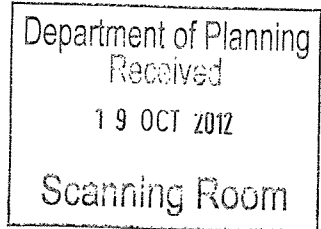


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16<sup>th</sup> October 2012

This is a submission objecting to the proposed Incitec Pivot Ammonium Nitrate manufacturing facility Kooragang Island (SD-4986) in Newcastle.

## COMMISSION OF INQUIRY

This submission is requesting that a Commission of Inquiry be held into the overall planning of Port Hunter and Kooragang Island as a matter of urgency and before Incitec is given any approval.

This is vital for the safety of the residents of Newcastle and particularly those surrounding Port Hunter and Kooragang Island and for the safety of the environment.

Recently, I contacted our local State member, Tim Owen, asking who was responsible for the overall planning of Port Hunter and Kooragang Island and was told the 'Newcastle Community Consultative Committee for the Environment' (NCCC of E). I asked the NCCC of E and was told they had no knowledge of this and had no power or funds. In fact, John Tate chairman of the NCCC of E, said he 'laughed when he saw a copy of the email', because it was such a silly statement. When I re-asked our local member, I was told the 'Department of Planning and Infrastructure'.

This information is incorrect, as I have recently been told projects less than one million dollars can be approved by Newcastle Council. Projects on Kooragang Island over one million dollars are approved by the Department of Planning and Infrastructure. Some say projects

surrounding the shores of Port Hunter are approved by the Hunter Port Authority.

No overall planning authority means that various industries can be located next to other industries making them a danger to the community and the environment.

The Incitec's proposal, located next to Orica (with its appalling safety records) and behind biodiesel fuel tanks has too great a potential for a major accident or terrorism. In addition, possible bio-diesel and a gas pipeline on Kooragang Island have the potential for a catastrophic consequence for the city of Newcastle.

No further development can be approved until such time the Commission of Inquiry is set up to review this situation.

## **COMMUNITY CONSULTATION**

Incitec has not conducted adequate community consultations regarding the proposed ammonium nitrate plant on Kooragang Island. Incitec's head office is in Melbourne, the company that completed the EIS is in Sydney. There have been a few brochures, supposedly a telephone survey and recently two community information sessions. This is totally inadequate to gauge community perception, especially as the information provided by Incitec does not give the whole picture regarding blast contours, noise, air pollution, water pollution, risk assessments etc. The Incitec proposal must be rejected on the grounds that it poses a totally unacceptable risk to the surrounding communities and their environments.

## **NOISE**

Incitec state that their research indicates that Orica exceeds the noise levels by 5 to 6 decibels and therefore they should be able to have their acceptable noise levels raised above the 45db level. Incitec stated the noise reading for Orica were between 45db and 52bd. Under NSW legislation, new industries are required to have noise levels under

35db. Incitec must be able to ensure noise levels would be under the legislated NSW acceptable noise levels. Incitec talk about Stockton being an interface with Kooragang industry. Stockton residents already suffer with excess noise and do not need additional noise. Stockton residents have been living in the area long before Orica was built. The EPA should be examining Orica's noise levels and ensuring they are within acceptable levels. The planning authority must reject Incitec's request for increased allowable noise levels as it is against the law!

## **UNACCEPTABLE RISK**

The proposed Incitec ammonium nitrate plant poses an unacceptable risk to the local residents and indeed the whole of the Newcastle basin. Having another ammonium plant next to an existing one and near fuel storage tanks is completely unacceptable. The fact that Incitec will not provide information on the BLAST CONTOURS for security reasons, related to terrorists, show there is a possible danger. Terrorism has been described by ASIO as the greatest threat to Australia (ABC1 at 8.20am on 11.10.2012).

This danger is too great, as nowhere in the world are there two ammonium nitrate plants so close together or near residential areas. Past accidents involving ammonium nitrate has had catastrophic consequences on local communities. The Incitec proposal must be rejected in light of the dangers to the surrounding communities.

The storage of over 20000 tons of ammonium nitrate on Kooragang Island poses an unimaginable threat and risk for the Newcastle basin. Any explosion, accidental or terrorist, would decimate everything within many kilometers of Kooragang. This is completely unacceptable and must surely prevent the Incitec proposal from being approved.

## **SECURITY RISKS**

What security checks are proposed for employees, security staff and contractors entering any proposed Incitec plant? Who carries out the security checks for possible terrorists? In 2011 a local community

member was able to enter Orica's facility and walk around unchecked at 3am one morning. If a member of the community can do this, what could a terrorist do? Incitec must not be given approval to build an ammonium nitrate plant on Kooragang Island until they can assure the authorities and the community that all security risks have been eliminated or minimized to an acceptable level.

## **TRAFFIC ISSUES**

### **Transporting Ammonium Nitrate to and from Kooragang Island.**

What safeguards will be put in place to ensure the safety of the community in the following instances:

- a. Emergency Plans: Where are the emergency plans for the surrounding areas? How will the community be informed if there is an emergency at the Incitec plant or on the roads?
- b. Evacuation Plans: What evacuation plans are in place for local residents in the event of a minor or major accident at the Incitec plant or on the roads to and from the Hunter Valley mines?
- c. Security Screening Plans: What plans are in place to screen drivers of ammonium nitrate trucks? Are the drivers screened for security, drugs, alcohol, health (heart conditions)?
- d. Communication Plans: What additional plans are in place to keep the local communities informed regarding possible hazards, accidents, spillages and terrorists attacks, especially in light of a major breakdown in power supplies.
- e. Traffic Studies: What traffic studies have been conducted, especially along Cormorant Drive and the New England Highway, to ascertain the amount of traffic and the possibility of major accidents?
- f. Accident prevention. What additional safeguards are there to ensure the chemicals will not catch fire and then explode. Ammonium nitrate is an oxidising agent and will burn at 250 degrees centigrade, become a liquid at 270 degrees and then be an explosive substance. Trucks carrying ammonium nitrate must have additional safeguards to ensure no fire can occur. The accident involving two tankers on 20<sup>th</sup> September 2012 at Maitland highlights the fact that accidents can happen. What would have happened in this instance if there had been a fire and explosion?

g. Other vehicles. Drivers of tankers carrying ammonium nitrate have no control over other road users. Other drivers could have worked 12 hour shifts, have a heart attack, be on drugs, be drunk, just not concentrating, on a mobile phone or worse still a terrorist.

This proposal must not be approved until all the issues raised have been taken into account and the community can be assured there is NO risk to ensuring a clean and safe environment.

A Commission of Inquiry must be held for Newcastle and the surrounding areas to ensure the safety of the community and the environment.

As submission makers are required to disclose political donations totaling \$1000 or more in the past 2 years, I can state that I have not made a disclosable donation.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'David Croft', written over a horizontal line.

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