



**Heritage Council**  
  
of New South Wales

3 Marist Place  
Parramatta NSW 2150  
Locked Bag 5020  
Parramatta NSW 2124  
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500  
Facsimile: 61 2 9873 8599  
heritage@planning.nsw.gov.au  
www.heritage.nsw.gov.au

Contact: Gary Estcourt  
Phone: (02) 9873 8562  
Fax: (02) 9873 8599  
Email: Gary.estcourt@planning.nsw.gov.au  
File: 10/17604  
Our Ref: B298721  
Your Ref: MP09\_0096

Lisa Chan  
Major Projects Assessment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Chan

**MAJOR PROJECT REFERRAL – MAYFIELD SITE PORT-RELATED ACTIVITIES CONCEPT PLAN (MP 09\_0096) ENVIRONMENTAL ASSESSMENT– REQUEST FOR COMMENTS SUBMISSIONS REPORT**

I refer to your letter dated 10<sup>th</sup> February 2011, requesting the NSW Heritage Council's comments in relation to the Submissions Report prepared for the above project. It is noted that the NSW Heritage Council provided comments on the Environmental Assessment for this project in August 2010. A copy has been attached for your information.

The Heritage Council's previous comments made two general recommendations in regard to this project:

- All the existing conditions that are attached to an excavation permit for the site that was issued by the NSW Heritage Council on 21<sup>st</sup> September 2005 (2005/S140/041) are to remain in force for those areas of the site covered by the permit; and
- If there is any further excavation proposed across other parts of the site similar conditions should be implemented due to the sites identified heritage significance.

On pages 53-54 of the Submissions Report it is noted that a number of items were archivally recorded prior to their demolition and that the Heritage Council's request for further monitoring is not considered appropriate as follows:

*NPC maintain that these items have already been demolished and archivally recorded and they are not archaeologically significant as archaeological investigation is unlikely to add to the current understanding of the items. It is considered that the archival recording prior to demolition adequately addressed the historical significance of these items and no further mitigation measures are warranted. For clarification these items include:*

- The AC Saltwater Pump House
- The AC Saltwater Pump House Precinct
- The Mould Conditioning Building Precinct (archivally recorded in 2000 as part of the Open Hearth Building and Open Hearth Change House Precinct)
- The BOS Plant Precinct
- The Original Timber Wharves Precinct

On page 54 the proponent goes onto state that the conditions of consent for Excavation permit 2005/S140/041 would be included in any future Project Approvals and that the project approval should adopt the Research Design and Methodology approved under the Excavation Permit. The commitments would be triggered only if heritage items are to be impacted by the proposed project and those heritage items have not already been subject to adequate archaeological assessment, recording and salvage.



Two additional notes are made stating that the No. 1 and 2 Pig Mill is within the area of disturbance but outside the area of cut and fill (confirmed by Heritage Branch based on EA documents) and that there was an error in the EA that the No.1 Blast Furnace should not have been identified as having archaeological potential as it was archivally recorded prior to demolition.

In the final Statement of Commitments the proponents propose the following:

***NPC commits to the conditions of consent of the Excavation Permit 2005/S140/041 for future project approvals. In addition, the project approvals would adopt the Research Design and Methodology approved under the Excavation Permit. The commitments would be triggered only if heritage items are to be impacted by the proposed project and those heritage items have not already been subject to adequate archaeological assessment, recording and salvage. The conditions would refer to the following areas:***

- ***No. 1 Blast Furnace***
- ***Ferro-Manganese Blast Furnace***
- ***No. 2 Blast Furnace***
- ***Hunter River Copper Smelting Co.***
- ***No. 1 Blower House***
- ***No. 3 Blast Furnace***
- ***No. 4 Blast Furnace***
- ***Open Hearth Change House***
- ***Original location of No. 1 Pig Mill***
- ***DC Substation***
- ***Steel Foundry***
- ***No. 1 Bloom and Rail Mill***
- ***Soaking Pits Building***
- ***No. 1 and 2 Pig Mills***

In relation to the above, the following comments are provided:

- The proponent appears to consider that if an item was archivally recorded prior to demolition then the site no longer has any archaeological potential. This is a misunderstanding of the idea of archaeological potential and an approach that is at odds with the *Assessment of the Historical Archaeology and Research Design: Newcastle Steelworks Closure Area* that accompanied the original EA. In that document it was stated that that archaeological material has the potential to enhance the existing records (Hunter River Smelting Co.), provide unique information (No 1 Blast Furnace, No 1 Blower House, No 1 Pig Mill, No 2 Blast Furnace, and No 3 Blast Furnace), and compliment the existing archival record (Original Open Hearth Furnaces, No 1 Bloom Mill and Rail Mill, Steel Foundry, Open Hearth Change House, Mould Conditioning Building, DC Substation, Original Timber Wharves, AC Saltwater Pumphouse, Power House, No 4 Blast Furnace and BOS Plant).
- The proponent commits to follow the conditions and methodology of the Excavation Permit (2005/S140/041) only if the items have *not already been subject to adequate archaeological assessment, recording and salvage*. For example, it could be read that the proponent is recommending no further archaeological monitoring or recording at the No. 1 Blast furnace as it was archivally recorded prior to demolition. This in spite of the EA identifying the archaeology as possibly being able to contribute *unique information* for this feature.
- The proponent has not provided sufficient justification to modify any of the conditions of the Excavation Permit (2005/S140/041) issued for the site.
- The commitment by NPC to adhere to the conditions of consent of the Excavation Permit (2005/S140/041) for future project approvals and adopting the Research Design and Methodology approved under the Excavation Permit is considered positive.




In light of these comments the following conditions of consent are recommended:

- All conditions of approval for the existing excavation permit (2005/S140/041) are to remain in force for works impacting the following parts of the site:
  - Hunter River Smelting Co. Precinct;
  - No. 1 Blast Furnace Precinct;
  - No. 1 Blower House Precinct;
  - No.1 Pig Mill Precinct;
  - No. 2 Blast Furnace Precinct;
  - Ferro-Manganese Blast Furnace;
  - Original Open Hearth Building Precinct;
  - No. 1 Bloom and Rain Mill Building Precinct;
  - Steel Foundry Precinct;
  - DC Substation Precinct;
  - Original Timber Wharves Precinct;
  - No. 3 Blast Furnace Precinct;
  - AC Saltwater Pump House Precinct;
  - Mould Conditioning Building Precinct;
  - No. 4 Blast Furnace Precinct; and
  - BOS Plant Precinct.
- All conditions of consent of the Excavation Permit (2005/S140/041) and the approved Research Design and Methodology are to be adhered to for any other areas of archaeological potential that have been identified in the EA but are not specifically covered by the Excavation Permit (2005/S140/041).
- The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics not previously identified are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

These conditions have been recommended as the site has been identified as being of State significance. The above conditions are consistent with the existing excavation permit and are considered appropriate for excavation on site of this nature.

If you have any further enquiries regarding this matter, please contact Gary Estcourt at the Heritage Branch on (02) 9873 8562.

Yours sincerely



23/02/2011

**Vincent Sicari**  
Manager  
Conservation Team  
Heritage Branch  
Department of Planning

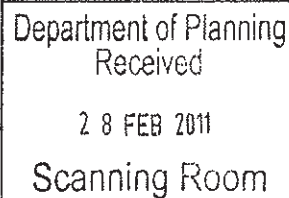






File No:

25 February 2011



Lisa Chan  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

By email: [lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)

Dear Lisa

**Response to Response to Submissions for Newcastle Port Corporation's Concept Plan for Port Terminal Facilities at Mayfield (MP 09\_0096)**

HDC has reviewed the Response to Submissions (Response) document and makes the following comments:

**Item 3.3.3 Stakeholder**

HDC is omitted from the list of stakeholders to be consulted and should certainly be included as the intended next owner of the adjacent Intertrade lands and manager of the development agreement with the developer of those lands, and the agent of the Crown for the Voluntary Remediation Agreement with DECCW which applies to the lands.

**Item 3.10 .1 Infrastructure – Public utility services**

The Response states that it will be up to future proponents to address demand for services on a case by case basis. HDC is concerned about the practicalities and demands on infrastructure arising from a process where individual proponents of the portside lands arrange their own separate suite of significant service connections from outside the site, noting that this is not conducive to optimum longer term infrastructure planning.

Servicing of the land should preferably be based on a best estimate of major utility demand levels and development of an appropriate site wide trunking main and servicing strategy, including reasonable contingencies. The task of coordinating a suitable site wide trunking main and servicing strategy should preferably be by the overall site proponent.

The ultimate development of the site is anticipated to have significant demands on all major utilities and infrastructure, and without a reasonable site wide trunking main and servicing strategy it is difficult to see how the demand on key infrastructure can be adequately planned for and optimised by the state and relevant supply authorities.

**Item 3.15.1 Cumulative impacts - General**

The Response does not appear to not fully address the previously raised concerns regarding the cumulative impacts, perhaps with the partial exception of traffic (but see further below). HDC is of the view that this should be more thoroughly addressed, and where necessary base the assessment on best estimates given the intended uses of the site.

### **Item 3.15.1 Cumulative impacts – Traffic**

The traffic report models the following scenarios as regards to the performance of the Ingal Street and George Street intersections with Industrial Drive in both 2024 and 2034:

- (a) increased traffic at the intersections without any development on the Mayfield site
- (b) scenario (a) plus increased traffic from the development of the portside lands
- (c) scenario (b) plus increased traffic from the development of the Intertrade lands

One of the assumptions made in the traffic report is that the Buldev Intertrade development on the adjacent site will be completed by 2024. HDC expects that the Intertrade development will be completed significantly before 2024, which is in any case well before the development of the portside lands. The current modelling may therefore be misinterpreted as implying the Intertrade development will follow the portside lands development and that the Intertrade development will trigger the intersections exceeding capacity. As result, it is requested that the hierarchy of traffic modelling scenarios be adjusted and reconsidered as follows:

- (a) increased traffic at the intersections without any development on the Mayfield site
- (b) scenario (a) plus increased traffic from the development of the Intertrade lands
- (c) scenario (b) plus increased traffic from the development of the portside lands

If you require any further comment or discussion on any of the points above please contact Valentina Misevska on 02 4904 2772 in the first instance.

Yours sincerely

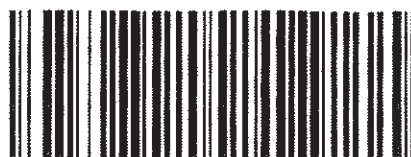


**Valentina Misevska**  
DEVELOPMENT MANAGER

(02) 4904 2772

[Valentona.Misevska@hdc.nsw.gov.au](mailto:Valentona.Misevska@hdc.nsw.gov.au)

Future City:GM:BC  
DA 09/X007  
Phone: 4974 2767



PCU020378

3 March 2011



Ms Rebecca Newman  
Senior Environmental Planning Officer  
Infrastructure Projects  
Department of Planning  
PO Box 39  
SYDNEY NSW 2001

Department of Planning  
Received  
8 MAR 2011  
Scanning Room

PO Box 489, Newcastle  
NSW 2300 Australia  
Phone 02 4974 2000  
Facsimile 02 4974 2222  
Email mail@ncc.nsw.gov.au  
www.newcastle.nsw.gov.au

Dear Ms Newman

**PART 3A MAJOR PROJECT EXHIBITION (MP09\_0096)  
MAYFIELD SITE PORT RELATED ACTIVITIES CONCEPT PLAN**

I refer to your letter dated 10 February 2011 inviting Council to comment on the Submissions Report (AECOM 20/12/10) developed on behalf of Newcastle Port Corporation (NPC) for proposed port related facilities and activities on a portion of the former BHP Steelworks site at Mayfield North.

Council officers have reviewed the documentation provided and the following comments are made in regards to the proponent's responses to the matters discussed in Council's letter dated 10 September 2010. For your convenience, similar subject headings and numbering has been used.

**1. Traffic & Transport**

**1.1 Traffic Impact**

It is considered that the revised Transport Assessment (TA) report (AECOM dated 20/12/10) does not satisfactorily address the Director General's Requirements with regard to assessing and mitigating the impact of traffic and transport nor does it satisfactorily address all of the matter raised in Council's original submission.

It is noted that the revised TA includes amended assumptions for traffic modelling associated with the NPC Concept Plan and also provides assumed traffic generation rates for the neighbouring Intertrade Industrial Park (IIP).

The revised TA finds that, as a direct result of the combined traffic volumes from the NPC and IIP developments, the adjoining section of Industrial Drive will fail by 2024 (initial NPC operations) having regard to both mid block and intersection capacity. The revised TA, at Section 6.3, suggests substantial mitigation measures that are required in order to mitigate this failure.

Consideration of the likely impacts of the NPC proposal on the broader road network was not satisfactorily addressed in the revised TA. Now, with this evidence that the combined effect of the NPC and IIP proposals will cause significant failures of the arterial road network immediately adjacent the site, it must be assumed that this additional traffic will also have significant impact and potentially cause failure of other roads and intersections not immediately adjacent to the site.

Section 4.3.2 of NPC's Final Statement of Commitments states that *'Heavy vehicle movements generated by the Concept Plan will be required to use a designated truck haulage route using the arterial road network...'*, yet nowhere within the Submissions Report, revised Transport Assessment or Statement of Commitments is this haulage route identified other than to specify that the origin and destination for the majority of cargo will be Sydney. It is assumed the route will be via either the Pacific Highway/New England Highway to Beresfield (a trip of approximately 29km) or Sandgate Road / SH23 / Newcastle Road / Link Road to West Wallsend (a trip of approximately 11km).

If NPC have identified this designated haulage route, then it is considered reasonable, appropriate and necessary that this route is studied, in detail, to ensure it will be able to adequately cater for the identified traffic increase.

As the Department may be aware, the RTA is currently exhibiting a suite of six proposed key intersection upgrades along MR82 between the F3 freeway and Newcastle considered necessary to cater for a significant increase in traffic numbers expected to occur along this road following the opening of the Hunter Expressway in 2013.

Therefore, it is considered imperative that, before a determination is made in regards the Concept Plan, NPC be required to nominate the proposed haulage route and prepare, in consultation with the RTA, a Paramics model of the proposed haulage route between the subject site and the F3 Freeway. This modelling can then be utilised to determine adequacy and capacity of the existing roads and assist in identifying what other road upgrades may be required in order to satisfactorily accommodate the additional traffic anticipated from the NPC, IIP and other port related lands.

The NSW State Government may then, through its road agency, the RTA, undertake the necessary planning for the route upgrades so that appropriate State Infrastructure Levies can be imposed on the various developments to ensure a fair and equitable cost sharing strategy.

## **1.2 Future Transport Infrastructure**

In the original Environmental Assessment, numerous references were made to a need to construct an internal link road to provide a better, more controlled, spread of heavy vehicle movements between the two intended access points on Industrial Drive. It is noted that in the Submissions Report it is now proposed to provide this Link Road *'within or external to the site'*. The Submissions Report does not give any indication as to agreement being reached with any party 'external' to the subject site with regard this road. Also, the Submissions Report does not adequately address the previous request for details on the timeframe for delivery of this road, a commitment to the roads construction nor does it assign responsibility for the construction or identify the future owner(s) of this road and how individual site security will be managed for each precinct.

Further, it remains unclear how NPC propose to determine who will be responsible for the construction of any necessary upgrades to existing intersections or roads, the recommended rail upgrades or grade separation of rail and road transport, or how cost sharing for all these works is to be proportioned to the future individual Projects.



As mentioned above in Section 1.1, it is a matter of great concern that the combined NPC and IIP proposals cannot co-exist and will cause Industrial Drive to fail by the year 2024, NPC's identified period for '*initial operations*' only. The revised TA report suggests that major works such as construction of additional lanes on Industrial Drive (requiring significant property acquisitions), further intersection construction and intersection upgrade works including possible grade separation of one or both of the key intersections. Based on a presumption that the proponent of the IIP will also make application for consent under Part 3A of the Environmental Planning & Assessment Act, 1979 (EP&A Act), how does the Department perceive that these mitigation measures are to be achieved?

Notwithstanding, it is considered reasonable and appropriate that NPC are required, by way of conditions included in any approval granted by the Minister, to undertake the following works prior to any of the five proposed precincts becoming operational:

- i) Construction of the Link Road
- ii) Upgrade works to the Industrial Drive / Ingall Street intersection.
- iii) Upgrade works to the Industrial Drive / George Street intersection.
- iv) Upgrade George Street, Selwyn Street and Ingall Street to meet the minimum requirements of Newcastle Development Control Plan 2005 – Element 4.11 (Subdivision), or as otherwise agreed by Council.
- v) Upgrade rail level crossings to Selwyn Street.
- vi) Installation of recommended acoustic mitigation measures to all identified affected residences.

### **1.3 Local Area Traffic Management (LATM)**

In Section 5.4.3 of the revised TA report it is stated that '*A detailed assessment of the impact of the Concept Plan on the condition and geometry of the local road network has not been undertaken...*'. It is also suggested in the revised TA report that the total predicted volume of traffic generated by the proposed concept in 2034, combined with the assumed traffic generation from development of the IIP site, is within the midblock capacity of the existing local road network. Notwithstanding, satisfying mid-block capacity guidelines does not guarantee that management of the additional traffic volume and any resulting driver behavioural changes will not be required by the introduction of additional LATM controls.

An assurance is again sought that NPC commit to providing future LATM controls or that funding will be provided to Council by NPC to implement works as required.

### **1.4 Upgrading Freight Rail Network and Level Crossings**

It is understood that planning and delivery of the Northern Sydney Freight Corridor (NSFC) project has been delayed as a result of the recovery efforts associated with disaster relief in Queensland.

It is also understood that the proposed freight bypass of Newcastle was not part of the scope of the NSFC project but that it was to be considered in 2010 as part of the NSW Freight Strategy by NSW Transport in conjunction with the NSW Freight Advisory Council. However, the findings of this Strategy have not yet been publicly disclosed.

The revised TA report acknowledges that increased reliance (up to 100%) on container movement by road would be necessary during initial operations of the proposed container terminal. Given that these critical rail infrastructure upgrades may now be further delayed, it is important that the Department is satisfied that the additional impacts on the road network, in this interim period, can be adequately mitigated.

Alternatively, the Minister may wish to impose limitations, by way of appropriate conditions, on operations within the proposed precincts pending delivery of the required rail infrastructure upgrades.

Section 3.4.6 of the Submission Report identifies a range of upgrades required to be carried out on site with regard to rail infrastructure. This section also identifies that over the longer term of the Concept Plan the at grade crossings of the rail lines '*...may constrain truck movements and the efficiency of port operations*' and '*...as a result it may be necessary to carry out works to grade separate road and rail movements at one or more crossing locations*'. It is again requested that NPC provide a firm commitment to funding and undertaking these works should this scenario eventuate.

## **2. Flooding, Stormwater and Water Quality Management**

It is acknowledged that NPC propose that the site-wide Stormwater Management System (SMS) will be developed having regard to the requirements of the Newcastle Development Control Plan 2005 (as amended).

However, it remains a concern that NPC propose to include in the SMS stormwater management techniques such as vegetated swales and stormwater harvesting for irrigation purposes as these techniques are likely to result in recontamination by ground contaminants found on site.

As mentioned below in Section 3.1, it is acknowledged on-site stormwater management infrastructure will not be transferred to Council's ownership.

