Document it freely entered into by PWCS with many of those same Coal miners and Shippers.



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So PWCS can't have it both ways - " We are legally obliged by Miners to expand - but you can't look at what the Miners, Train Coys and shippers do, when assessing our application".

13. **We particularly object to the proposed 2 new loading wharfs at Mayfield North** for the following reasons:

They are not needed – please refer to R Banyard's Submission, which we support, for detailed reasoning;

Daily traffic hazard for vehicles crossing the Tourle St Bridge – drivers would be “rubber necking” to get views of ships loading;

These activities would hinder the development of the proposed new goods rail line from Hexham to Carrington, referred to above.

14. We would love to have the time, resources and Technical support to provide a more comprehensive submission, but we don't.

15. If we had the help of NSW Planning with:

workshops;

a second round of closely supervised Community Consultations;

and a substantially increased period to lodge additional or upgraded submissions;

we feel we could help to ensure the opportunity for a more balanced assessment of the T4 proposal.

16 We have read and / or know the details of many submissions, and we would like to adopt the statements and endorse the suggested actions and outcomes in those submissions.

We particularly refer to submissions by:

Assoc Prof Nick Higgenbotham – on Health issues;

Ann Lindsay of the Hunter Bird Observers Club - on Birds; the need to preserve Habitat etc



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John Sutton & Rick Banyard - on the lack of need for new Coal Loading Infrastructure,
and the failure to identify valid reasons and a trigger point under the Framework agreement;
Councillor Michael Osborne;
Vicki Warwick;
and many other submissions

Please acknowledge receipt of this submission by return email.

Please also respond by early email to the several requests we have made in this submission

John L Hayes
For

7th May 2012

Correct Planning & Consultation for Mayfield Group*
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*** The CPCFM Group has more than 500 Members & Supporters**