

Future City.G.Mansfield.  
Reference: ECM#4420420  
Phone: 02 49742767



22 November 2013

Ms Rebecca Sommer  
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Dear Ms Sommer

**PREFERRED PROJECT REPORT FOR PORT WARATAH COAL SERVICES  
TERMINAL 4 PROJECT (MP10\_0215)**

I refer to your letter of 9 September, 2013 advising Council of the public exhibition of the *Response to Submissions and Preferred Project Report* dated September 2013 for the Terminal 4 (T4) Project. I also refer to the 'project coordination' meeting of 20 November, 2013 (facilitated by the Department) between representatives of Port Waratah Coal Services and officers of local councils and state government agencies.

It is advised that Council officers have reviewed the above Report and the following supplementary comments are provided for consideration by the Department:

**1 Section 94A Development Contribution**

The Proponent's offer to enter into a voluntary planning agreement under s93F of the *Environmental Planning and Assessment Act, 1979* is noted. It is advised that Council's *Section 94A Development Contributions Plan 2009* was updated in April, 2013.

**2. Obtrusive Lighting**

The Proponent's commitment (5.10 Visual) to implement visual mitigation and management measures does not address council's concern regarding the likely impacts of light spillage on fauna in the vicinity of the site.

**3. Contamination**

In response to Council's previous submission raising the need for further information regarding contamination management the following documents have been produced which outline how contamination is proposed to be managed:

- Assessment of modified design - groundwater and contamination
- Closure Plan
- Site Auditor's interim report
- Remediation Action Plan (pre-detailed design)
- Containment cell design report

The proposed contamination strategies are complex and no objections in principle are raised to the measures proposed. It is noted that a further comprehensive Remedial Action Plan (RAP) will be required prior to construction works commencing which will require assessment and approval from an appointed site auditor.

#### **4. Sewage Management**

As indicated in Council's previous submission there is no reticulated sewer service at the proposed site on Kooragang Island. According to the submitted Report, temporary facilities would be used during construction works, no information, however, was provided regarding how sewage was proposed to be managed once the facility became operational. It is noted that the RAP makes reference to potentially disposing of contaminated waste water to sewer. The issue of sewage and waste water management needs to be addressed as part of the proposed project.

#### **5. Traffic**

- (a) The Traffic Control Signals (TCS) proposed for Cormorant Drive at the intersection with Pacific National Road and the NCIG access are supported subject to the receipt of the consent of Roads and Maritime Services pursuant to s87 of the *Roads Act 1993*. It is, however, recommended in the interests of traffic safety that these TCS be required to be constructed and operational prior to the commencement of any site works with an appropriate condition assigned to any subsequent approval issued by the Department.
- (b) The traffic modelling is based on the premise that there will be no overlap of any construction traffic from the current KCT and NCIG expansion projects with the peak construction period of the T4 Project. Initial concerns were raised in relation to this approach given the local road network is operating at or above capacity during peak periods, however following further discussions with the Proponent it is now concluded that this approach is now acceptable and a realistic scenario.
- (c) At the peak of construction it is estimated around 980 parking spaces across a number of sites will be required to cater for a workforce of 1200 persons. The reduction in parking largely being achieved through car pooling and the use of shuttle buses. Acknowledging that the road network is operating at or above capacity during peak periods it is recommended that the Proponent nominate the location of these proposed car parking areas and their traffic consultant assess vehicle access points to these areas, as well as the potential impact on the road network.
- (d) The Proponent has advised that the duration of the construction phase of the Project is likely to be 3 to 5 years. To ensure the proposed car parking areas are all-weather, to minimise dust and erosion and address potential contaminants from vehicles (oils, greases etc.) it is recommended that these areas be sealed and incorporate appropriate pollutant controls.

#### **6.0 Flood Management**

Council's previous submission raised the following flood management issues:

- (a) Development in a Floodway or Flood Storage Area



*'The Proponent should consider the flood zone classification of the site and the effects that the development will have on the floodway.'*

Council mapped the Hunter River floodways considering cumulative development impacts in the Newcastle City-wide Floodplain Risk Management Study and Plan, June 2012 (see Map 4L, 1% AEP Flood Impact Categories). It is a requirement of the Newcastle Development Control Plan (DCP) 2012 to minimise development in identified floodways.

This issue has not been properly addressed in the Report.

(b) Probable Maximum Flood

*'The hydraulic behaviour and the risk to life for this event should be considered by the Proponent.'*

This is a requirement of the Newcastle DCP 2012. This issue has not been properly addressed in the Report.

(c) Flood Planning Levels

*'The Proponent should be required to provide details of the Finished Floor Levels of any proposed habitable buildings and their suitability to withstand the hydraulic force of flooding.'*

This issue has not been addressed in the Report.

It is noted that the Report mentions that the Proponent's flood consultants, Worley Parsons, have updated the flood model to account for project modifications. The letter from Worley Parsons attached in Appendix M, does not include, however, details of an updated flood model and states that '*modifications are considered unlikely to result in any changes of significance to existing results*'. If the flood model has been updated as stated in the Report then the results should be included in Appendix M.

## **7.0 Stormwater Management**

The additional information provided in the Report addresses the issues raised in Council's previous submission.

## **8.0 Other Issues**

It is noted that further technical assessments have been provided to address noise, vibration, ecology, air-quality and greenhouse gases in response to other submissions raised as well as proposed amendments to the Project. Council's environmental officers have limited expertise and resources for reviewing projects of this magnitude with complex environmental and health impacts. Therefore, it is considered that the detailed and careful assessment of these issues is most appropriately undertaken by the technical experts of the state government agency in each respective field.

## 9.0 Cranes and Tall Structures

As raised at the project coordination meeting, Newcastle Airport is located on RAAF Base Williamtown which is approximately 17km north-east of the central business district of Newcastle. Restrictions are placed on the airspace within a 15km radius from Newcastle Airport to protect the aircraft flying in and out of the airport. The subject site is located within this catchment.

To ensure safety is not compromised and to limit restrictions to aircraft operations, a notification/ permission process was established in 2012 by Air Base Command of RAAF Base Williamtown concerning construction cranes and other tall structures having a height exceeding 30 m (above ground level) within 15km of Newcastle Airport. For further information regarding this matter, please contact Flying Officer Christopher Snape by email on [christopher.snape@defence.gov.au](mailto:christopher.snape@defence.gov.au) or 02 4034 5090.

If you require further explanation or advice regarding the various matters canvassed in this submission, I can be contacted on 02 4974 2767.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. Mansfield', with a stylized flourish at the end.

Geof Mansfield

**PRINCIPAL PLANNER (DEVELOPMENT)**