## **3. Contaminated Land**

The amending and additional information relating to site contamination is considered to be generally acceptable. However, copies of the following documents referenced in the Environmental Assessment have not yet been provided for review:

- Detailed contamination investigation reports
- The Remediation Action Plan (completed in 2004)
- Any site audit statements/reports which may have been completed to date.

It is again requested that electronic copies of the above referenced contamination reports be provided to Council for inclusion on the property's Planning Controls. This will allow Council to meet its statutory obligations, maintain a complete record of contamination information relating to the property and assist in the assessment of future project applications or development applications for the site.



### 3.1 Potential dedication of contaminated assets to Council

The statement made in the Submissions Report at Section 3.11.1(c) that *'It is not NPC's intention to dedicate to Council any future roads, stormwater infrastructure, foot paths or other assets located at the site'* is acknowledged and endorsed.

It is requested that the Minister include, in any Concept Plan approval or subsequent Project Approval given, a condition that reinforces this statement.

### 3.2 Environmental Commitments and Performance

The proponent's modelling of traffic related acoustic impacts confirms that there will be adverse impacts on residences fronting Industrial Drive as a direct result of increased traffic movements, particularly heavy vehicles, resulting from the proposed development. However, the impact modelling is restricted to only those receivers in close proximity to the subject site. Clearly, the increased traffic noise resulting from the proposed increased traffic will not cease to exist once the vehicles have left the immediate proximity of the subject site.

As mentioned above in Section 1, the proponent has not yet provided any details regarding the proposed or likely haulage routes to/from this site to Sydney as the nominated predominate destination. Without such information being fully disclosed and studied, it is unclear how the Department can properly determine the true and full extent of properties affected by this increased traffic noise. For example, if it is determined that heavy vehicles will traverse through the predominately residential suburbs of Jesmond and Wallsend to access the F3 Freeway versus access to the F3 Freeway via the Pacific and New England Highways, then what additional residences are likely to be impacted by the significant increase in traffic numbers proposed?

Also, as mentioned above, it is considered that the proponent has not yet adequately demonstrated who will be made responsible for the planning, cost sharing, delivery, monitoring and reporting of all of the recommended mitigations measures. For other developments, such as residential or industrial subdivisions, the responsibility for delivery of new works and services, infrastructure upgrades or environmental mitigation measures resulting from the likely future use of the lots created typically rests with the subdivider and not the future purchaser and developer of the individual allotments. Hence, it seems appropriate that the proponent of a Concept Plan to significantly increase use of a parcel of land should be made responsible for ensuring any and all mitigation measures or upgrades are provided to offset the anticipated impacts.

Therefore, it is strongly recommended that the NPC be made responsible for delivery and ongoing monitoring of all proposed mitigation measures via appropriate conditions imposed under any approval granted by the Minister in respect of the current Concept Plan.

Any other environmental impacts resulting from future Project applications, over and above those considered under the Concept Plan, could then be clearly attributed to, and be the sole responsibility of, the proponent of the individual Projects.

#### **4. Provision of Services**

As previously mentioned, it is considered appropriate for NPC to commit to delivering the works, services, upgrades, mitigation measures and land acquisitions identified as necessary to adequately support their proposal.

It is noted that NPC have identified some key infrastructure constructions and upgrade works and the anticipated timing for these works, but have not given a firm commitment to actually delivering such works. It would seem that NPC are seeking to deflect the responsibility for delivering these facilities onto the developers of the individual precincts within the Concept Plan.

Also as mentioned above, it is considered appropriate that key infrastructure components such as the internal link road, adjustments to rail crossings, road upgrades for Selwyn Street and Ingall Street and the intersection upgrades are provided by NPC prior to operations commencing on the site.

Accordingly, it is requested that a condition be imposed in any approval issued by the Minister in regards the subject NPC Concept Plan requiring the delivery of those integral components prior to operations commencing on any of the proposed precincts.

#### **5. Section 94A**

The statement made by the proponent at Section 3.2.1 that *'It is important that the Concept Plan establishes a mechanism to identify the key infrastructure upgrades required to support the development over the extended timeframe of the project and to ensure that the infrastructure upgrades are appropriately funded and provided in a timely and equitable manner.'* is strongly supported.

The proponent also correctly asserts that *'...the use of Section 94 development contributions is not considered to be the most appropriate mechanism...'* for funding and delivery of these upgrades. However, the mechanism suggested by the proponent is for establishment of a Strategic Infrastructure Plan (SIP) requires clarification as there appears to be no current legislative framework to establish, operate or administer an SIP.

It is considered that funding and delivery of the *'key infrastructure upgrades required'* to support the class of development proposed under the Concept Plan is the responsibility of the proponent of the activity that directly necessitates such upgrades. The proponent is, therefore, again requested to commit to funding and delivery of all new infrastructure, required upgrades to existing infrastructure and delivery of all identified mitigation measures in association with their proposed Concept Plan.

Section 94A(4) of the EP&A Act states:

- (4) *A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.*

The NPC Concept Plan is not exempt from payment of s94A contributions. Further, the Minister has deemed it appropriate to levy s94A contributions on other Major Projects such as Orica (MP08/0129) and Knauff (MP09\_0101) and Council has imposed s94A contributions on other developments such as Steel River Eco-Industrial Park and the Freeway South Business Park at Beresfield.

Accordingly, it is again requested that a condition be imposed in any approval issued by the Minister in regards the subject NPC Concept Plan requiring the current proponent or proponents of individual developments within the Concept Plan to make full payment of their respective contributions in accordance with Council's adopted Section 94A Development Contributions Plan 2006.

Should you require further clarification of any of the matters raised in this letter please contact myself on 49742767 or Senior Development Officer Brian Cameron, on 4974 2637, respectively.

Yours faithfully

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

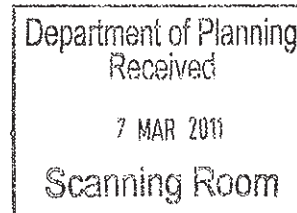
**Geof Mansfield**  
**DEVELOPMENT ASSESSMENT TEAM COORDINATOR**



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11/204, 11/242  
BK



Director, Major Development Assessment  
NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



Attention: Ms Lisa Chan

**INDUSTRIAL DRIVE (MR316): RESPONSE TO SUBMISSIONS FOR PORT RELATED ACTIVITIES CONCEPT PLAN, MAYFIELD (MP 09\_0096)**

Dear Ms Chan,

I refer to your letter dated 10 February 2011 (Your reference 10/21129) regarding the submissions report, including the revised Transport Assessment dated December 2010, prepared by the proponent and forwarded to the Roads and Traffic Authority (RTA) for consideration. I also refer to the RTA's letters dated 8 January and 31 August 2010.

**RTA Responsibilities and Obligations**

The RTA's primary interests are in the road network, traffic and broader transport issues, particularly in relation to the efficiency and safety of the classified road system, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, the RTA has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. Industrial Drive (MR316) is a classified (State) road. RTA concurrence is required for connections to that road under section 138 of the Act with Council's consent. RTA consent is required for traffic control signals under section 87 of the Act. Council is the roads authority for Industrial Drive and all other public roads in the area.

**RTA Response and Requirements**

The RTA has reviewed the information provided and considers that there are still significant outstanding issues with the Transport Assessment to be addressed. While some of the issues in my response dated 31 August 2010 have been addressed, others have not. Until these matters are resolved, the RTA cannot support the content and / or conclusions of the assessment. The issues of concern are detailed below:

- While it is noted that the rate for shipping containers has been altered, the rates for other materials being transported and light vehicles have not been changed. Accordingly, it is considered the number of trips generated by the proposed development needs to be reviewed and revised, with

adequate justification provided for the rates adopted. A review of the Port Botany facility indicates that trips for light vehicles could be more than double that allowed for at the proposed Newcastle facility.

- The RTA has previously required that evidence be provided to demonstrate that a modal split of 20% rail versus 80% road transport is feasible, as this has a significant impact on the traffic generated to / from the site. The RTA considers this is unlikely to be achieved given the competition between coal and other freight movements in Newcastle. A scenario with all transport being via road should be included as the worst case scenario sensitivity test. This should be included in a revised traffic assessment to determine impacts and infrastructure improvements on the road network.
- Emergency access, clear of any rail level crossings, needs to be provided to / from the site. While it is noted that the assessment suggests a grade separation of the rail may be constructed in time, it is considered this facility should be provided up front, given the potential for bulk liquid and other hazardous goods storage / transfer on the site. Alternatively, a separate road connection clear of the rail should be provided.
- The review of the cumulative impacts of the proposed Inter-trade Industrial Park (IIP) with the subject development demonstrates the need for major works on Industrial Drive. It is considered the works required to maintain safe and efficient vehicular access to this area needs to be determined, in consultation with the RTA and Council. This could involve property dedication and / or third party acquisition by the proponents for intersection / mid-block road upgrades.
- The Transport Assessment identifies potential intersection upgrades on Industrial Drive for the total development but does not identify any mid-block capacity upgrade requirements or the staged implementation of this work. Any interim or ultimate works on Industrial Drive should be subjected to a threshold analysis to determine the timing for any intersection and / or mid-block upgrades. The intended road infrastructure upgrades shall be related to the staging of the development.

The above information is required to assess the impacts of the port development (Concept Plan) in terms of traffic generation to / from the site. The major contributing factor to traffic generation will be the mode shift from rail to road, should the 20% rail figure not be achieved. Further information is required on the above matters before the RTA can determine its requirements.

On the basis of the information provided the RTA's preliminary requirements would be as follows (These may change when the above information is provided):

- 1. The proponent shall upgrade of the intersection of Industrial Drive and Ingall Street. The upgrade shall be designed and constructed in accordance with the RTA's Road Design Guide, relevant Austroads guidelines and Australian Standards to the satisfaction of the RTA including, but not limited to, the following works:*

Ingall Street (Southern leg)

- A left turn slip lane shall be provided and located to provide safe intersection sight distance for the prevailing speed on Industrial Drive. The length of the lane shall provide sufficient storage so as not to block the through movement.
- A signalised pedestrian crossing.

Industrial Drive (Eastern leg)

- A signalised pedestrian crossing.



#### Ingall Street (Northern leg)

- The northern leg approach shall be reconfigured to provide two right turn lanes and a separate single through lane. The length of these lanes shall be determined through appropriate intersection analysis.
- The left turn slip lane shall be signalised.
- A signalised pedestrian crossing.

#### Industrial Drive (Western leg)

- A separate left turn only lane. The lane shall allow for both storage and deceleration. The length of this lane shall be determined through appropriate intersection analysis.
- The right turn lane on the western leg shall be extended to contain the longest expected queue, to be determined through appropriate intersection analysis.

#### Whole Intersection

- Kerb and gutter and raised median / island kerbs shall be provided on all approaches, or as determined by the RTA.
  - The intersection shall be designed to accommodate the largest design vehicle (B-Double).
  - Provision shall be made for on-road cyclists on all approaches at the intersection and along the length of the proposed works.
  - All lanes shall be 3.5 metres in width, or as determined by the RTA.
  - Street lighting shall be provided at the intersection in accordance with Australian Standard AS1158 or as determined by the RTA.
3. Any road widening / property acquisition / dedication required to accommodate the upgrade shall be provided at no cost to the RTA or Council. This would include any plans of subdivision and associated survey / legal costs. The property required is to be designated as public road reserve in favour of Newcastle City Council.
  4. All works associated with the proposed development shall be at full cost to the proponent and at no cost to the RTA or Council.
  5. A construction traffic management plan shall be prepared by the proponent and submitted to the RTA and Council for acceptance prior to any construction activities occurring on the site.
  6. The proponent will be required to enter into a Works Authorisation Deed (WAD) with the RTA. In this regard the developer is required to submit concept and detailed design plans and all relevant additional information, as may be required in the RTA's WAD documentation, for each specific change to the classified (State) road network and / or any traffic control signals for the RTA's assessment and final decision concerning the work.

*Comment: It is requested that the proponent be advised that the conditions of approval do not guarantee the RTA's final consent to the specific road work, traffic control facilities and other structures works, for which it is responsible, on the road network. The RTA must provide a final consent for each specific change to the classified (State) road network and / or any traffic control signals prior to the commencement of any work.*

6. The WAD shall be executed prior to granting a Construction Certificate for any component of the proposed development.

7. All road works shall be completed to RTA/Council satisfaction prior to the commencement of any operational activities and / or occupation certificate (interim or final) being issued on the site.

*Comment: Please note that the WAD process, including acceptance of design documentation and construction, can take a considerable amount of time. The proponent should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the proponent work through the process as soon as possible with the RTA.*

The following additional comments are offered for consideration by the Department of Planning and the proponent:

- The proponent of the Port project may be required to enter into a Voluntary Planning Agreement (VPA) or Deed Containing Agreement (DCA) with the proponent of the Intertrade site and either the RTA or the Department of Planning. The VPA / DCA would detail the additional infrastructure / works required on Industrial Drive to maintain safe and efficient access to / from the site, the timing of implementation relative to staged development and the apportionment of costs between the proponents. The VPA / DCA shall be executed prior to any development (site or building works) occurring on the site.
- An efficient internal road network should be provided within the site and connecting to adjacent development to minimise the number of trips required to use Industrial Drive.
- Pedestrian / cycle facilities should be provided from Industrial Drive to / from the site and access provided to public transport facilities on Industrial Drive to promote the use of alternate transport modes by employees.

Please contact me on 4924 0688 should you require further advice.

Yours sincerely,



Dave Young  
Manager, Land Use Development  
Infrastructure Services  
Hunter Region

2 March 2011

Cc Mr David Ryner  
Newcastle City Council

Mr Andrew Fattal  
Transport NSW

The Hon. Tony Kelly, MLC  
 Minister for Planning  
 Level 34 Governor Macquarie Tower  
 1 Farrer Place  
 Sydney NSW 2000  
 Email: [Sharon.armstrong@lands.nsw.gov.au](mailto:Sharon.armstrong@lands.nsw.gov.au)

Dear Minister,

RE: Newcastle Port Corporation Concept Plans for the Mayfield Port side lands on part of the old BHP Mayfield site

My name/s is: Elizabeth Deiter

Our address is 20 Gamack St Mayfield

We have lived in Mayfield for 14years.

We have only very recently heard about the Newcastle Port Corp. plans described above, and understand that although the official closing date for submissions has passed, that it is reasonable for us to send this late Submission to you, with a copy to the NSW Dept of Planning.

Our main concerns about the Port Corp Concept Plans are:

1. Poor planning principles that envisage almost all freight in and out of the new Port Facilities, which will be built under this plan, will be by road.

We have been told:

2. This could result in many more than 1,000,000 extra truck movements PA using Industrial Drive, Mayfield;  
 And Feeder roads, Expressways and Highways in and out of Newcastle and The Hunter;  
 And

3. That no real plans are envisaged to upgrade Goods rail services to alleviate this position

4. I/We see these outcomes as not in the best interests of the People of Newcastle, The Hunter, and beyond, because of:

5. Traffic Issues and resulting Environmental and Pollution problems of exhaust fumes, dust, vibrations and noise;
6. Lack of Safety for Road users and residents;
7. And many Social and Economic problems which could reasonably be seen as flow on effects from the above.

We think it is reasonable to request that:

- A. Consideration of the approval of theses plans be put on hold until all these major issues and concerns are identified, resolved and dealt with;
- B. Comprehensive Public meetings to be held in Mayfield and nearby suburbs, and The Hunter to explain exactly what the plans are, and how the issues are to be dealt with;

C A further period, after such public meetings, to be announced to allow residents, concerned citizens, organisations and stakeholders, to respond to all this newly aired information.

We ask that you please acknowledge this submission, and agree to our 3 requests.

We also ask that you keep us informed about your decisions; and about any progress of these plans.

Thank you.

Signed...Beth deiter

Date...7/3/11.

Copies to:

Lisa Chan  
NSW Dept of Planning  
Email: [lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)

Mr Gary Webb  
CEO  
Newcastle Port Corporation  
Via John L Hayes  
Correct Planning & Consultation for Mayfield Group  
Email: [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

And

Ms Jodi McKay MP  
Minister for the Hunter, and member for Newcastle  
PO Box 1816  
NEWCASTLE NSW 2300  
Email: [Joshua.Brown@mckay.minister.nsw.gov.au](mailto:Joshua.Brown@mckay.minister.nsw.gov.au)

67

Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,  
NSW Planning  
[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)  
Or by post - GPO Box 39 Sydney 2001

Copy

Correct Planning & Consultation for Mayfield group  
c/- [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

We ...Francis and Lisa Moran.....  
Of 88 Crebert St, Mayfield.....Post Code...2304.....  
Phn.....Fax.....mob...0402 261 602.....  
Email.....

We object to the granting of approval of the NCP Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NPC) unproven opinion that it will create overall economic benefits.
2. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
3. The exact costs to local residents have not been assessed.
4. The exact benefits to the region and state have not been assessed.
5. The project has not been adequately assessed
6. The Environmental Assessment (EA) and submissions report proves that the project cannot operate, even at a conceptual level, without a complex series of management plans and procedures being set in place for matters such as traffic and noise management.

As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.

7. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the Buldev site. There is talk of another COAL TERMINAL.
8. If the NCP site is considered as one envelope (as NCP suggests) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc.
9. We fail to understand how a concept plan such as this can be done in isolation of the total port. This proposal must enhance the ports capability and not just move things from one location to another WITHOUT explaining what is to happen to the site vacated.





In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.

10. We are not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.

11. Alternate road and rail routes are not adequately detailed and considered.

12. There is little information of the impacts on other infrastructure within the Newcastle LGA and beyond.

13. There is no input from Councils other than Newcastle.

14. We have told NCP, at the recent Information sessions, that their response to submission document was much more difficult to read, and that the NPC staff themselves did not understand their own document, and that they had trouble answer questions

Eg we have now been given 2 conflicting answers by NPC on specific questions:

a: exits from site – we were told there were 4; when only 2 exist:

b: that majority of containers would be local delivery.

We pointed out that their Document states 66 % will be heading to Sydney.

15. We also told NCP that their stated aim of building a 21st century state of the art port was not being achieved;

and in fact their Comparable Model – Port Botany was designed in the 1970s – **40 years ago;**

and that Port Botany never has worked properly – and probably never will.

16. Problems we have found with the NPC Responses to submissions include:

a) Cumulative issues should look at the proposed concept plan at full operation and other existing and approved projects in the port at full operation. Long timeframes don't count; what we want to know is the worst case scenario.

The Camberwell dust study was unique from a NSW planning perspective (some would say a precedent rather than unique), but the situation at Camberwell has clear parallels with air quality issues within inner Newcastle. The difference is that cumulative air quality impacts at Camberwell are caused by mining, while in inner Newcastle they are caused by transport and industrial operations which currently aren't as popular a target.

b) The following statement doesn't make any sense, except for the bit about the level of information in the EA being appropriate. This assertion is not one for NPC to make, as it is for the Department of Planning to decide. Port Corp should avoid presenting opinion as fact, and should explain what the second half of this sentence means:

*the level of information available on the future destination of imports to the Port of Newcastle it is not only appropriate, but only possible to undertake detailed analysis of the type, origin & destination of freight once future proponents submit Project Applications of which these studies will be an integral part.*

c) 20 percent still sounds like a lot of traffic going to Kooragang Island; what is the assumption behind this?

d) Why has Port Corp not considered restricted operating hours (i.e. no road/rail movements between 11pm-5am)?

