

Rebecca Sommer
Infrastructure Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Sommer

Re: EXHIBITION OF PREFERRED PROJECT REPORT FOR PORT WARATAH COAL SERVICES (PWCS) TERMINAL 4 (10/14864)

Thank you for the opportunity to provide comment on the above Preferred Project Report.

I refer to your letter to Council received 14 October 2013 advising of the extension to the exhibition period for this project to 22 November 2013 and note that, notwithstanding this extension, responding to 2,828 pages of technical information provides challenges for organisations such as Council in effectively analysing and responding to the report.

In the limited time available, Council officers have reviewed the report and provide the following feedback on the issues that relate to the Port Stephens Local Government Area (LGA).

1 Noise and Vibration

The Preferred Project Report states that the proposed operation of the existing coal terminal and the proposed T4 terminal results in exceedances of the project specific noise criteria in residential areas at Fern Bay.

The Preferred Project Report states that this is mainly due to noise from the proponent's existing Kooragang terminal rather than the proposed project and that Port Waratah Coal Services is implementing measures to reduce the noise from the existing Kooragang terminal.

Council would appreciate being kept informed of the progress of these improvements to reduce the noise impact on residents of Fern Bay and other areas of Port Stephens LGA.

Taking into consideration the frequency that noise issues have been raised by stakeholders and past noise complaints it is evident that additional noise would be unacceptable for residents at Fern Bay.

It is not clear from the Preferred Project Report whether the riverside loading facilities are included within the noise assessment.

Council therefore requests that additional information be provided to clarify the potential noise impacts, especially on the residents of Fern Bay and other areas of Port Stephens LGA.

2 Air Quality

The environmental Assessment (EA) for the T4 terminal project suggests minor impact using modelled air quality parameters for the operation of T4 and states no additional 24- hour average PM₁₀ exceedances.

However, the T4 terminal project EA notes that there are already exceedances of the 24 hour average PM₁₀ based on 2010 air monitoring data.

The results in *Table 12 Air Quality Assessment for the T4 Project Report by Environ* show that for the worst case scenario on any day the baseline 24 hour average PM₁₀ concentration exceeds the criteria at all of the assessment locations with or without the T4 project, the T4 project will compound the accumulative impacts and cause additional exceedances.

While the modelling suggests that the T4 terminal project will only cause a minor increase in PM₁₀ the community and public health expectations are that particulate levels should be reduced not increased.

3 Tomago Offset Site

Council notes that one of the offset sites proposed in the Preferred Project Report is within the Port Stephens LGA.

Council welcomes the conservation and rehabilitation of the Tomago Offset site, including the restoration of habitat for threatened species which will help with their continued survival in the Hunter Estuary area.

Council notes the Preferred Project Report includes a preliminary conceptual design by Umwelt in the *Tomago Offset Site Restoration Project EIS* and requests that Council be included as a stakeholder in the future design process for this site.

Council is concerned about the loss of the current foraging and breeding habitat (grasslands) for the Grass Owl (*Tyto capensis*) and Australasian Bittern (*Botaurus poiciloptilus*).

Council would like clarification as to the extent of change to both the Rice Paddy and Vegetation Management Areas with regards to Grass Owl and Australasian Bittern.

Umwelt states in section 5.5.5 Proposed Management Measures and Monitoring in the *Tomago Offset Site Restoration Project EIS*, that there will be an investigation into the feasibility and practicality of relocating the White-bellied Sea Eagle. With respect to the proposed removal of tall vegetation including the sea eagle nest there should be a replacement nest structure within close proximity, such as has been established in Ballina and South West Rocks, to enable the sea eagle to remain within its current home range.

I request that the Council's comments be taken into account in your consideration of this proposal.

For further information or clarification on any of the issues raised in this submission please contact Council on 4980 0169.

Yours faithfully



Bruce Petersen
Manager, Community Planning and Environmental Services

22 November 2013