This is when significant noise impacts have been predicted and appears to be an insignificant operational period anyway.



From experience, living close to Industrial Drive, there are currently very, very few truck movements at that time in the local area.

e) If a 20 percent level of train transport was adopted to allow for modelling of worst case truck impacts, shouldn't a worst-case (i.e. maximum) level of train transport also have been assessed?

17. Still no real information on freight origin/destination - are all containers going to Sydney? Why haven't they made the assumptions clear?

18. What is happening to the Port of Newcastle over next 20 - 50yrs and how does this development fit in?  
- What is happening to the existing sites for Grain, Aluminum etc ?- We need a **Port Master plan**

19. Still no real consideration of regional traffic impacts - why not come clean on Heavy Vehicles increases rather than as a % of all vehicles? - **we say the increase is 165% in heavy vehicles.**

An 8% increase is really between **16-24% increase in equivalent cars**, just from this development - this has not been adequately addressed, nor have the impacts on intersections outside of Mayfield.

20. What are NPC planning for surveillance of 'rogue' trucks in streets?  
What technology?  
What carrots/sticks to transport operators?  
What reporting of 'rogue' trucks and to whom?  
What integration with Police/RTA?

21. Why no discussion by NPC on an outside Intermodel?  
Enfield ILC is being developed by Sydney Ports - both Enfield and Stoney Pinch are a similar distance from each Port.  
Why isn't NPC looking at this?  
It is a key element of the NSW Govt. Three Ports Significant Sites Strategy, but is essentially only given lip service.

22. Detailed Freight Analysis to be undertaken and verified identifying

- o Freight Type
- o Origin and Destination
- o Transport routes

Addendum Submissions report provides 'evidence' of studies previously undertaken, but there is no reasonable summary of these studies to answer our questions above.  
NPC say we need to wait for individual port proponents to detail freight types, origin and destination. However, their whole transport 'strategy' is based on getting the freight into and out of the Port - and NCP has provided minimal detail on this to make a reasonable assessment of impacts.

Seeing the origin/destination information provided raises significant questions about what is happening elsewhere in the Port of Newcastle.  
What is happening to all the loading facilities currently used for these imports/exports?

We need a 20yr **Newcastle Port Master Plan** to document how this development fits into the whole port over the next 20-50yrs.

23. The information used as the basis of freight and cargo movements, referenced as being provided by "Newcastle Port Corporation, April 2010" should be released for review and assessment by the public and relevant transport and freight bodies.

See above in Blue

24. A Regional Traffic Impact Study utilising a regional traffic model accepted by the RTA and Transport NSW to determine the distribution of Port generated traffic and impacts on the regional road network.

Not addressed in either the Submissions report or the Addendum.



NPC still refuse to detail the increase in heavy vehicles and still talk about an 8% in all vehicles as having negligible impact on traffic outside of the NPC site.

## In fact there is a 110% increase in Heavy Vehicles

As trucks are 2-3 times the length of cars this stated 8% is really a **16-24% increase in equivalent cars.**

This is significant

The NPC Original Concept Plan, and their response to submissions, do not even consider the issues of merging traffic, traffic lights/intersections, congestion etc through:

- Mayfield (Tourle St, Werribee St, Steel River, Stevenson Park,
- Sandgate - Inner City Bypass connection, St Josephs
- Hexham - McDonalds, Hexham straight
- Hexham Bridge and OAK area
- Beresfield - John Renshaw Dr, in-particular the merge south bound of trucks coming off F3 at Beresfield)

NPC has still not provided any assessment of any other intersections – only those two at Ingall and George streets Mayfield, near the site, are referred to

25. A predictive model of traffic impacts on local roads within Mayfield, Islington and Tighes Hill areas based on leakage of freight vehicles from the Port as well as commuter traffic that would prefer to use local roads to avoid congestion on Industrial Drive.

Was deemed to be covered in other submissions and 'addressed' in Submissions report - No information provided or considered – NPC restate their intention to ensure that local traffic controls in place.

No suggestions for policing stray trucks, vehicles – for example could there be rego plate recognition (like SAFE-T-CAM) with rogue vehicles penalized. With regular reporting of these in reports to a regulator or community group with co-operation with Police/RTA.

26. Intersection analysis of all major intersections between the Port site and:
- o F3 Freeway
  - o Pacific Highway Hexham,
  - o New England Hwy, East Maitland

See above – no real response . NPC considered 8% negligible impact

27. Cumulative Impact Assessment of ALL existing and new developments in the Mayfield Industrial Area

NPC has made some minor assessment of Intertrade vehicle numbers @1775 peak/hr trips.

What effort has NPC and HDC made to look at this in detail.

Argument appears to be they are worse than us.

Will be curious to see Buildev/HDC response

28. Detailed study of ALL rail options for the Mayfield Industrial Area:
- o Including rail from Carrington north
  - o Options within Port site for increased rail – costs included

No not even attempted – regurgitation of previous report plus some more information on NSFC project

29. Detailed study of rail interaction between PWCS, OneSteel, Intertrade and other rail users – this requires collaboration and consultation, including quantification of capital costs of rail upgrades

Again no attempt made – not even responded to





30. The results of all of these to be presented and discussed with a Project Specific Consultative Group including members of the Community, Local Councils, RTA, Transport Dept, local Business etc

No comment provided from NPC— Planning NSW consent condition?  
If NPC suggest that a briefing with MCCC on 'where they are at in process' is consultation, then it is an incorrect claim.

The MCCC is not the above group — no members of group are Local Council, RTA, and Transport NSW etc

- NPC have mentioned that Gantries would assist in lifting rail above 20% spit. However it makes no attempt to quantify the benefits in terms of sidings etc, it merely says it could help to lift above 20%.
- NPC comment on other transport studies and infrastructure including Freight Hub Hunter and the Black Hill Intermodel but note that "Consideration of rail infrastructure investment outside the immediate area of the port land at Mayfield is outside the remit of this Concept Plan and the EA".

And NPC agree these would be benefits by the use of rail to Port, with no real consideration of them being integrated into planning for the project.

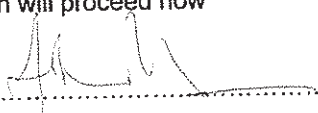
It is interesting to note that the Enfield Intermodel Logistics Centre (ILC) is being developed by Sydney Port Corporation, a facility that is some 16km from Port Botany.  
By comparison, the Black Hill — Stoney Pinch Intermodel site is 18km from the Mayfield site.

But this is proposed apparently as a private development with no input from Newcastle Port Corporation.

This Intermodel is a key part of the 3 Ports Strategy supporting the NPC development — yet the Concept Plan not only doesn't mention it as being a key part of that strategy; nor does it mention that it is not a NSW Govt or NPC development.

31. I/ we request ongoing consultation to resolve all the issues referred to above.

We also request your prompt acknowledgement of this submission, and advice as to how this Concept Plan Application will proceed now

Signed  .....

Print Name...Francis Moran.....

Date.....17/03/2011.....



**Lisa Chan - Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan For 7 new wharfs on the old BHP site at Mayfield**

---

**From:** Gregory Cameron <camerongreg@bigpond.com>  
**To:** <lisa.chan@planning.nsw.gov.au>  
**Date:** 17/03/2011 10:17 AM  
**Subject:** Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan For 7 new wharfs on the old BHP site at Mayfield  
**CC:** John L Hayes <jlhayes@bigpond.com>

---

Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan

For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,

NSW Planning

[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)

GPO Box 39 Sydney 2001

Copy

Correct Planning & Consultation for Mayfield group

c/- [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

I Gregory John Cameron

Of 6 Kitchener Parade Mayfield East NSW 2304 Phone 02 496 88 444

Email [camerongreg@bigpond.com](mailto:camerongreg@bigpond.com)

Object to the granting of approval of the NCP Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NCP) unproven opinion that it will create overall economic benefits.
2. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
3. The exact costs to local residents have not been assessed.
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As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.
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In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.
10. I am not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.
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Eg Residents have now been given 2 conflicting answers by NPC on specific questions:

a: exits from site – we were told there were 4; when only 2 exist:

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This Intermodel is a key part of the 3 Ports Strategy supporting the NPC development – yet the Concept Plan not only doesn't mention it as being a key part of that strategy; nor does it mention that it is not a NSW Govt or NPC development.

31. I request ongoing consultation to resolve all the issues referred to above.

I also request your prompt acknowledgement of this submission, and advice as to how this Concept Plan Application will proceed now

Thursday, 17 March 2011

**Gregory Cameron**

E \_ camerongreg@bigpond.com

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**Lisa Chan - Fred Banyard Submission to Planning re Port Corp application 18 3 11**

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**From:** "Rick" <cdcopy@hunterlink.net.au>  
**To:** <lisa.chan@planning.nsw.gov.au>  
**Date:** 18/03/2011 11:04 AM  
**Subject:** Fred Banyard Submission to Planning re Port Corp application 18 3 11  
**CC:** <jlhayes@bigpond.com>

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Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
For 7 new wharfs on the old BHP site at Mayfield

Fred Banyard  
65 Lewis St  
Maryville 2293  
PO Box 205 Waratah 2298  
cdcopy@hunterlink.net.au

18<sup>th</sup> March 2011

To Lisa Chan,  
NSW Planning  
lisa.chan@planning.nsw.gov.au

Copy

Correct Planning & Consultation for Mayfield group  
c/- jlhayes@bigpond.com

Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
For 7 new wharfs on the old BHP site at Mayfield

I object to the granting of approval of the NCP Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NPC) unproven opinion that it will create overall economic benefits.
2. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
3. The exact costs to local residents have not been assessed.
4. The exact benefits to the region and state have not been assessed.

5. The project has not been adequately assessed

6. The Environmental Assessment (EA) and submissions report proves that the project cannot operate, even at a conceptual level, without a complex series of management plans and procedures being set in place for matters such as traffic and noise management. As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.

7. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the Buildev site. There is talk of another COAL TERMINAL.

8. If the NCP site is considered as one envelope (as NCP suggests) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc.

9. I fail to understand how a concept plan such as this can be done in isolation of the total port. This proposal must enhance the ports capability and not just move things from one location to another WITHOUT explaining what is to happen to the site vacated. In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.

10. I am not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.

11. Alternate road and rail routes are not adequately detailed and considered.

12. There is little information of the impacts on other infrastructure within the Newcastle LGA and beyond.

13. There is no input from Councils other than Newcastle.

14. I have told NCP, at the recent Information sessions, that their response to submission document was much more difficult to read, and that the NPC staff themselves did not understand their own document, and that they had trouble answer questions. Eg we have now been given 2 conflicting answers by NPC on specific questions:

a: exits from site – we were told there were 4; when only 2 exist:

b: that majority of containers would be local delivery.

We pointed out that their Document states 66 % will be heading to Sydney.

15. We also told NCP that their stated aim of building a 21st century state of the art port was not being achieved;

and in fact their Comparable Model – Port Botany was designed in the 1970s – 40 years ago;

and that Port Botany never has worked properly – and probably never will.

16. Problems we have found with the NPC Responses to submissions include:

a) Cumulative issues should look at the proposed concept plan at full operation and other existing and approved projects in the port at full operation. Long timeframes don't count; what we want to know is the worst case scenario.

The Camberwell dust study was unique from a NSW planning perspective (some would say a precedent rather than unique), but the situation at Camberwell has clear parallels with air quality issues within inner Newcastle.

The difference is that cumulative air quality impacts at Camberwell are caused by mining, while in inner Newcastle they are caused by transport and industrial operations which currently aren't as popular a target.

b) The following statement doesn't make any sense, except for the bit about the level of information in the EA being appropriate. This assertion is not one for NPC to make, as it is for the Department of Planning to decide.

Port Corp should avoid presenting opinion as fact, and should explain what the second half of this sentence means:

*the level of information available on the future destination of imports to the Port of Newcastle it is not only appropriate, but only possible to undertake detailed analysis of the type, origin & destination of freight once future proponents submit Project Applications of which these studies will be an integral part.*

c) 20 percent still sounds like a lot of traffic going to Kooragang Island; what is the assumption behind this?

d) Why has Port Corp not considered restricted operating hours (i.e. no road/rail movements between 11pm-5am)?

This is when significant noise impacts have been predicted and appears to be an insignificant operational period anyway.

From experience, living close to Industrial Drive, there are currently very, very few truck movements at that time in the local area.

e) If a 20 percent level of train transport was adopted to allow for modelling of worst case truck impacts, shouldn't a worst-case (i.e. maximum) level of train transport also have been assessed?

17. Still no real information on freight origin/destination - are all containers going to Sydney? Why haven't they made the assumptions clear?

18. What is happening to the Port of Newcastle over next 20 - 50yrs and how does this development fit in? - What is happening to the existing sites for Grain, Aluminum etc? - We need a **Port Master plan**

19. Still no real consideration of regional traffic impacts - why not come clean on Heavy Vehicles increases rather than as a % of all vehicles? - **I consider the increase is 165% in heavy vehicles.**

An 8% increase is really between **16-24% increase in equivalent cars**, just from this development - this has not been adequately addressed, nor have the impacts on intersections outside of Mayfield.

20. What are NPC planning for surveillance of 'rogue' trucks in streets?

What technology?

What carrots/sticks to transport operators?

What reporting of 'rogue' trucks and to whom?

What integration with Police/RTA?

21. Why no discussion by NPC on an outside Intermodel?

Enfield ILC is being developed by Sydney Ports - both Enfield and Stoney Pinch are a similar distance from each Port.

Why isn't NPC looking at this?

It is a key element of the NSW Govt. Three Ports Significant Sites Strategy, but is essentially only given lip service.

22. Detailed Freight Analysis to be undertaken and verified identifying

- o Freight Type

- o Origin and Destination

o Transport routes

Addendum Submissions report provides 'evidence' of studies previously undertaken, but there is no reasonable summary of these studies to answer our questions above. NPC say we need to wait for individual port proponents to detail freight types, origin and destination.

However, their whole transport 'strategy' is based on getting the freight into and out of the Port – and NCP has provided minimal detail on this to make a reasonable assessment of impacts.

Seeing the origin/destination information provided raises significant questions about what is happening elsewhere in the Port of Newcastle.

What is happening to all the loading facilities currently used for these imports/exports?

We need a 20yr **Newcastle Port Master Plan** to document how this development fits into the whole port over the next 20-50yrs.

23 The information used as the basis of freight and cargo movements, referenced as being provided by "Newcastle Port Corporation, April 2010" should be released for review and assessment by the public and relevant transport and freight bodies.

See above in Blue

24. A Regional Traffic Impact Study utilising a regional traffic model accepted by the RTA and Transport NSW to determine the distribution of Port generated traffic and impacts on the regional road network.

Not addressed in either the Submissions report or the Addendum.

NPC still refuse to detail the increase in heavy vehicles and still talk about an 8% in all vehicles as having negligible impact on traffic outside of the NPC site.

In fact there it is a 110% increase in Heavy Vehicles

As trucks are 2 -3 times the length of cars this stated 8% is really a 16-24% increase in equivalent cars.

This is significant

The NPC Original Concept Plan, and their response to submissions, do not even consider the issues of merging traffic, traffic lights/intersections, congestion etc through:

- Mayfield (Tourle St, Werribee St, Steel River, Stevenson Park,
- Sandgate - Inner City Bypass connection, St Josephs
- Hexham - McDonalds, Hexham straight
- Hexham Bridge and OAK area
- Beresfield - John Renshaw Dr, in-particular the merge south bound of trucks coming off F3 at Beresfield)

NPC has still not provided any assessment of any other intersections – only those two at Ingall and George streets Mayfield, near the site, are referred to

25. A predictive model of traffic impacts on local roads within Mayfield, Islington and Tighes Hill areas based on leakage of freight vehicles from the Port as well as commuter traffic that would prefer to use local roads to avoid congestion on Industrial Drive.

Was deemed to be covered in other submissions and 'addressed' in Submissions report -



No information provided or considered – NPC restate their intention to ensure that local traffic controls in place.

No suggestions for policing stray trucks, vehicles – for example could there be rego plate recognition (like SAFE-T-CAM) with rogue vehicles penalized. With regular reporting of these in reports to a regulator or community group with co-operation with Police/RTA.

26. Intersection analysis of all major intersections between the Port site and:
- F3 Freeway
  - Pacific Highway Hexham,
  - New England Hwy, East Maitland

See above – no real response . NPC considered 8% negligible impact

27. Cumulative Impact Assessment of ALL existing and new developments in the Mayfield Industrial Area

NPC has made some minor assessment of Intertrade vehicle numbers @1775 peak/hr trips.

What effort has NPC and HDC made to look at this in detail.

Argument appears to be they are worse than us.

Will be curious to see Builddev/HDC response

28. Detailed study of ALL rail options for the Mayfield Industrial Area:
- Including rail from Carrington north
  - Options within Port site for increased rail – costs included

No not even attempted – regurgitation of previous report plus some more information on NSFC project

29. Detailed study of rail interaction between PWCS, OneSteel, Intertrade and other rail users – this requires collaboration and consultation, including quantification of capital costs of rail upgrades

Again no attempt made – not even responded to

30. The results of all of these to be presented and discussed with a Project Specific Consultative Group including members of the Community, Local Councils, RTA, Transport Dept, local Business etc

No comment provided from NPC– Planning NSW consent condition?

If NPC suggest that a briefing with MCCC on 'where they are at in process' is consultation, then it is an incorrect claim.

The MCCC is not the above group – no members of group are Local Council, RTA, and Transport NSW etc

- NPC have mentioned that Gentries would assist in lifting rail above 20% spit. However it makes no attempt to quantify the benefits in terms of sidings etc, it merely says it could help to lift above 20%.
- NPC comment on other transport studies and infrastructure including Freight Hub Hunter and the Black Hill Intermodel but note that "Consideration of rail infrastructure

investment outside the immediate area of the port land at Mayfield is outside the remit of this Concept Plan and the EA".

And NPC agree these would be benefits by the use of rail to Port, with no real consideration of them being integrated into planning for the project.

It is interesting to note that the Enfield Intermodal Logistics Centre (ILC) is being developed by Sydney Port Corporation, a facility that is some 16km from Port Botany. By comparison, the Black Hill – Stoney Pinch Intermodal site is 18km from the Mayfield site.

But this is proposed apparently as a private development with no input from Newcastle Port Corporation.

This Intermodal is a key part of the 3 Ports Strategy supporting the NPC development – yet the Concept Plan not only doesn't mention it as being a key part of that strategy; nor does it mention that it is not a NSW Govt or NPC development.

31. I request ongoing consultation to resolve all the issues referred to above.

We also request your prompt acknowledgement of this submission, and advice as to how this Concept Plan Application will proceed now.

To date your department has relied on the Newcastle Port Corporation to provide information to the community. This process has proved in this application to be totally unsatisfactory.

I consider that the Department of Planning has a role (and possibly a responsibility) to workshop this proposal with the community.

Given that a large number of community people have worked very hard to understand this proposal with very limited results I do not believe that the Department of Planning can fully understand the issues.

Clearly when approval is granted your department will specify a set of terms and conditions.

I consider that the draft terms and conditions should be placed on display and public comment and input be encouraged.

This project is very important. There are strong economic and employment outcomes however these should not override the social, economic and environmental needs of the community.

Fred Banyard





11102  
18 March 2011

The Director-General  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir,

**OBJECTION TO NPC'S MAYFIELD CONCEPT PLAN (MP09\_0096)**

JBA Planning has prepared this objection to the Newcastle Port Corporation's (NPC's) proposed Concept Plan at Mayfield on behalf of the Buildex Intertrade Consortium (BIC). BIC is the party contracted to purchase the land immediately adjacent the site of NPC's proposed Mayfield Concept Plan (the NPC Site). BIC previously made an objection during the initial exhibition period for the NPC Mayfield Concept Plan Environmental Assessment Report (EAR). This objection specifically relates to the Submissions Report, which details NPC's response to the issues raised by BIC, currently being publicly exhibited.

BIC's principal and continuing objection is the lack of integrated strategic planning that has been applied to the NPC Mayfield Concept Plan in relation to project justification, the surrounding sites and land uses (with particular reference integration of the BIC Site and NPC Site), coordination of rail operations and access through Ingall Street. Without an adequate level of strategic planning regarding site integration, port access and ship berthing, it is impossible to identify whether the Mayfield Concept Plan will facilitate the orderly and economic use and development of land in accordance with the aims of the relevant environmental planning instruments and the objects of the *Environmental Planning and Assessment Act 1979*.

A summary of the key outstanding issues and critical shortcomings in the NPC Mayfield Concept Plan EAR and Submissions Report is provided in **Attachment 1**. **Attachment 2** is an analysis of specific responses provided in the Submissions Report to BIC's original objections.

Given the inadequate response to these critical issues by NPC, and to ensure the Minister of Planning is adequately informed, BIC request an extension of time to prepare an additional detailed submission. BIC expect to be able to provide this detailed submission by Friday 22 April 2011.

If you have any queries in relation to the above, or would like to discuss any of the aspects raised in this submission, please contact me on 9409 4912.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Gordon Kirkby'.

Gordon Kirkby  
Director

**Attachments:**    *Attachment 1 – Key Outstanding Planning Issues*  
                          *Attachment 2 – Issues Summary and Analysis*

## Attachment 1: Key Outstanding Planning Issues

### 1.0 SUMMARY OF SPECIFIC OUTSTANDING ASSESSMENT ISSUES

#### 1.1 Integration of the BIC Site and NPC Site

Neither the Mayfield Concept Plan EAR nor the Submissions Report explains how the NPC Mayfield Concept Plan is compatible with the objective of integrating the NPC port development with the adjacent BIC site, and in particular with the Intermodal Terminal to be located on the BIC site.

BIC consider it necessary for a detailed analysis to be carried out so that, as part of the development of the NPC Site, suitable arrangements are made to ensure that port related activities can be pursued on the BIC site. This analysis would identify the appropriate infrastructure corridors to allow for conveyors, pipelines, access roads and the like to be created between the port's berths and facilities and the BIC site.

#### 1.2 Cumulative Impacts

Understanding the present and future land uses surrounding the NPC Site is critical to identifying the likely cumulative environmental impacts of the NPC Mayfield Concept Plan. There are known and predictable developments which will occur on the land immediately surrounding the NPC Site, however it remains unclear whether the likely cumulative impacts are acceptable or what mitigation measures may need to be implemented.

In particular, in regards to cumulative traffic impacts as a result of the concurrent development of the BIC site and the NPC Site, the Revised Traffic Assessment identifies that there would be an unacceptable cumulative traffic impact but states that this unacceptable impact is not required to be mitigated as part of the Concept Plan. This statement is not justified and is not considered adequate. Suitable mitigation measures need to be identified and arrangements made to ensure that an equitable split of responsibility for managing the identified cumulative traffic impacts are provided for. This is likely to require consultation with surrounding land owners/developers (including BIC), and may result in refinements to development on all of the relevant sites.

The same principle needs to be applied to ensure that an equitable split of responsibility for managing cumulative air quality, noise and vibration impacts are provided for.

#### 1.3 Rail Operations

The proposed rail arrangements are inefficient and it is still unclear whether the rail infrastructure can be adequately upgraded to accommodate the requirements of the NPC Mayfield Concept Plan. The rail modelling does not appear to have accounted for existing and likely future increases in Hunter Valley Coal Chain trains, the increased coal loading capacity at the Port of Newcastle and the long term future operations of the Port Waratah Coal Services terminals. The Mayfield Concept Plan EAR and Submissions Report also do not take into account likely future trains to and from the BIC Site, which includes an Intermodal Terminal.

Strategic level rail modelling which integrates all the relevant rail users and infrastructure owners needs to be completed before the impact of this proposal can be properly understood and assessed.

#### 1.4 Ingall Street Access

Ingall Street is on the BIC Site and will require upgrading in the future so alternative site access to the NPC Site will need to be provided for. Better strategic integration of the two sites is imperative to ensuring access arrangements are coordinated and that the cumulative impacts of this proposal can be properly understood and assessed.

## 2.0 STRATEGIC PLANNING ANALYSIS

### 2.1 Statutory Context and Requirements

The Port of Newcastle plays a key role in the Hunter Valley Coal Chain, is the world's largest coal export port, and is a key economic driver for Newcastle and the Hunter region. Due to the significance of the Port of Newcastle lands to the State, the NSW Government included the Port of Newcastle (as one of the three primary ports in the State), as a State Significant Site under *State Environmental Planning Policy (Major Development) 2005* (the Major Development SEPP). The reasons for incorporating these lands as State Significant Sites were set out in the enacting planning instrument and included the following:

*"to provide for appropriate development on that land [within the three ports areas] to promote the social and economic welfare of the community and a better environment."*

The objectives of the Major Development SEPP include:

*"to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,"*

Part 20 of Schedule 3 of the Major Development SEPP specifies the land to which it applies – in the Port of Newcastle it applies to the BIC site and the NPC site, as well as the surrounding sites containing OneSteel, Port Waratah Coal Services terminals and others. The specified objectives for these sites include the following:

*"to maximise the use of waterfront areas to accommodate port facilities and industrial, maritime industrial and bulk storage premises that benefit from being located close to port facilities,"*

*"to enable the efficient movement and operation of commercial shipping, and to provide for the efficient handling and distribution of freight from port areas through the provision of transport infrastructure,"*

It is clear from the above that the orderly, efficient and economic development of all of these sites (including the NPC Site and the BIC Site, as well as the surrounding port lands in the Port of Newcastle) is paramount to the interests of the State of NSW, as well as being a key object of the *Environmental Planning and Assessment Act 1979*.

### 2.2 Strategic Planning in the NPC Mayfield Concept Plan EAR

The EAR for the NPC Mayfield Concept Plan identifies strategic planning issues as being important, and deals with the issues in the following way:

- It identifies that by developing the site for port-related industrial uses, which would provide long-term capacity for handling containers, bulk goods and general cargo and enhance the economic efficiency of the NSW port system, the proposed Mayfield Concept Plan is consistent with the *NSW Ports Growth Plan*, which is reinforced by the Department of Planning's *Newcastle Port Environs Concept Proposal* and the *Lower Hunter Regional Strategy*. (Note: there is no actual *NSW Ports Growth Plan*, other than a reference to it in a 2003 media release which contains a series of high level statements reflecting the Government's "core directions" for the future of port development in NSW.)
- It identifies NPC's statutory objectives, and states that it aims to meet these objectives, in part, by ensuring that the former BHP Closure Area is effectively planned for optimal use. (The former BHP Closure Area includes the NPC Site as well as the BIC Site.)

- It identifies that the proposed NPC Mayfield Concept Plan, which proposes development of the NPC Site for the purposes of port related activities, is broadly consistent with the relevant strategic plans and NPC's over-arching statutory objectives.

## 2.3 Inadequacies of the NPC Mayfield Concept Plan Strategic Planning Assessment

### Site Integration

NPC has not provided any analysis of the impact that the Mayfield Concept Plan will have on the surrounding port lands, in terms of facilitating port access and ensuring the intended port-related development potential of surrounding lands is not constrained. In particular, NPC has not provided any analysis of how the NPC Site would be integrated with the adjacent BIC Site, through the provision of appropriate infrastructure corridors between the port's berths and facilities and the BIC site, to ensure orderly, efficient and economic development of both sites (as well as other important surrounding sites) in accordance with the above statutory objectives.

### Rail/Shipping/Berthing Constraints

NPC also does not consider or assess whether there are any land use or transport implications associated with locating an import-oriented bulk cargo, general purpose and container terminal adjacent to export-oriented coal terminals. This is particularly relevant in regards to long term efficiency of rail operations into and out of the Port of Newcastle, with reference to the significance of the rail network to the Hunter Valley Coal Chain.

More importantly, NPC does not consider or assess whether there are any shipping/berthing constraints associated with co-locating these facilities and activities within the Port of Newcastle. We note particular concern in regards to possible constraints about the number and size of ships (existing and forecast); the availability of shipping lanes and tidal effects.

With special consideration to the critical role that the Port of Newcastle plays in the export of NSW coal, we therefore highlight that NPC has not provided any analysis of whether it will impact on the efficiency or viability of the coal exporting activities through the Port of Newcastle.

### Project Justification

NPC does not provide any economic or port demand analysis in the EAR to support the nominated trade forecasts which are so critical to the justification for the NPC Mayfield Concept Plan. Importantly, in regards to shipping containers, the EAR also does not provide any analysis of the need for the NPC Mayfield Concept Plan development in the context of the State-wide shipping container trade. This is particularly relevant since the EAR relies on an assumption that if there is an increased State-wide shipping container trade then will translate to a demand for shipping container trade access to the Port of Newcastle. However, the shipping container industry is far more complex than this assumption implies. BIC would expect that a detailed port economic and demand analysis is provided in regards to the following:

- The timing and distribution of the predicted increase in the State-wide demand for shipping container port facilities, and whether this increase could be accommodated by Port Botany and its expansion.
- Whether the Port of Newcastle has sufficient depth and ship access to accept and berth container ships, particularly given the ships will also access the major Australian shipping container terminals.
- Whether the import of containers into the Port of Newcastle is economically beneficial in the State-wide context of shipping container trade.

### Orderly and Economic Development of Land

As such, while the NPC Mayfield Concept Plan seems consistent with the general principles of the relevant strategic planning documents it has not adequately addressed the broader strategic planning issues (regarding site integration, port access and ship berthing) which are implicit in the statutory objectives of the relevant environmental planning instruments and the objects of the *Environmental Planning and Assessment Act 1979*.

It is our view that until an adequate level of strategic planning is provided, which addresses the above issues, it is impossible to identify whether the NPC Mayfield Concept Plan will facilitate the orderly and economic use and development of land in accordance with the aims of the relevant environmental planning instruments and the objects of the *Environmental Planning and Assessment Act 1979*.

### 3.0 CONCLUSION

BIC acknowledge the need for port related development at the NPC Site, however the development of the Port of Newcastle should be based on sound economic and demand analysis to ensure the developments best cater for future trade requirements well into the future. The developments must also be carried out in ways that do not undermine the integrity and efficiency of the existing operations, with particular consideration of the obviously critical role that the Port of Newcastle plays in the export of NSW coal.

For such a critically important site, and in the context of a concept plan application, these broader strategic issues, including project justification (port demand and economic analysis), site integration, port access and ship berthing, need to be fully considered prior to a determination by the Minister for Planning. In particular, the Minister must be satisfied that the NPC Mayfield Concept Plan:

- Is adequately justified in the State-wide shipping trade context, with consideration of port economics and demand analysis for shipping trade along the east coast of Australia.
- Would not hinder the efficiency or viability of the coal exporting activities through the Port of Newcastle, with special consideration to the critical role that the Port of Newcastle plays in the export of NSW coal.
- Would constitute orderly and economic use and development of land (including facilitating port related development on surrounding lands designated for port uses – such as the BIC Site) in accordance with the aims of the relevant environmental planning instruments and the objects of the *Environmental Planning and Assessment Act 1979*.

Since the proponent (NPC) has failed to provide an adequate analysis of the broader strategic issues relating to site-integration, port access and berthing it is now up to BIC to conduct their own analysis in that regard to enable these key issues to be properly considered by the Minister in determining the proposed NPC Mayfield Concept Plan.



## Attachment 2: Issues Summary and Analysis

Issue No.	Buildex Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2	<b>Conceptual Issues</b>		
2.1	<p><b>BIC Access to Port</b></p> <p>Buildex Intertrade Consortium (BIC) was required to demonstrate the ability of the BIC Site to facilitate port related activity. BIC has continued to pursue this overriding objective; however the proposed NPC Mayfield Concept Plan does not make allowance for any form of infrastructure corridors to facilitate the form of access that Buildex is required to pursue.</p> <p>BIC considers it essential that NPC reconsiders the proposed Mayfield Concept Plan and engages with BIC to facilitate the identification of appropriate infrastructure corridors to allow for conveyors, pipelines, access roads and the like to be created between the berths and the BIC Lands.</p>	<p><b>3.10.2(a)</b></p> <p>NPC will consider all requests for access to the berth facilities where it is beneficial to the Port of Newcastle.</p> <p><b>3.10.1(a)</b></p> <p>As discussed in Section 9.8.2 of the EA, three options exist for providing services as follows:</p> <ul style="list-style-type: none"> <li>Connection to the IIP. The IIP development would deliver trunk infrastructure in stages from which the concept site may connect. Whilst it is known that trunk infrastructure would be designed and installed within the IIP, these works do not fall under the proposed concept. As such, potential for connection and augmentation of trunk services through the IIP is an option but not certain. Potential for connection is dependent on the type of land use/development that will occur on the IIP site and the timing of such development.</li> <li>Connection through OneSteel. There are options to provide services to the site via connections to existing services provided to OneSteel.</li> <li>Connection through existing service providers. Infrastructure provision for all future Project applications falling under the proposed concept would need to consider the option of sourcing infrastructure from existing service providers where coordination cannot be achieved through the future IIP or OneSteel. Local service providers have advised that there is likely to be available capacity to service the proposed concept, particularly since there are a number of significant service upgrades planned for the area.</li> </ul> <p>NPC has committed to preparing an Infrastructure Plan for the site to ensure coordination in relation to the provision of services across the site. As detailed in Section 11.10 of the EA, the Infrastructure Plan would identify service corridors to and within the site, detail coordination and cost sharing mechanisms, and include protocols for installation of services. NPC would consult with OneSteel and other neighbouring landowners during preparation of the Infrastructure Plan.</p> <p>NPC has also committed to working with Project applicants regarding provision of services to the site via services corridors in a coordinated manner. NPC agrees that any significant infrastructure investments required to be made by NPC and the IIP should be integrated in a timely and equitable manner to achieve maximum benefit for all stakeholders.</p>	<p>BIC consider that, as part of the development of the NPC Site, suitable arrangements need to be made to ensure that port related activities can be pursued on the BIC Site.</p> <p>BIC still considers it necessary for a strategic integrated land use analysis to be carried out. This analysis would identify the appropriate infrastructure corridors to allow for conveyors, pipelines, access roads and the like to be created between the berths and the BIC Site so that port related uses on the BIC Site can be pursued.</p>



Issue No.	Buildex Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2.2	<p><b>Intermodal Terminal</b></p> <p>The BIC Proposal includes an Intermodal Terminal, the location of which was based on the proposed alignment of the new railway connection, which traverses the site, and the commitment of NPC to upgrade the existing Mayfield Number 4 berth. Berth Number 4, is now refurbished and available for commercial activity, however the ability for the BIC Intermodal Terminal to interact with Berth 4 has not been considered by NPC.</p>	<p><b>3.2.4(a)</b></p> <p>The development of a rail freight hub and Intermodal near Maitland would be a welcome driver for the promotion of trade in the region. This would complement the development of a container terminal at Mayfield, and could also help to free up paths on the Main North Line to Sydney (by allowing Hunter Region goods to be exported via Mayfield) as discussed earlier. This also has the potential to reduce the number of truck movements to the port by allowing an interchange from truck to rail to happen outside of Newcastle urban area. However, development of an intermodal facility is outside the scope of the Concept Plan and the EA.</p> <p>NPC agrees that it is desirable to integrate the proposed rail operations for the Concept Plan with the intermodal facility proposed for the IP site as shown on the draft Master Plan 2008. Importantly the layout of the rail line and associated rail facilities as shown on the Concept Plan are entirely compatible with this objective. However, NPC has no direct control over this part of the IP site and it is unclear as to what Buildex intentions are for the development of this part of the IP site going forward.</p>	<p>NPC has not provided any indication in the Mayfield Concept Plan as to how it proposes to integrate the rail operations on the NPC Site with the Intermodal Terminal on the BIC Site so as to ensure adequate access between the Intermodal Terminal and Berth 4.</p> <p>Neither the EAR nor the Submissions Report explains how the Mayfield Concept Plan is compatible with the objective of integrating the NPC port development with the BIC Intermodal Terminal.</p> <p>BIC still consider it necessary for a strategic integrated land use analysis to be carried out. This analysis would identify the appropriate infrastructure corridors to allow for conveyors, pipelines, access roads and the like to be created between the berths and the BIC Site so that port uses on the BIC Site can be pursued.</p>

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2.3a	<p><b>BIC Lands as a Receiver (air and noise)</b></p> <p>Within the EA documentation itself, little allowance has been made for the BIC Lands, either in their current form as administered by HDC or in the ultimate development scenario.</p> <p>In the assessments for the impacts of Noise and Air Quality, no receivers have been located within the BIC lands while the traffic modelling has not made allowances for traffic potentially generated from BIC development.</p>	<p><b>3.15.1(d) (Noise)</b></p> <p>Noise receivers were not modelled for the IIP site because there are not currently any sensitive noise receivers (i.e. residences, hospitals, nursing homes etc) located within the IIP site.</p> <p><b>3.6.2 (Air Quality – Summary)</b></p> <p>The AQIA assessed air quality impacts for 2034 at two receptors within the IIP site close to the south western boundary. The receptors are labelled as receptors 1 and 3 on Figure 9-5 of the EA and represent currently used office buildings (including the Hunter Business Chamber and other offices). As detailed in Section 9.4 of the EA, with the exception of PM10 the concentration of all other pollutants were well below the assessment criteria at Receptors 1 and 3. The ground level concentrations provided in the figures section of the AQIA (Figures F3 to F15) demonstrates that all pollutants other than PM10 met the relevant DECCW criteria at all locations within the IIP site.</p> <p>In response to issues raised by respondents, additional air dispersion modelling was undertaken to predict the incremental and cumulative 24 hour PM10 impacts of the proposed concept on the future IIP. The modelling assessed the impacts at one location bordering the proposed concept site and the IIP site (located adjacent to the Container Terminal Precinct). The original modelling suggests that this is the worst case location for the 24 hour PM10 ground level concentrations within the IIP site. Since it is unlikely that an actual receptor would be located on the site boundary, the modelling is considered to overestimate the potential impacts and provides a worst case scenario.</p> <p>The results of the assessment suggest that although exceedances of the DECCW criterion for 24 hour PM10 are predicted at the boundary between the proposed concept and the IIP sites, the contribution of the proposed concept plan operations to these exceedances is minor. Future Project applicants would be required to conduct air quality impact assessments for their individual developments.</p>	<p>Part of the BIC Site is identified in the Major Development SEPP as being available for commercial uses. The noise impact assessment for the Mayfield Concept Plan should consider the noise impacts of the proposed activities on the commercial lands within the BIC Site.</p> <p>The AQIA has been satisfactorily updated. It is expected that stringent conditions will be applied to the Mayfield Concept Plan to ensure the generation of dust is minimised.</p> <p>The issue of cumulative traffic impacts is discussed under <b>Issue 2.5a</b>.</p>
2.3b	<p><b>BIC Lands as a Receiver (traffic)</b></p> <p>The EA has not considered the impact of level crossing queuing on BIC road networks.</p>	See Issue 2.5b	See Issue 2.5b
2.4	<p><b>Cumulative Impact Assessment (air, noise, vibration, and lighting)</b></p> <p>The EA fails to take into cumulative air quality, noise etc impacts from the NPC Site and the BIC Site. Negotiations need to be facilitated between the parties to ensure that adequate allowances are</p>	<p><b>3.5.5(b) (Noise)</b></p> <p>Section 11.5 of the EA establishes an environmental performance criteria and management objective for noise, being to ensure noise generated by operations at the site, and from road and rail traffic travelling to and from the site, does not have an adverse impact on surrounding residential receivers. Each individual Project Application would be required to achieve this objective by meeting the performance criteria for both the overall site, and for individual precincts, presented in Section 11.5.2 of the EA.</p>	<p>It is considered that suitable arrangements need to be made to ensure that an equitable split of responsibility for managing cumulative air quality, noise and vibration impacts are provided for.</p> <p>The Submissions Report has not considered potential vibration impacts on</p>

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
	<p>made for both sites, taking into account proximity to the nearest receptors; proportional areas of the total site occupied, the location of future generators and project timing for the delivery of actual facilities on the site.</p> <p>Negotiations need to be facilitated between the parties to ensure that adequate allowances are made for both sites, taking into account proximity to the nearest receptors; proportional areas of the total site occupied, the location of future generators and project timing for the delivery of actual facilities on the site.</p>	<p>Project applicants would conduct further detailed assessments on the basis of a specific project. Such assessments would consider cumulative noise impacts associated with existing development, development of the site, and development of the IIP.</p> <p><b>3.15.1(d) (Air Quality)</b></p> <p>Cumulative noise impacts associated with the future IIP were not modelled because of the lack of detail regarding future activities at the IIP. Rather, the EA included a qualitative assessment of the likely cumulative impacts in Section 9.14.2. The EA stated that there is potential for cumulative noise impacts associated with the IIP depending on the type of industrial activities conducted in the general industry precinct, the nature of the activities conducted in the intermodal and port support zone, the hours of operation, the layout of the site etc. It is likely that construction of the proposed concept and the IIP would overlap at some time. Therefore, there is potential for cumulative impacts to occur as a result of noise generated during construction.</p> <p>The EA also stated that while noise generated by the IIP has the potential to generate noise which could result in cumulative impacts with noise from other industrial land uses in the area and with operations at the site, the likely shielding by the IIP buildings, the type of activities conducted at the IIP, and the hours of operation of the IIP would all be variables that are likely to influence the cumulative noise impacts.</p> <p><b>3.13.1(a) (Visual)</b></p> <p>Section 9.11.3 of the EA assessed lighting impacts from the proposed concept. The EA stated that there would be visual impacts associated with construction lighting and lighting to facilitate night time operations. The EA also stated that it is typical for port facilities to be illuminated at night and existing land uses at the Port are currently illuminated at night.</p> <p>Project applicants would be required to prepare Lighting and Material Finishes Plans, incorporating appropriate mitigation measures to minimise lighting impacts such as:</p> <ul style="list-style-type: none"> <li>» Lighting used for evening and night time construction work to be projected downward and toward the work area to minimise light spill into the surrounding areas.</li> <li>» Lighting used for operational areas to be carefully selected to minimise light spill on surrounding areas outside the site boundaries to minimise visual impact when viewed from adjacent properties.</li> </ul> <p>Lighting and Material Finishes Plans would take into consideration the buffering capacity of developments, such as the IIP, which sit between the proposed concept site and the nearest residential areas in Mayfield.</p>	<p>the BIC Site.</p>

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2.5a	<p><b>Traffic</b></p> <p>Cumulative traffic impacts have not been provided. NPC should have made suitably conservative assumptions for inclusion in the Mayfield Concept Plan EA and that BIC would then be in a position to make comment. It is of concern to us that the BIC Site seems to have been ignored in the EA.</p>	<p><b>3.4.2(c)</b></p> <p>Section 6 of the revised Transport Assessment discusses and analyses the cumulative impacts associated with surrounding developments in the area and provides mitigation measures where necessary. Refer to the response provided to the issue raised in Section 3.15.1 (a) of this Submissions Report for details.</p> <p><b>3.15.1(a)</b></p> <p>A cumulative assessment of the traffic impacts associated with the proposed concept and IIP traffic is presented in Section 6 of the revised Transport Assessment. The cumulative assessment demonstrates that the intersections of Industrial Drive/Ingall Street and Industrial Drive/George Street are both unable to operate at an acceptable level of service. Mitigation measures are recommended in relation to noise, refer to the response provided to the issue raised in Section 3.15.1 (e) of this Submissions Report.</p>	<p>It is not adequate for NPC to state that the identified unacceptable cumulative traffic impacts are not required to be mitigated as part of the Concept Plan.</p> <p>Suitable mitigation measures need to be identified and arrangements made to ensure that an equitable split of responsibility for managing cumulative traffic impacts are provided for.</p>
2.5b	<p><b>BIC Lands as a Receiver (traffic)</b></p> <p>The EA has not assessed the impact of the NPC traffic on the performance of the BIC road network. The most obvious example of this relates to the impact of level crossing queues on the performance of the BIC road network and the future users thereof.</p>	<p><b>3.4.2(f)</b></p> <p>Section 5.4.3 of the revised Transport Assessment discusses the interaction between proposed rail movements and the impact on the road network due to level crossing closures. The revised Transport Assessment assumes that the rail crossings are blocked for a maximum of 6 minutes and an average truck length of 19 metres. The maximum queue length at the Selwyn Street and western crossings are expected to be 114 metres and 342 metres, respectively, although the queue length at Selwyn Street would increase to 342 metres and the queue length at the western crossing would decrease to 114 metres with establishment of the link road. On the basis of the analysis, closing the rail crossings is not expected to have an impact on the George Street / Industrial Drive intersection and Ingall Street / Industrial Drive intersection in either peak hour as they are 600 metres and 750 metres from the rail crossings, respectively. Grade separation of one of the rail crossings may be required in the longer term to ensure that the efficiency of port operations are not affected by transport delays.</p>	<p>It is not adequate for NPC to state that the longer term efficiency of the port may be effected by transport delays caused substantially from their activities, without clearly identifying how the need for the mitigation measures (being grade separation of the crossing) would be triggered, and committing to the implementation (and funding) of the proposed mitigation measures once the trigger point is reached.</p>
2.6a	<p><b>Cumulative Train Movements</b></p> <p>No allowance has been made for train movements to and from the proposed BIC Intermodal Terminal.</p>	<p><b>No response provided in Submissions Report</b></p>	<p>The Submissions Report does not take into account trains to and from the BIC Intermodal Terminal.</p> <p>See also <b>Issue 2.2</b></p>



Issue No.	Buildev Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2.6b	<p><b>Rail Operations</b></p> <p>The NPC proposal seems to be predicated on trains leaving the site, in the initial stages, directly towards the main line through the Morandoo sidings against the current flow of trains. This is potentially problematic.</p>	<p><b>No response provided in Submissions Report</b></p>	<p>See <b>Issue 3.2 (Rail)</b>.</p>
2.6c	<p><b>Integrated Rail Solution</b></p> <p>The NPC proposal includes sidings to support rail operations associated with port activities, most notably the future container precinct. The proposed short siding lengths, combined with the requirement to continually break down and shunt trains, makes for an extremely inefficient rail solution. The rail solution needs to be integrated with the BIC proposed Intermodal Terminal to ensure maximum efficiency for both operations.</p>	<p><b>3.2.4(a)</b></p> <p>The proposed configuration of the rail facilities is as approved and recently modified under the 2001 consent. There are a number of constraints which impact on the layout and operation of the rail facilities and these are discussed in Section 3.2.3(a) of this Submissions Report. There is potential to upgrade the rail operation by installing an exit road, extending the length and/or number of sidings, installing gantries and creating a rail loop connection via the IIP site. The proposed configuration of the rail facilities as shown on the Concept Plan does not preclude any of these improvements.</p> <p>NPC agrees that it is desirable to integrate the proposed rail operations for the Concept Plan with the intermodal facility proposed for the IIP site as shown on the draft Master Plan 2008. Importantly the layout of the rail line and associated rail facilities as shown on the Concept Plan are entirely compatible with this objective. However, NPC has no direct control over this part of the IIP site and it is unclear as to what Buildev intentions are for the development of this part of the IIP site going forward.</p>	<p>It is highlighted that this rail arrangement was approved as a Section 96(1A) modification to the 2001 consent, approved in 2007. BIC was never given an opportunity to consider or comment on the modified rail arrangements and so the fact that they are consistent with the 2001 consent (as modified) is considered irrelevant.</p> <p>Neither the EAR nor the Submissions Report explains how the Mayfield Concept Plan is compatible with the objective of integrating the NPC port development with the BIC Intermodal Terminal.</p> <p>See also <b>Issue 3.2c</b> and <b>Issue 3.2d</b>.</p>

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	BIC Comment/Recommendation
2.6d	The future establishment of a link from the internal rail sidings to the Bullock Island Loop, traversing the south eastern section of the site is an inefficient arrangement from a land use perspective. The resulting triangle of land inside the tracks will be difficult to access and may become sterilised from any form of significant commercial activity.	<b>3.2.4(a)</b> It is acknowledged that the future rail exit road to the Bullock Island loop would result in an area of land being affected somewhat by access restrictions particularly when trains are exiting the site. As the Concept Plan is only expected to generate up to four trains per day the restrictions would only occur for a limited period during each day. It should be noted that this arrangement has already been approved under the 2001 consent. It is possible during detailed design that the alignment of the exit road could be modified slightly to reduce the area of land affected by these access restrictions.	It is highlighted that this arrangement was approved as a Section 96(1A) modification to the 2001 consent, approved in 2007. BIC was never given an opportunity to consider or comment on the modified rail arrangements and so the fact that they are consistent with the 2001 consent (as modified) is considered irrelevant.  This rail arrangement proposed in the Mayfield Concept Plan sterilises a small but still significant area of valuable port land. This is not considered to constitute orderly, efficient and economic development, and highlights the importance of taking a more strategic approach to the rail infrastructure.
2.7	<b>Access through Ingall Street</b> The NPC proposal relies on access to the site via the corridor from Ingall Street. This corridor is located upon land that BIC is contracted to purchase from SPA. While BIC intend to "open up" this corridor for access to the NPC and BIC Lands collectively, this will not happen immediately as BIC will need to close the corridor to undertake significant civil construction activity to dedicate the corridor as a public road.  This has significant implications for the NPC project with respect to the ability to provide access to their site and a plan for alternate access will be required.	<b>No response provided in Submissions Report</b>	NPC has not addressed this issue in the Submissions Report.  Better strategic integration of the two sites is imperative to ensuring access arrangements are coordinated and that the cumulative impacts of this proposal can be properly understood and assessed.



Issue No.	Builddev Submission Issue	NPC Submissions Report Response	Recommendation
3	Technical Concerns		
3.1	Road Transport		
3.1a	Growth Rates Growth rates are under-estimated and not likely to reflect future growth rates.	<p><b>3.4.2(a)</b> A growth rate of 1 percent per annum, as agreed with the RTA during a teleconference on 23 November 2010, has been applied in the revised Transport Assessment.</p>	It is considered that the growth rate used under-estimates the actual likely future growth rate for the area. While it is acknowledged that it has been agreed with the RTA, we note that the growth rate mandated by the RTA for the Knauf Insulation Plant (also on Industrial Drive) was 2%.
3.1b	Traffic Flows Discrepancy in traffic flows for George Street intersection.	<p><b>3.4.2(a)</b> The traffic flows at the intersection of Industrial Drive / George Street were underestimated due to a calculation error in the traffic data provided in the Traffic Impact Study for the Interim Port Side Industrial Development (Better Transport Futures and Mark Waugh Pty Ltd, June 2008). Correct traffic flows have been calculated and included in the revised Transport Assessment in Section 3.1.3.</p>	Noted
3.1c	Road-Rail Split Road-rail split is 20% but should be 40% or further justified	<p><b>3.4.3(k)</b> The EA has modelled a base case modal split of 80/20 (road/rail) for the Concept Plan but other scenarios have also been modelled. The rail mode share will depend to a significant degree on the timing of planned upgrades to the Main North Line as detailed in the NSFC project. It is appropriate for NPC to consult with Transport NSW and other agencies to ensure that there is reasonable alignment between the timeframe for development of the port and the planned upgrades to the regional rail network.</p> <p><b>3.4.4(b)</b> Port Botany currently achieves approximately 20% rail mode share. The NSW Government has set a target of 40% rail mode share for Port Botany on the basis that all impediments to the movement of freight on the Metropolitan Freight Network and its associated logistics chain will be removed as a result of significant rail and signalling upgrades proposed to allow additional trains movements; and the Moorebank Intermodal facility is constructed. Until this time, the rail mode share will remain at its current level of approximately 20 percent.</p> <p>A conservative 20% rail modal split target was adopted for the Concept Plan in recognition of the physical constraints that apply to the site and the limited number of freight train paths that are available on the Main North Line in the short/medium term until the first stage of the NSFC project</p>	Noted

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	Recommendation
		<p>is completed.</p> <p>As the NSFC project is progressively completed and more freight train paths become available on the Main North Line it is possible that the rail modal split could increase beyond 20% subject to a number of potential rail infrastructure upgrades occurring at the NPC Site such as:</p> <ul style="list-style-type: none"> <li>▫ The new exit road connecting to the Bullock Island Loop.</li> <li>▫ Increase in the length and/or number of rail sidings within the site so that longer trains can be accommodated.</li> <li>▫ Introduction of gantry loading operations as opposed to reach stackers.</li> </ul> <p>Although 20% rail modal split is the base case modelled, a range of higher rail modal split scenarios for bulk and container have also been assessed in the EA and in the revised Transport Assessment prepared by AECOM and dated December 2010.</p> <p>The reason that these figures cannot initially be achieved at Mayfield include:</p> <ul style="list-style-type: none"> <li>▫ There is insufficient space at Mayfield to allow for the loading and unloading of trains.</li> <li>▫ There are insufficient paths available on the Main North Line to allow an increased number of trains to run to Sydney (note this might change once the NSFC project is completed).</li> <li>▫ There is no predefined destination in Sydney, where the trains will be received and unloaded/loaded to ensure that this level of efficiency can be achieved.</li> </ul>	
3.1d	<p><b>Access via Ingall Street</b></p> <p>Use of Ingall Street as the primary entry point, even if only in the short-medium term, needs to take into account its ongoing use by OneSteel.</p> <p>Use of the access at Ingall Street in the short term requires membership to the Mayfield Industrial Estate (MIEA), the corporate entity responsible for the operation and maintenance of shared infrastructure within the original BHP Steelworks site. It is unclear if this has been considered in the EA assessment.</p>	<p><b>No response provided in Submissions Report</b></p>	<p>It is still unclear whether OneSteel traffic movements have been accounted for in the Revised Traffic Assessment, or whether NPC will be able to use Ingall Street in the short term.</p> <p>See also <b>Issue 2.7</b> in regards to Ingall Street.</p>

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	Recommendation
3.1e	<p><b>Truck Length Assumption</b></p> <p>The modelling has assumed a truck length of 13m (rigid trucks) whereas elsewhere it is stated that semi-trailers will be used (19m long). This will affect queuing lengths and network performance.</p>	<p><b>3.4.2(a)</b></p> <p>The Industrial Drive/George Street and Industrial Drive/Ingall Street intersections have been re-modelled in SIDRA Intersection 3.2 using a truck length of 19 metres. Queue lengths at the Industrial Drive/George Street and Industrial Drive/Ingall Street intersections in 2034 (worst case) are presented in Section 5 of the revised Transport Assessment.</p>	Noted
3.1f	<p><b>Traffic Volumes and Road Capacity</b></p> <p>Assumed capacity of local roads is too high given surrounding development e.g. Selwyn Street to the east of the level crossing will not be adequate to cater for the proposed volume of traffic and proportion of large vehicles, Ingall Street needs to take into account OneSteel traffic.</p>	<p><b>3.4.2(c)</b></p> <p>Section 5.4.2 of the revised Transport Assessment discusses the capacity of the local road network and uses the Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis 2009 as a reference. The total predicted volume of traffic generated by the proposed concept in 2034 was found to be within the mid-block capacity of the existing local industrial road network. Capacity exists to accommodate additional traffic generated by the proposed concept of adjoining sites, such as IIP, that may occur in the future.</p>	It is still unclear whether OneSteel traffic movements have been accounted for in the Revised Traffic Assessment.

Issue No.	Builddev Submission Issue	NPC Submissions Report Response	Recommendation
3.2	<b>Rail</b>		
3.2a	<p><b>Rail Model Assumptions</b></p> <p>Baseline rail movements do not take into account the seasonal nature of grain movements, the coal paths up and down the Hunter Valley Coal Chain, nor the increases associated with the additional coal loading capacity derived from the PWCS and NCIG projects.</p> <p>The EA only considers the Sydney to Newcastle segment of the Main North Rail Line, but should also consider the traffic and constraints within the corridor north of Islington Junction.</p> <p>It is unclear if the predicted 80 train paths on the NSF have been modelled to any extent.</p> <p>It is unclear as to whether "boutique coal" originates from the Hunter Valley or from the Central Coast.</p> <p>There is no evidence of consultation having occurred with PWCS with respect to their long term plans for the adjacent facility as this will have significant impacts on the number of paths available for both Hunter based and Central Coast coal to access the port.</p>	<p><b>3.4.3(c)</b></p> <p>The EA concentrates on Sydney as the origin or destination of the container freight, which makes up over 90 percent of the rail traffic associated with the Concept Plan. This rail traffic would come into contact with coal traffic at Islington Junction. This is in itself not a problem as there are available timetable slots in the network to allow entry of trains into the Morandoo Sidings and exit of trains from the site back onto the Port Waratah Loop. However, as recommended in the EA, signalling improvements and careful scheduling will be required to allow trains to enter and exit the Morandoo Sidings and connect back into the Port Waratah Loop.</p> <p><b>3.4.3(d)</b></p> <p>ARTC's original stated aim for the NSFC project was to provide 80 train paths per day. This is two northerly train paths and two southerly train paths per hour, 20 hours per day. It is understood that when the NSFC project is complete, the demand for intercity paths for passenger trains travelling between Melbourne to Brisbane will drive the number of freight train paths available on the network.</p> <p>Discussions with Transport NSW are ongoing, but based on the NSW Government's Updated Submission to Infrastructure Australia dated July 2010 the first stage of the NSFC project will be completed in 2015 and will increase capacity from 16 to 26 freight trains per day each way.</p> <p>This means that prior to completion of the first stage works for the NSFC project the modal split for the initial operations of the port might need to strongly favour road over rail. After the first stage is completed then additional trains can be brought online to service the port depending on the exact take up of the additional paths which are created.</p> <p><b>3.4.3(e)</b></p> <p>Boutique coal is coal that has been blended or sized. The source of boutique coal is the same as for other coal types.</p>	<p>The Submissions Report does not explain how the Hunter Valley Coal Chain trains and the increased coal loading capacity at the Port of Newcastle or the long term future operations of the PWCS terminals have been accounted for in the rail modelling.</p> <p>For the development of the Port of Newcastle lands to be undertaken in an orderly, efficient, and economic way, the efficient use of rail infrastructure is paramount.</p> <p>Strategic level rail modelling which integrates all the relevant rail users and infrastructure owners needs to be completed before the impact of this proposal can be properly understood.</p>

Issue No.	Buildex Submission Issue	NPC Submissions Report Response	Recommendation
3.2b	<p><b>Rail Operations – Loading/Unloading</b></p> <p>The EA should describe what machinery will be utilised to achieve the proposed unloading rate of 114 wagons in a 1.2 hour period. (i.e. via large fork trucks or over head gantry system).</p> <p>The EA should identify whether access to both sidings will be available.</p>	<p><b>3.4.3(f)</b></p> <p>Reach stackers were selected by NPC for use in the initial operations of the container terminal because they are relatively inexpensive, allow operations to be scaled based on demand, and are suitable for use in loading and unloading containers from two parallel rail sidings. The unloading and loading rates which have been adopted in the analysis are based on use of a number of reach stacker vehicles operating in concert. The siding nearest the waterfront would be unloaded before the siding nearest the rail line can be emptied, for loading the siding nearest the rail line is loaded before the siding closest to the waterfront.</p>	Noted



Issue No.	Buildex Submission Issue	NPC Submissions Report Response	Recommendation
3.2c	<p><b>Rail Operations – Shunting and Entry/Exit</b></p> <p>The EA makes the assumption that the OneSteel line will be clear for the break up train however BICs knowledge of the current operations in this area is such that this may significantly restrict One Steel's operations.</p> <p>With the proposed increase in rail traffic the EA should consider the current condition of the Morandoo arrival roads and other roads, the need for any upgrades and the responsibilities for ongoing maintenance. This area may be under Pacific National lease which could present problems for use and access.</p> <p>Impacts to the Selwyn Street level crossing are addressed in <b>Issue 3.3</b>.</p>	<p><b>3.2.4(a)</b></p> <p>It is not proposed that the Morandoo Arrival Road (number 13 road) and the OneSteel Arrival Road would be used for breaking up trains associated with the Concept Plan. As stated in Section 9.2.2 of the EA, OneSteel requires access to their facility and therefore the Morandoo Arrival Road (number 13 road) and the OneSteel Arrival Road need to be kept clear. This means that trains cannot be parked in the number 6 road on arrival for any length of time, as they are too long for the siding and would block access and egress for OneSteel trains. If a Port train needs to be held in Morandoo Sidings for some hours while it waits for entry into the site, then it would be broken in two and parked in the number 4 and 5 roads. If it is only a short term park, then the number 6 road can be used and any potential conflict with OneSteel trains can be easily managed by carefully scheduling these train movements. As stated in the EA, use of the number 6 road should be discussed and agreed with OneSteel.</p> <p><b>3.2.4(a)</b></p> <p>The proposed operation of trains leaving the Mayfield site towards the Morandoo Sidings is not ideal but can be managed if appropriate scheduling and signalling of train movements occurs to avoid potential conflict. Trains will be moving at slow speeds and under supervision of the operator of the rail yard. This arrangement will only occur in the early stages of the Concept Plan and once rail operations reach two trains per day then it is recommended that a new exit road be installed providing a more direct and efficient connection for trains leaving the site to the Bullock Island loop;</p> <p><b>3.4.3(i)</b></p> <p>Pacific National currently own arrival roads 1 through 10, ARTC owns arrival roads 11 through 13 (the 3 arrival roads closest to Selwyn Street).</p> <p><b>3.4.5(f)</b></p> <p>As detailed in Section 11.4.3 of the EA, NPC would establish a Train Operations Plan for proposed movements within the Morandoo Yard and the site. This plan would be developed in consultation with other rail operators, the Terminal Operation Coordinator and the Signaller at Port Waratah Loop.</p>	<p>It is still unclear whether the rail infrastructure can be adequately upgraded to accommodate the requirements of the NPC Mayfield Concept Plan development.</p> <p>See also <b>Issue 3.2a</b>.</p>
3.2d	<p><b>Rail Operations – Initial Terminal Exit</b></p> <p>The Waratah arrival and departure roads are extremely problematic and likely to create difficulty in the scheduling of movements for the proposed terminal and the other operators who use this infrastructure.</p>	<p><b>No response provided in Submissions Report</b></p>	<p>See <b>Issue 3.2c and Issue 3.2a</b>.</p>



Issue No.	Buildev Submission Issue	NPC Submissions Report Response	Recommendation
3.2e	<p><b>Rail Operations – Future Terminal Exit</b></p> <p>The EA outlines a future proposal for trains to exit the site using the existing Bullock Island Loop but makes little / no reference to the availability of train paths on this Loop. The Loop is significantly influenced by the number of departing empty coal trains from the PWCS Carrington terminal which is under increasing pressure.</p>	No response provided in Submissions Report	See Issue 3.2a and Issue 3.2c.
3.2f	<p>The EA should clarify the above rail operations issues and provide an overview of the issues. It is considered that:</p> <ul style="list-style-type: none"> <li>▪ a large amount of rail modelling needs to be completed before the impact of this proposal can be properly understood and assessed.</li> <li>▪ a large amount of stakeholder discussion will be required to determine an appropriate means of dealing with these issues.</li> </ul>	No response provided in Submissions Report	See Issue 3.2a and Issue 3.2c.

Issue No.	Buldev Submission Issue	NPC Submissions Report Response	Recommendation
3.3a	<p><b>Level Crossings</b></p> <p>The EA should consider the likely significant impact on the Selwyn Street level crossing. The increased number of truck movements may introduce a significant safety hazard and the impact of the number of rail movements which close the road may warrant grade separation at some future threshold level.</p> <p>In addition to Selwyn Street, the use of the Bullock Island loop introduces an additional five level crossings which will interact with the rail traffic. These are:</p> <ol style="list-style-type: none"> <li>1. Two private crossings in the eastern basin area.</li> <li>2. Robertson St, Carrington.</li> <li>3. Darling Street, Carrington.</li> <li>4. PWCS (access controlled) near bulk terminal.</li> </ol> <p>The Australian Level Crossing Assessment Model rankings should be calculated for the new and modified level crossings to ascertain whether they will operate at a suitable level of safety.</p> <p>See also <b>Issue 2.5b</b>.</p>	<p><b>3.4.6(a)</b></p> <p>As detailed in Section 9.2.3 of the EA, both the Selwyn Street railway crossing and the new western road crossing of the railway line would need to be assessed for treatment to separate rail and road movements, although a full barrier would likely be required (for initial operations). Over the longer term timeframe of the Concept Plan as container volumes and both truck and rail movements increase, the at-grade crossings of the rail line may constrain truck movements and the efficiency of port operations. As a result it may be necessary to carry out works to grade separate road and rail movements at one or more crossing locations.</p> <p><b>3.4.6(b)</b></p> <p>There will be a range of upgrades carried out to the local rail infrastructure in association with the Concept Plan including:</p> <ul style="list-style-type: none"> <li>■ Installation of a new crossover between the number 6 and 7 roads in the Morandoo Sidings (required for initial operations).</li> <li>■ Development of two rail sidings (required for initial operations) and an exit road (once rail operations reach two trains per day) within the NPC Site.</li> <li>■ The existing OneSteel siding may need to be re-signalled to allow multiple train movements (required for initial operations).</li> </ul> <p>If upgrade or maintenance to infrastructure is required on the wider regional rail network (e.g. NSFC project) then this will be the responsibility of agencies such as Transport NSW, ARTC, and Railcorp.</p> <p>ALCAM rankings are still under development by the Federal government and have not been finalised.</p> <p>Project applicants would conduct ALCAM assessments at the Project application stage if necessary.</p> <p>See also <b>Issue 2.5b</b>.</p>	<p>Noted</p> <p>See also <b>Issue 2.5b</b>.</p>

Issue No.	Buildex Submission Issue	NPC Submissions Report Response	Recommendation
3.3b	The new Western Road crossing at a minimum is likely to need type F lights and bells.	<p><b>3.4.5(b)</b> The risk of accidents occurring at the new Western level crossing is low for the following reasons:</p> <ul style="list-style-type: none"> <li>■ The three OneSteel trains passing through the crossing each day will be travelling at low speeds (approximately 5-10 kilometres per hour).</li> <li>■ Barriers will be installed at the crossing to prevent traffic crossing the rail line when a train is approaching.</li> <li>■ There is a distance of approximately 36 metres between the new Western Road crossings and the sidings which will allow reasonable line of sight.</li> </ul>	Noted See also <b>Issue 3.3a</b> and <b>Issues 2.5b</b> .
4	Other Technical Issues		
4.1	Air Quality	See <b>Issue 2.3a</b> and <b>2.4</b>	See <b>Issue 2.3a</b> and <b>2.4</b>
4.2	Noise	See <b>Issue 2.3a</b> and <b>2.4</b>	See <b>Issue 2.3a</b> and <b>2.4</b>
4.3	Vibration and Lighting	See <b>Issue 2.3a</b> and <b>2.4</b>	See <b>Issue 2.3a</b> and <b>2.4</b>



**Lisa Chan - Newcastle Port Authority development**

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**From:** Raisa Miller <Raisa.Miller@hnehealth.nsw.gov.au>  
**To:** "lisa.chan@planning.nsw.gov.au" <lisa.chan@planning.nsw.gov.au>  
**Date:** 18/03/2011 12:43 PM  
**Subject:** Newcastle Port Authority development

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Dear Lisa,

As a Mayfield resident I have previously written to you to express my concern about the Port Corp development and the apparent lack of community involvement in the planning proposals. As a resident I would like to feel that planning is taking into account residents needs, is transparent and the positive and negative features and long term expected outcomes are clearly shared and discussed.

The development is large and the Port Corp plan indicates that various sections of the site will be developed in stages. The residents need to know that the cumulative impact of the long term planning has been fully considered and can be clearly articulated to the people of Newcastle and surrounds so that they in turn can plan their futures. My concern is that so far this has not happened. Residents need to know what is happening in clear understandable language.

I have questions which need answering:

What has been assessed as the positive gain to the community. If for example you say increased employment opportunity, then can you elaborate what this will look like. This would be useful to know for our children's and our own employment and educational direction; if it is economic gain who will benefit? How would the residents standard of life improve? I am sure you are aware of other gains which I believe you should articulate and share with the community.

What has been assessed as the negative consequences of the long term development and what is presently being put in place to address the probable consequences. Can you tell me and the community what you forecast as concerning. Some of my concerns relate to pollution from traffic noise, dust, road surface conditions due to heavy vehicle transport and also extreme traffic congestion on all roads which will also impact upon emergency service delivery and people's safety and access to homes and children's safety on the street.

I must say that when I ask other residents in Newcastle about their thoughts on the proposed developments, mostly they have no knowledge that your department has approved or is considering approving anything in relation to the site. Do you accept Port Corps claim that the community consultation was appropriate and that awareness and informed discussion has taken place? If consultation does not bring forward the total long term picture for the developments as a whole, then we as the community are being duped into a false planning process. It would be like being told that there were a few drops of water from the sky rather than acknowledging that it is being followed by a prediction of excessive rain and probable floods.

I feel the community has the right to share your departments knowledge about the cumulative plans for the total BHP site and your assessment of the impact and environmental compliance present and forecast plans will meet.

I would await acknowledgement to this correspondence and a response to my expressed concerns.

Raisa Miller, Mayfield resident  
email address: [raisa.miller@hnehealth.nsw.gov.au](mailto:raisa.miller@hnehealth.nsw.gov.au)  
73 Woodstock St; Mayfield 2304

18/03/2011





Rick Banyard

14 Bell St Maryville

[throsby1@live.com.au](mailto:throsby1@live.com.au)

49654427

18<sup>th</sup> March 2011

Lisa Chan

NSW Department of Planning

[Lisa.chan@planning.nsw.gov.au](mailto:Lisa.chan@planning.nsw.gov.au)

## **Newcastle Port Corporation Development Mayfield East**

I continue to strongly object to the Environmental Assessment of Port related activities as proposed and as documented on the July 2010 CD as distributed and the subsequent Newcastle Port Corp response and addendum.

I support the re development of the old BHP site and realise the importance for the economy and employment. The relative isolation of that site allows considerable activity and provides considerable economic scope.

I lodged a submission in the previous exhibition period.

My base issues were

### **Change of use of site**

The old BHP activity was massive however was based on manufacturing on the site with the import of most raw materials by ship and the export of much product also by ship. Rail provided considerable movement and large numbers of staff entered the site by tram and push bike. The road traffic impacts were minimal.

### **Purpose of Industrial Drive**

One prime reason for the construction of the Industrial Drive was to remove through traffic from Maitland Rd through Mayfield, Tighes Hill, Islington and Wickham. The Port was only a minor consideration. The road is relatively new however does carry considerable traffic and is subject to flooding.

### **Off site Ramifications**

The proposed development is a major contrast to the past and will have major ramifications off site.

The off site ramifications have barely been assessed in the Environmental Assessment.

### **Lack of Community Consultation**

The total lack of community consultation is of very major concern as the community and most affected organisations and authorities are still totally unaware of the proposal or its impact. There has been no community meetings conducted by the applicant. Letter box drops and newspaper information minimal. An information session was held however there was very little publicity, short notice and only one poorly timed session.

### **Cumulative Impact**

To further compound the poor consultation is the failure to process other major developments and port related expansion concurrently. The cumulative impact is truly massive and will have a major impact on the total Newcastle LGA, Lower Hunter and also other state significant infrastructure like the F3, Hunter Expressway and Pacific Highway.

### **Lack of information**

The CD contains considerable information about the design, site preparation and construction of the proposed facility however contains very limited information about the proposed operation. For example Appendix A contains information about a large number of early stage plans but does not require an Operational Environment Management Plan until the facility is ready to be placed in operation. How is the community able to consider the impact of the operation of the facility if the document is not available?

### **Delay in forming a Community Consultative Committee**

Appendix A (page 28) also requires to the formation of a Community Consultative Committee. That group is not proposed to function until the start of the construction phase. Surely the group should be functioning now as the proposal raises many issues that need addressing at an early stage. The makeup of that group is also of concern. The requirement of 2kms from the site boundary is totally unrealistic for two reasons. Firstly much of the 2km zone is river, industry and other non residential area. Secondly the external site ramifications would seem to be very extensive and far reaching. It is noted that the report considers noise at the TAFE at Tighes Hill (page 12).

### **Inconsistent in inaccurate traffic matters**

The traffic measures listed on page 18 of Appendix A would seem to be totally inconsistent with the vehicle numbers listed elsewhere in the proposal. Resident calculations show that as many as 2,000,000 truck movements are necessary to handle the material listed in this proposal and conceivably another 2,000,000 truck movements in other nearby foreshadowed proposals. That is 4,000,000 EXTRA trucks to travel on Industrial Drive. The

document only talks about very minor works on Selwyn St. There is no information about works required for other site entry points other than to name it as an intersection of interest on figure 2.1 of the transport Section. Why not?

The residents calculation of truck movement seems reasonable and must place the consultants figures of 520,020 in question. How can the consultants figure be only 25% of sound logic?

The traffic data in table 2.2 is greater than six years old and given the changes in the area is probably most unreliable.

#### **Inappropriate and inadequate use of rail**

Why is the Selwyn St rail connection to be used? This line is already subject to considerable complaint from residents. This line requires trains to travel through residential areas from Warrabrook to Mayfield east. A distance of about 5kms of heavily populated residential housing. Why is the rail not going to connect to the Coal line at Sandgate. This would allow rail access not only to the proposed site but also all other industrial sites along the southern side of the south arm of the river/harbour. The document does not discuss the option of double deck rail cars. Why not given the huge environmental gains?

#### **Failure to follow Director General's requirement**

The Director General's requirement to consider this application requires the application to address the issues. Part 5 of the requirement clearly state that regional and precinct issues must be addressed .

Nowhere does the document address many of the key issues and most certainly nowhere does it assess the infrastructure capacity of the region to handle the transport (road and or rail) requirements.

Nowhere are the cumulative impacts quantified or explained. Nowhere is there an explanation as to how the cumulative impacts will be minimised.

There is no description of other measures to counter the external impacts of the project.

The Director General's requirement to consider this application requires the application to address the issue of consultation. The requirement clearly state that the issues of interested groups and the public must be addressed.

#### **Lack of reliable and sufficient data**

Without providing reliable data, information and explanation to the community clearly demonstrates that this criteria has not been addressed. How were the issues raised by the residents and the public generated when the residents and public were not told of the development and are currently denied information about the Buldev / HDC proposal referred to on the adjoining site?

Transport and access were listed as the number one key issue by the Director General to be addressed.

It would seem that this key issue has not been assessed except within the site. I can find no reference as to how this projects transport and access fits within the State Plan and or the Lower Hunter Transport Study. I am also unaware as to how this project has been considered in the context of the Newcastle City Centre LEP and the associated traffic modelling.

The Appendix g covering the hazard analysis does not identify or discuss any risks associated with the transport to or transport from the site of product. The very large truck and vehicle numbers must in themselves create a hazard even without considering their loads.

The transport data provided would seem to very greatly understate the true figures when the quantities in table 4.2 Figures (for the first stage only) are considered. This stage it is claimed only generates 360,000 truck movements. Clearly a figure that should be challenged.

The stage two data which again would seem to be greatly understated shows vehicle movements to and from the site equating to over 2000 vehicles per day (1452 heavy trucks, 300 employee cars plus service vehicles and visitors etc.

It is reasonable to double these figures for the other proposed nearby developments.

The documents indicate that much of the travel will be to Sydney. The issue of the extra trains crossing the Clyde St and Adamstown railway gates is a major issue. There is no comment on how this extra congestion will be addressed.

Is it a reasonable conclusion to draw from table 4.18 that the reason to limit trains to 20% of the freight is to eliminate the need to build additional rail infrastructure on the Sydney line? This would seem to be totally unreasonable and very environmentally unsound.

Based on the stated figure of 214 trucks per hour stated in figure 4.2 it is clear that the impact on the normal traffic, the environment and the quality of life of those nearby will be very considerable.

I do not consider that the submissions report has addressed the issues raised by me in a reasonable manner. To support this claim I ask that you consider the following:-

1. The written responses only dealt with the issues raised by me in a generic and collective manner.
2. There was no response to the specific questions raised in my submission.
3. There was no feedback direct to me.

4. The format of the submission report is extremely difficult to read and understand.
5. Much of the information in the submissions report conflicts with the original information and with basic planning and community data available to the community
6. The Port Corp staff have provided conflicting information when addressing community individuals and community groups. That information has conflicted between officers and the material provided in writing.  
By way of example a senior Port Corp officer told a briefing that the "Bulk Liquids Precinct" would handle all types of bulk liquids excluding the likes of orange juice. In response to questioning he indicated that bulk liquids including detergents, acids, caustic soda and liquid fertilisers were all included in the definition of bulk liquids. Elsewhere the precinct is described as a bulk fuel and fuel blending zone.
7. Claims of community consultation are simple not correct. As a community representative of the newly reactivated Mayfield Community Consultative Committee I strongly reject the publicised claim by the Newcastle Port Corporation that he provided a briefing to the group. As members of that committee their representatives gave a very short update (only a few minutes) of the approval process and the upcoming information sessions.
8. The Port Corporation has refused to allow their consultants to address the community and have relied on their officers interpretation of the advice of the consultants ACOM
9. The Newcastle Port have advised that they do not have a Port Operations Master for 2030 or similar. Further they have advised that this document, even on preliminary form, will not be available for at least a year. I believe this should be of major concern to Planning NSW.
10. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the "Buildex site. (There are even suggestions of a coal loader). If the Port Site is to be considered as one envelope (as they suggest) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc. A fundamental of the Port Corps application is to define the land title details of the site. It should also be a requirement of the Port Corporation to spell out in simple clear and measurable terms the specifications of the sites emissions, traffic and other similar factors. These specifications should be defined in the approval details. Without such information I question how Planning NSW, local authorities, government agencies and the community can consider the impact of the proposal on areas outside the site.
11. I fail to understand how a concept plan such as this can be developed (and assessed) in isolation of the total Port. This proposal must enhance the ports capability and not just move activities from one location to another WITHOUT explaining what is to happen to the sites vacated. In other words there needs to be a Port Master plan for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.

12. Moving port activities to the new wharfs and precincts may well leave a void in other locations around the port. This void could have many serious implications including:-
  - a. Impacts of resident who may have selected a residence so as to walk to work.
  - b. Support businesses (eg crane hire) having to incur extra operating expenses
  - c. Local businesses (eg pubs and take aways) who rely on port trade.
  - d. Real estate values
13. Where the void is to be filled by advantageous change of land use (eg port working land to residential real estate) the absence of a port plan may well lead to unethical practices by those "in the know".
14. I am not convinced that the freight movements, visitor movements, staff movements have been assessed correctly. Alternate road and rail routes are not adequately detailed and considered. There is little information of the impacts on other infrastructure within the Newcastle LGA and beyond. There is no input from Councils other than Newcastle
15. The issues of tourism for this site have not been adequately addressed or assessed. This site is waterfront land and as such it is only reasonable that access to the waterfront be provided. Access to the waterfront is important for recreation, education and for community monitoring. There is simply no reason why access arrangements can not form part of this proposal. This access could be provided via fences corridors, overhead footways, viewing platforms, picnic areas etc.
16. Shipping details, needs and threats are not detailed or assessed in the documentation. It is totally reasonable that this should be included. For example ships have a potential to spill oil, fuel, chemicals and other cargos. These can have major consequences. Surely it is reasonable for the applicant to detail how the ships and freight are to be moved in safety to the environment. It should be noted that a recent oil spill caused considerable harm and has still not been fully cleaned up.
17. New technology has not been considered in the application. In the last 20 years change has been massive and certainly the future will involve change. The use of existing cargos, vehicle emissions, modes of transport and product handling certainly warrant consideration.

The approval of the port land for wharfs, storage and handling facilities is of major importance in economic, employment and environmental terms.

The seriousness of these issues places great pressure on a proponent to ensure "all stone are turned", that the application is unambiguous and that it is fully understood by the community and those upon whom the impacts are thrust.



Planning NSW and its Director General have a serious responsibility to ensure that the planning process is sound, complete and fair to all.

The culmination of a successful approval process is a community that has not been unreasonably disrupted and the applicant has been given every opportunity to present their case.

Approval must incorporate workable and unambiguous conditions.

Rejection must include clear reasons for the decision.

If you require further information or clarification please contact me.

Rick Banyard

I call on the Minister to place this application on hold until such time as the community consultation has been conducted to a level that satisfies community with the key issues being cumulative impacts and transport strategies and impacts.

Rick Banyard



**Lisa Chan - Mayfield plan from Newcastle Port Corp**

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**From:** "George Barnes" <georg123@bigpond.com>  
**To:** <lisa.chan@planning.nsw.gov.au>  
**Date:** 18/03/2011 3:51 PM  
**Subject:** Mayfield plan from Newcastle Port Corp  
**CC:** "John L Hayes" <jlhayes@bigpond.com>

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georg123@bigpond.com

Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
 For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,  
 NSW Planning  
[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)  
 Or by post - GPO Box 39 Sydney 2001

Copy

Correct Planning & Consultation for Mayfield group  
 c/- [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

I / We ... George

Barnes.....

Of...26 Margaret st Mayfield EastNSW.....Post Code...2304.....

Phn...0249671057.....Fax...0249671731.....mob...0431742749

Email...[georg123@bigpond.com](mailto:georg123@bigpond.com)

Wish to complain of the Concept Plan submitted by Newcastle Port Corp

- It is inappropriate that their public forums and their Responses to Submissions have been slanted in language that is difficult for ordinary community to understand, and has missed the points we raised.
- They seem to have limited their analysis to 2 intersections : Industrial Drive / George St, Industrial Dr / Ingall St. Many others are likely affected, from Maitland Rd to Maitland, to Raymond Terrace, to Stewart Ave Charlestown to Tourle St, Cormorant Rd all the way to Newcastle Airport.
- They have underestimated the actual effect of large slow trucks, B-doubles etc in the traffic flow predictions, as each truck will take the space of 2.5 to 3 cars by its slow travel, large size and great reduction of visibility to nearby vehicles.
- They have denied the importance of co-ordinated planning with other future developments in nearby port areas and related expansion over the next 20 years.



## Lisa Chan - Newcastle Port Corporation Plan

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**From:** Graeme Pauley <tigershill@gmail.com>  
**To:** <lisa.chan@planning.nsw.gov.au>  
**Date:** 18/03/2011 4:33 PM  
**Subject:** Newcastle Port Corporation Plan

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### Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,  
 NSW Planning  
[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)  
 We, Graeme Pauley and Meryl Dunton-  
 Rose.....

Of... 40 Kings Road, Tighes Hill, NSW..... Post Code... 2297.....

Phn 02 4961 0578.....

Email... [tigershill@gmail.com](mailto:tigershill@gmail.com).....

We object to the granting of approval of the NPC Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NCP) unproven opinion that it will create overall economic benefits.
  2. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
  3. The exact costs to local residents have not been assessed.
  4. The exact benefits to the region and state have not been assessed.
  5. The project has not been adequately assessed
  6. The Environmental Assessment (EA) and submissions report proves that the project cannot operate, even at a conceptual level, without a complex series of management plans and procedures being set in place for matters such as traffic and noise management.
- As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.
7. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the Buildev site. There is talk of another COAL TERMINAL.
  8. If the NCP site is considered as one envelope (as NCP suggests) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc.
  - 9 We fail to understand how a concept plan such as this can be done in isolation of the total port. This proposal must enhance the ports capability and not just move things from one location to another WITHOUT explaining what is to happen to the site vacated.
- In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.
10. We are not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.
  11. Alternate road and rail routes are not adequately detailed and considered.
  12. There is little information of the impacts on other infrastructure within the Newcastle LGA and beyond.
  13. There is no input from Councils other than Newcastle.
  14. We have told NCP, at the recent Information sessions, that their response to submission document was much more difficult to read, and that the NPC staff themselves did not understand their own document, and that they had trouble answer questions
- Eg we have now been given 2 conflicting answers by NPC on specific questions:  
 a: exits from site – we were told there were 4; when only 2 exist:

b: that majority of containers would be local delivery.

We pointed out that their Document states 66 % will be heading to Sydney.

15. We also told NPC that their stated aim of building a 21st century state of the art port was not being achieved;

and in fact their Comparable Model – Port Botany was designed in the 1970s – **40 years ago;**

and that Port Botany never has worked properly – and probably never will.

16. Problems we have found with the NPC Responses to submissions include:

a) Cumulative issues should look at the proposed concept plan at full operation and other existing and approved projects in the port at full operation. Long timeframes don't count; what we want to know is the worst case scenario.

The Camberwell dust study was unique from a NSW planning perspective (some would say a precedent rather than unique), but the situation at Camberwell has clear parallels with air quality issues within inner Newcastle.

The difference is that cumulative air quality impacts at Camberwell are caused by mining, while in inner Newcastle they are caused by transport and industrial operations which currently aren't as popular a target.

b) The following statement doesn't make any sense, except for the bit about the level of information in the EA being appropriate. This assertion is not one for NPC to make, as it is for the Department of Planning to decide.

Port Corp should avoid presenting opinion as fact, and should explain what the second half of this sentence means:

*the level of information available on the future destination of imports to the Port of Newcastle it is not only appropriate, but only possible to undertake detailed analysis of the type, origin & destination of freight once future proponents submit Project Applications of which these studies will be an integral part.*

c) 20 percent still sounds like a lot of traffic going to Kooragang Island; what is the assumption behind this?

d) Why has Port Corp not considered restricted operating hours (i.e. no road/rail movements between 11pm-5am)?

This is when significant noise impacts have been predicted and appears to be an insignificant operational period anyway.

From experience, living close to Industrial Drive, there are currently very, very few truck movements at that time in the local area.

e) If a 20 percent level of train transport was adopted to allow for modelling of worst case truck impacts, shouldn't a worst-case (i.e. maximum) level of train transport also have been assessed?

17. Still no real information on freight origin/destination - are all containers going to Sydney? Why haven't they made the assumptions clear?

18. What is happening to the Port of Newcastle over next 20 - 50yrs and how does this development fit in? - What is happening to the existing sites for Grain, Aluminum etc ?- We need a **Port Master plan**

19. Still no real consideration of regional traffic impacts - why not come clean on Heavy Vehicles increases rather than as a % of all vehicles? - **we say the increase is 165% in heavy vehicles.**

An 8% increase is really between **16-24% increase in equivalent cars**, just from this development - this has not been adequately addressed, nor have the impacts on intersections outside of Mayfield.

**At the recent meeting in Mayfield Sports Club Mike Baudinette oof Newcastle Port Corporation spoke to me and said that the increase in trucks would be from approximately 700 daily at present to more than 1000 extra trucks along Hannell Street daily. Sadly this does not compute with an 8% increase.**

**In addition there was a boast at the meeting that all the aluminium from Tomago and Kurri Kurri will now be trucked into the new port. This surely is a further increase in traffic load not even accounted for in the plan.**

20. What are NPC planning for surveillance of 'rogue' trucks in streets?

What technology?

What carrots/sticks to transport operators?

What reporting of 'rogue' trucks and to whom?

What integration with Police/RTA?



21. Why no discussion by NPC on an outside Intermodel?

Enfield ILC is being developed by Sydney Ports - both Enfield and Stoney Pinch are a similar distance from each Port.

Why isn't NPC looking at this?

It is a key element of the NSW Govt. Three Ports Significant Sites Strategy, but is essentially only given lip service.

22. Detailed Freight Analysis to be undertaken and verified identifying

- o Freight Type
- o Origin and Destination
- o Transport routes

Addendum Submissions report provides 'evidence' of studies previously undertaken, but there is no reasonable summary of these studies to answer our questions above.

NPC say we need to wait for individual port proponents to detail freight types, origin and destination. However, their whole transport 'strategy' is based on getting the freight into and out of the Port – and NPC has provided minimal detail on this to make a reasonable assessment of impacts.

Seeing the origin/destination information provided raises significant questions about what is happening elsewhere in the Port of Newcastle.

What is happening to all the loading facilities currently used for these imports/exports?

We need a 20yr **Newcastle Port Master Plan** to document how this development fits into the whole port over the next 20-50yrs.

23 The information used as the basis of freight and cargo movements, referenced as being provided by "Newcastle Port Corporation, April 2010" should be released for review and assessment by the public and relevant transport and freight bodies.

See above in Blue

24. A Regional Traffic Impact Study utilising a regional traffic model accepted by the RTA and Transport NSW to determine the distribution of Port generated traffic and impacts on the regional road network.

Not addressed in either the Submissions report or the Addendum.

NPC still refuse to detail the increase in heavy vehicles and still talk about an 8% in all vehicles as having negligible impact on traffic outside of the NPC site.

## In fact there it is a 110% increase in Heavy Vehicles

As trucks are 2 -3 times the length of cars this stated 8% is really a **16-24% increase in equivalent cars.**

This is significant

The NPC Original Concept Plan, and their response to submissions, do not even consider the issues of merging traffic, traffic lights/intersections, congestion etc through:

- Mayfield (Tourle St, Werribee St, Steel River, Stevenson Park,
- Sandgate - Inner City Bypass connection, St Josephs
- Hexham - McDonalds, Hexham straight
- Hexham Bridge and OAK area
- Beresfield - John Renshaw Dr, in-particular the merge south bound of trucks coming off F3 at Beresfield)

NPC has still not provided any assessment of any other intersections – only those two at Ingall and George streets Mayfield, near the site, are referred to

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Was deemed to be covered in other submissions and 'addressed' in Submissions report - No information provided or considered – NPC restate their intention to ensure that local traffic controls in place.

No suggestions for policing stray trucks, vehicles – for example could there be rego plate recognition (like SAFE-T-CAM) with rogue vehicles penalized. With regular reporting of these in reports to a regulator or community group with co-operation with Police/RTA.

26. Intersection analysis of all major intersections between the Port site and:

- o F3 Freeway

- o Pacific Highway Hexham,
- o New England Hwy, East Maitland

See above – no real response . NPC considered 8% negligible impact

#### 27. Cumulative Impact Assessment of ALL existing and new developments in the Mayfield Industrial Area

NPC has made some minor assessment of Intertrade vehicle numbers @1775 peak/hr trips.

What effort has NPC and HDC made to look at this in detail.

Argument appears to be they are worse than us.

Will be curious to see Buildev/HDC response

#### 28. Detailed study of ALL rail options for the Mayfield Industrial Area:

- o Including rail from Carrington north
- o Options within Port site for increased rail – costs included

No not even attempted – regurgitation of previous report plus some more information on NSFC project

#### 29. Detailed study of rail interaction between PWCS, OneSteel, Intertrade and other rail users – this requires collaboration and consultation, including quantification of capital costs of rail upgrades

Again no attempt made – not even responded to

#### 30. The results of all of these to be presented and discussed with a Project Specific Consultative Group including members of the Community, Local Councils, RTA, Transport Dept, local Business etc

No comment provided from NPC– Planning NSW consent condition?

If NPC suggest that a briefing with MCCC on 'where they are at in process' is consultation, then it is an incorrect claim.

The MCCC is not the above group – no members of group are Local Council, RTA, and Transport NSW etc

- NPC have mentioned that Gentries would assist in lifting rail above 20% spit. However it makes no attempt to quantify the benefits in terms of sidings etc, it merely says it could help to lift above 20%.
- NPC comment on other transport studies and infrastructure including Freight Hub Hunter and the Black Hill Intermodel but note that "Consideration of rail infrastructure investment outside the immediate area of the port land at Mayfield is outside the remit of this Concept Plan and the EA".

And NPC agree these would benefits by the use of rail to Port, with no real consideration of them being integrated into planning for the project.

It is interesting to note that the Enfield Intermodel Logistics Centre (ILC) is being developed by Sydney Port Corporation, a facility that is some 16km from Port Botany.

By comparison, the Black Hill – Stoney Pinch Intermodel site is 18km from the Mayfield site. But this is proposed apparently as a private development with no input from Newcastle Port Corporation.

This Intermodel is a key part of the 3 Ports Strategy supporting the NPC development – yet the Concept Plan not only doesn't mention it as being a key part of that strategy; nor does it mention that it is not a NSW Govt or NPC development.

#### 31. We request ongoing consultation to resolve all the issues referred to above.

**In addition Mike Baudinette, from NPC, has not returned phone calls or emails regarding a promised appearance at the Tighes Hill Community Group meeting to discuss the proposals further with the local community.**

We also request your prompt acknowledgement of this submission, and advice as to how this Concept Plan Application will proceed now. We feel that the consultation process is woeful.

Signed ... *Meryl Dunton-Rose and Graeme Pauley*.....

Date.....18/3/11.....

14.  
Claire Charles, Andrew Parker  
36 Crebert st Mayfield 2304  
[Clairecharles1964@hotmail.com](mailto:Clairecharles1964@hotmail.com)

18<sup>th</sup> March 2011

Lisa Chan  
NSW Department of Planning  
[Lisa.chan@planning.nsw.gov.au](mailto:Lisa.chan@planning.nsw.gov.au)

## **Newcastle Port Corporation Development Mayfield East**

We object to the granting of approval of the NCP Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below

The format of the submission report is extremely difficult to read and understand, we have ask for a meeting with the consultants who produce the document, NPC denied this request We were disappointed with the community consultation with NPC , when we raised issues on Trucks ,we were basically told it would be up to community to police these movements on our suburban streets, their lack of understanding community concerns was atrocious

### Noise and Vibration

Consideration as only be given in the plan, to modify houses that front Industrial Drive, that are effected by noise and vibration, It is noted that the report considers noise at the TAFE at Tighes Hill (page 12). My house would not be considered in this as I front Crebert st, but my back garden overlooks the site, Tighes Hill Tafe is 2km away, Therefore NPC needs to compensate and take responsibility for home owners to refit homes with in a 2km radios, not just facing Industrial Drive

### Truck Movements

NPC as under estimated the amount of truck movement within their submission; I refer to Newcastle Council submission which states that Industrial Drive will Fail by 2024.

As we live on the corner of Ingall st and Crebert st , across the road from Mayfield East Primary school we see many trucks already using this road to get from Maitland Rd ( Old Pacific HWY) to Industrial Drive

I refer to Newcastle Council submission, NPC should have a designated route for all vehicle movement and require all trucks to have tracking system

### Cumulative Affect

As this is only a concept plan we do not have all the information to understand what the effects on the community are, the DoP should not be approving any plans until a Master Port Plan is shown to the Community for consultation and DoP

### Rail

No consideration in these plans to increase the use of rail , I refer to the Port Kembla Port Plan, which will use 90% Rail , They did not explore the option of having a rail line on the river side of Industrial Drive traveling back west and joining the Sydney/North cast line at Mayfield west /Warrabrook

### History

BHP closed 10 years ago, the suburb has changed from its dirty industrial town status back to a thriving diverse community.

If we want a 21<sup>st</sup> century Port then NPC should build one with proper planning and infrastructure to support it now and into the future.

Planning NSW and its Director General have a serious responsibility to ensure that the planning process is sound, complete and fair to all.

The culmination of a successful approval process is a community that has not been unreasonably disrupted and the applicant has been given every opportunity to present their case.

Approval must incorporate workable and unambiguous conditions.

Rejection must include clear reasons for the decision.

We call on the Minister to place this application on hold until such time as the community consultation has been conducted to a level that satisfies community with the key issues being cumulative impacts and transport strategies

If you require further information or clarification please contact me.

Claire Charles

Andrew Parker

Kate Parker

Laurel Parker

April Parker





**Lisa Chan - Submission re proposed Port Corp development**

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**From:** Andrea Low <andrealow@live.com.au>  
**To:** <lisa.chan@planning.nsw.gov.au>  
**Date:** 18/03/2011 5:27 PM  
**Subject:** Submission re proposed Port Corp development

---

Andrea Low and Philip Dwyer  
47 Crebert St Mayfield East  
andrealow@live.com.au  
40234428  
18th March 2011

Lisa Chan  
NSW Department of Planning  
Lisa.chan@planning.nsw.gov.au

**Newcastle Port Corporation Development Mayfield East**

We are shocked and dismayed at the Port Corporation's lack of planning for the long-term sustainability and viability of our region. In a meeting with a Port Corp representative the week before last, the officer verbally acknowledged the obvious havoc that this plan, in its current state, will wreak on our community. And yet the community's cries of concern appear to have fallen upon deaf ears, if the first feeble and tokenistic response to submissions is anything to go by. We say that NO development should occur at the expense of our region's already compromised environment, and the basic quality-of-life needs of its residents. We need a **proper infrastructure plan with long-term vision** to support this development and others like it, so that the Hunter community can continue to live in harmony alongside industry.

Andrea Low and Philip Dwyer



Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,  
 NSW Planning  
[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)

We, Correct Planning & Consultation Group (CPCFM ),

c/- John L Hayes, Chairman, of 117 Ingall St, Mayfield East, NSW 2304

Phn 4967 3013 mob 0400 171 602 Email [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

object to the granting of approval of the NCP Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. Our big worry last year was millions of extra trucks on Industrial Drive, and then on all Freeways and Highways and Arterial roads – and very probably in dozens or hundreds of residential streets in Inner City Newcastle and beyond.

Why?? – because the Port Corp plans do not include more than 20% on the rail for Containers and some cargos; and for other cargos, their plan is zero % on the rail

2. After 6 months of Public Community Meetings, submissions, talking to all relevant Ministers and Shadow Ministers, consultation directly with the Port Corp.; and the Port Corp employing consultants who have written hundreds of extra pages of mostly highly technical jargon, nothing has changed

The Concept Plan was flawed in 2010, and it is still flawed in 2011.

3.. Worse still, is that in the recent round of consultations, the statements from Port Corp staff have really alarmed residents, who have been trying to point out major impacts that the concept plan will have on residents.

Responding to comments from the Mayfield East Public School P&C about major impacts on the Students and the School, a Senior Port Corp executive said:

**"that they'd probably need to move the school".**

In response to the expressed need for more goods trains to remove the need for so many trucks he said:

**"we'll leave whether operators use trucks or trains up to market forces" and "that's just the way the world works".**

In response to concerns about a new Major Liquid Fuel terminal

**he indicated that as there were already two fuel tanks in Carrington, there shouldn't be a problem with more.**

4. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NCP) unproven opinion that it will create overall economic benefits.
5. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
6. The exact costs to local residents have not been assessed.
7. The exact benefits to the region and state have not been assessed.
8. The project has not been adequately assessed
9. The Environmental Assessment (EA) and submissions report proves that the project cannot operate, even at a conceptual level, without a complex series of management plans and procedures being set in place for matters such as traffic and noise management.

As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.

10. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the Buldev site.

**There is talk of another COAL TERMINAL on the Buldev site. Such a proposed use is strongly objected to by the 400 plus members & supporters of CPCFFM**

11. If the NCP site is considered as one envelope (as NCP suggests) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc.
  12. We fail to understand how a concept plan such as this can be proposed and approved in isolation of the total port. This proposal must enhance the port's capability; and not just move things from one location to another WITHOUT explaining what is to happen to the site vacated.
- In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.
13. We are not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.
  14. Alternate road and rail routes are not adequately detailed and considered.
  15. There is little information of the impacts on other infrastructure within the Newcastle LGA, and beyond.
  16. There is no input from Councils, other than Newcastle.
  17. We have told NCP, at the recent Information sessions, that their response to submission document was much more difficult to read, and that the NPC staff themselves did not understand their own document, and that they had trouble answer questions

Eg we have now been given 2 conflicting answers by NPC on specific questions:

a: exits from site – we were told there were 4; when only 2 exist:

b: that majority of containers would be local delivery.

We pointed out that their Document states 66 % will be heading to Sydney.

18. We also told NCP that their stated aim of building a 21st century state of the art port was not being achieved;

and in fact their Comparable Model – Port Botany was designed in the 1970s – **40 years ago;**

and that Port Botany never has worked properly – and probably never will.

19. We did ask on more than one occasion for the consultants who prepared the EA to attend some of the recent Information and briefing sessions, but these request was ignored.

We were hoping to be given more detailed, and more accurate, responses to some of our questions.

20. Problems we have found with the NPC Responses to submissions include:

a) Cumulative issues should look at the proposed concept plan at full operation and other existing and approved projects in the port at full operation. Long timeframes don't count; what we want to know is the worst case scenario.

The Camberwell dust study was unique from a NSW planning perspective (some would say a precedent rather than unique), but the situation at Camberwell has clear parallels with air quality issues within inner Newcastle. The difference is that cumulative air quality impacts at Camberwell are caused by mining, while in inner Newcastle they are caused by transport and industrial operations which currently aren't as popular a target.

b) The following statement doesn't make any sense, except for the bit about the level of information in the EA being appropriate. This assertion is not one for NPC to make, as it is for the Department of Planning to decide. Port Corp should avoid presenting opinion as fact, and should explain what the second half of this sentence means:

*the level of information available on the future destination of imports to the Port of Newcastle it is not only appropriate, but only possible to undertake detailed analysis of the type, origin & destination of freight once future proponents submit Project Applications of which these studies will be an integral part.*

c) 20 percent still sounds like a lot of traffic going to Kooragang Island; what is the assumption behind this?

d) Why has Port Corp not considered restricted operating hours (i.e. no road/rail movements between 11pm-5am)?

This is when significant noise impacts have been predicted and appears to be an insignificant operational period anyway.

From experience, living close to Industrial Drive, there are currently very, very few truck movements at that time in the local area.

e) If a 20 percent level of train transport was adopted to allow for modelling of worst case truck impacts, shouldn't a worst-case (i.e. maximum) level of train transport also have been assessed?

21. Still no real information on freight origin/destination has been provided - are all containers going to Sydney?  
Why haven't NPC made the assumptions clear?

22. What is happening to the Port of Newcastle over next 20 - 50yrs and how does this development fit in? For example - What is happening to the existing sites for Grain, Aluminum etc ?-  
In order to understand these matters we need a **Port Master plan**



23. There is still no real consideration of regional traffic impacts. Why does NPC not come clean on Heavy Vehicles increases rather than talk about them as a % of all vehicles?

**We say the increase is 165% in heavy vehicles.**

An 8% increase is really between **16-24% increase in equivalent cars**, just from this development - this has not been adequately addressed, nor have the impacts on intersections outside of Mayfield.

24. What is NPC planning for surveillance of 'rogue' trucks in streets?  
What technology?  
What carrots/sticks to transport operators?  
What reporting of 'rogue' trucks and to whom?  
What integration with Police/RTA?

25. Why no discussion by NPC on an outside Intermodel?

Enfield ILC is being developed by Sydney Ports - both Enfield and Stoney Pinch are a similar distance from each Port.

Why isn't NPC looking at this?

This need is a key element of the NSW Govt. Three Ports Significant Sites Strategy, but is essentially only given lip service.

26. Detailed Freight Analysis needs to be undertaken and verified identifying

- o Freight Type
- o Origin and Destination
- o Transport routes

Addendum Submissions report provides 'evidence' of studies previously undertaken, but there is no reasonable summary of these studies to answer our questions above.  
NPC say we need to wait for individual port proponents to detail freight types, origin and destination. However, their whole transport 'strategy' is based on getting the freight into and out of the Port - and NCP has provided minimal detail on this to make a reasonable assessment of impacts.

Seeing the origin/destination information provided raises significant questions about what is happening elsewhere in the Port of Newcastle.

What is happening to all the loading facilities currently used for these imports/exports?

We need a 20yr **Newcastle Port Master Plan** to document how this development fits into the whole port over the next 20-50yrs.

27. **The information used as the basis of freight and cargo movements, referenced as being provided by "Newcastle Port Corporation, April 2010" should be released for review and assessment by the public and relevant transport and freight bodies.**

See above in Blue

28. A Regional Traffic Impact Study utilising a regional traffic model accepted by the RTA and Transport NSW to determine the distribution of Port generated traffic and impacts on the regional road network.

Not addressed in either the Submissions report or the Addendum.  
NPC still refuse to detail the increase in heavy vehicles and still talk about an 8% in all vehicles as having negligible impact on traffic outside of the NPC site.

**In fact it is a 110% increase in Heavy Vehicles**



As trucks are 2 -3 times the length of cars this stated 8% is really a **16-24% increase in equivalent cars.**

This is significant

The NPC Original Concept Plan, and their response to submissions, do not even consider the issues of merging traffic, traffic lights/intersections, congestion etc through:

- Mayfield (Tourle St, Werribee St, Steel River, Stevenson Park,
- Sandgate - Inner City Bypass connection, St Josephs
- Hexham - McDonalds, Hexham straight
- Hexham Bridge and OAK area
- Beresfield - John Renshaw Dr, in-particular the merge south bound of trucks coming off F3 at Beresfield)

NPC has still not provided any assessment of any other intersections – only those two at Ingall and George streets Mayfield, near the site, are referred to

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rego plate recognition (like SAFE-T-CAM) with rogue vehicles penalized;

with regular reporting of these infringers in reports to a regulator or community group, with co-operation from Police/RTA.

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  - Pacific Highway Hexham,
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36. We request ongoing consultation to resolve all the issues referred to above.

37. We also request:

- a. your prompt acknowledgement of this submission,
- b. and advice as to how this Concept Plan Application will proceed now

John L Hayes

Chair

Correct Planning & Consultation for Mayfield Group

18<sup>th</sup> March 2011



2001



23 March 2011

**Submission from Mayfield East Public School Parents to NSW Planning re Newcastle Port Corporation (NPC) Concept Plan For 7 new wharfs on the old BHP site at Mayfield**

Dear Ms Chan,

We are writing to express several serious concerns with NPC's (the Proponent) plan for 7 new wharfs on the old BHP site at Mayfield.

We also lodged a submission in the first round in 2010 where we expressed several concerns with the plan in its current form.

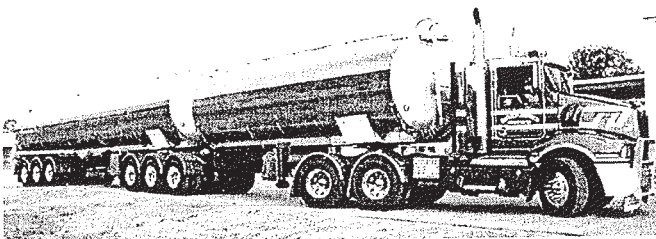
**1. Reliance on Trucks over Rail**

The plan outlines that the bulk of all cargo will travel by truck; with maximum 20% by rail; including all combustible fuels (>1000 million litres/year) going by road. Further, that in the initial stages of operations 100% of movement would be by truck.

We are highly concerned about the fact that this proposal relies largely on truck transport and believe that the proponent has not fully accounted for the impact of trucks on the community. Their report suggests that the impact on roads would be only 8% increase in overall traffic. We believe this is a gross misrepresentation of the actual impact. When assessing the impact of trucks their equivalents in cars needs to be considered to give a more accurate picture of what the result will be. A B-Double Truck is a LARGE TRUCK – the equivalent of at least four (4) ordinary vehicles. When viewed this way the increase in overall traffic would be more in the vicinity of 24% minimum, which is significant.

The increase in heavy vehicles, would be more in the order of 110%. In day time hours this would be over 100 truck movements per hour. There would be at least one large B-Double truck per minute roaring by. The sound and fumes will linger and spread.

Here are some examples of a B-Double Truck.



The report is silent on use of rail being a requirement of operators at the site. In our consultations with the Proponent it was indicated by the General Manager of NPC that the decision to use road or rail would be for the operators and "left up to market forces".

We are deeply opposed to this irresponsible and unconscionable approach to the environmental and social impact of this proposal.

## **2. Plan for Rail**

Should there be a requirement for the state of NSW to have an alternate port to Botany and Port Kembla and if Newcastle is the preferred location, then a fully costed and funded State plan for improved and increased rail freight lines MUST be a pre-requisite and in place PRIOR to the establishment of a port that would otherwise be relying on truck haulage on existing roads.

If a major terminal is appropriate for this site it should rely on rail rather than road transport. Our community should not pay the cost through increased pollution, congestion, noise and reduced road safety, because of poor long term infrastructure planning.

## **3. Not Appropriate for Residential area: The Proponent's Suggestion to Close our School**

Mayfield East Public School is an immediate neighbour of this site. MEPS' northern border is Industrial drive. The school's vegetable gardens, orchards, chook house and play grounds are located between the intersections of Ingall St/Industrial Drive and George St/Industrial Drive.

The school children and community will suffer enormously by this development.

The proponent has not adequately address the concerns that we raised in our first submission, primarily the multiple and cumulative effects of significant increase in heavy vehicles.

During our consultations, when discussing the impact of the trucks, the Proponent (Managing Director) indicated that Mayfield East Public School would probably have to close and move to escape the negative impact of this proposal.

This call to close the school is an open acknowledgement that the concept plan in its current form is inappropriate to neighbour residential areas. The Proponent's total disregard for the community in their attitude and planning is clear and shameful.

We urge NSW Planning to re-evaluate NPC's suitability as the developer of this site and to more closely monitor and enforce good planning processes.

There are also a number of other community facilities on Industrial Drive that will suffer, including a long day care centre and early learning centre, a women's health service, sports clubs and oval, and aged care facility, just to name a few.



## **4. Impact of Trucks**

### **4.1 Diesel Fumes**

The proponent's reports do not adequately address the pollution that will arise from the increase in heavy truck movements.

The resulting air and noise pollution and their associated health effects are unacceptable. It is noted that particulate matter (PM10) is already above recommended health standards, the emissions from trucks and other machinery will cause this to increase further. The smaller particulate matter emitted in diesel fumes and other sources has not been addressed at all by the Proponent. These health concerns for our children and all local residents cannot be ignored.

### **4.2 Noise**

The Proponent does not adequately address the noise impact of the proposal. They indicate that the noise levels along Industrial drive already exceed the acceptable levels set by the Department of Climate Change and Water, but somehow find that adding to this would be acceptable.

The Proponent has not addressed the impact of noise on Mayfield East Public School, which is located immediately opposite the proposed site, and whose northern boundary is Industrial Drive. Their report is silent on how noise will be mitigated for the hundreds of children who attend classes every day in that school, undertake outdoor learning activities and play in its grounds.

### **4.3 Safety**

Mayfield residents are already impacted upon by two major arterial roads: Maitland Road and Industrial Drive. There are insufficient walking tracks and no bike paths that lead to the Throsby creek Cycleway. At present, children and adult cyclists have to ride along poorly maintained footpaths with no separation from double carriage trucks doing 80km an hour on Industrial Drive. The alternative is to travel on Maitland Road - again with not even a safety rail between them and cars doing 60 km - in order to get to Islington Park where the safe cycleway begins. This is already dangerous and the Proponent's plans will make it even more deadly.

Children walk and ride bikes across George St and Ingall St to get to school. What safety measures are going into place? George Street has no safe crossing areas en-route to the school. The Proponent's report dismisses safety concerns regarding truck traffic as they assert that pedestrians do not use Industrial Drive intersections. These intersections are major ones for residents of Mayfield and Newcastle. There is no doubt that a 110% increase in truck movements through this area will be a disaster for Mayfield and Newcastle.

### **4.4 Residential Streets**

On the issue of trucks on residential streets, the Proponent dismisses concerns and gives conflicting responses. Firstly, the Proponent suggests that trucks leaving the site will not use residential roads through Mayfield and neighbouring suburbs. However, with the resulting bottlenecks, blockages and traffic queues that will be experienced along Industrial Drive, and spilling out from its intersections, we believe trucks will seek clearer routes along residential streets, Maitland Road, Newcastle road and others. And these will be BIG trucks – B Doubles, many of which will be carrying explosive

fuels. Even if the trucks do stick to Industrial Drive, the regular traffic on the residential/arterial streets will increase to avoid the Industrial Drive gridlock.

There are currently no restrictions on the residential streets around this site. The Proponent is silent on what it will do to address this issue and prevent rogue trucks thundering through Mayfield and Newcastle residential streets and beyond.

The Proponent appears unable to indicate, with any consistency, what the origins and destinations will be and how much of the freight will be destined for Newcastle. The report states that 66% will be heading to Sydney (mostly by truck). To down-play the impact of this NPC verbally suggested during our consultations that the majority of freight will be for Newcastle retail stores (white-goods apparently!). Should the majority of cargo be destined for Newcastle retail stores, their planning to identify local truck routes and then to mitigate the impacts is non-existent.

Stringent measures for enforcing trucks off suburban streets would include banning anything over 10 ton from using the suburban roads. A commitment to employing staff or putting cameras in place to enforce road regulations would be necessary. There would need to be a review of the effectiveness of these measures and a commitment to ensuring limited truck use of these streets.

In our consultations with the Proponent they highlight that making and enforcing road restrictions is the responsibility of Newcastle Council. We find this propensity to transfer responsibility for dealing with the negative impact of this proposal astounding and totally unacceptable. Where will the additional resources for Newcastle Council come from? Will there be additional allocation for road maintenance and repair? The lack of planning on this issue is clear; and it is our understanding that Newcastle Council has not been a significant partner in this plan.

#### **5. Minimum Standards and Criteria for Site Operators**

We believe that as the site manager/landlord, NPC should be establishing minimum standards or operating criteria for any business that uses the site. Such criteria should cover a range of issues to ensure that all operations on the site are safe, and have minimal impact on the community and environment. The proponent should also outline how they will monitor and enforce clean/green criteria. The Proponent's plan in its current form does not adequately set out minimum criteria for operations. In one section of the report the Proponent acknowledges that toxic pollutants such as Methyl Bromide will be an issue and they *assume* that the individual operators will take measures to recapture.

Our group is deeply concerned that the Proponent, as controller of the proposed Port, will not articulate or enforce sufficiently high standards to ensure that any port activities are suitable for residential areas and environmentally benign.

#### **6. Cumulative Effects**

The cumulative effects of this proposal need to be more thoroughly investigated and addressed. And also the impacts beyond the immediate site need to be identified, quantified and addressed.



We have no doubt that the community of Mayfield, and broader Newcastle, will be deeply affected by this proposal. The Proponent's reports and responses primarily deal with the impact and operations immediately around the site. The report is largely silent on ripple our effects beyond the site. This proposal will affect roads and residents between Mayfield and Hexam, along all the main roads out of Newcastle, which are also residential; between Newcastle and Maitland and other areas around the Hunter Valley; between Newcastle, through the Central Coast to Sydney and through Sydney suburbs. Indeed it is difficult to quantify the exact impact as their report does not adequately detail what the freight routes will be. There appears to be a serious lack of planning, or a cynical attempt to evade proper scrutiny of the proposal.

We are also very concerned about the wider environmental implications of this development. The Federal Government has set a Renewable Energy Target of 20% by 2020. This target aims to protect our children and future generations from the effects of climate change. The proposed development is surely working against this goal. Again, this is highly unacceptable to our school community.

### **6.1 The Bigger Picture**

This concept plan needs to address how it fits into the bigger plan/picture for the whole port, and also where it fits with respect to any future plan for Newcastle and NSW freight and transport.

There is currently suggestion that another Coal Loader may occupy the remainder of that ex-BHP land.

Our group is concerned at this apparent ad-hoc approach to development in Newcastle and NSW as a whole.

## **7. Mayfield & Newcastle**

### **7.1 Mayfield's History and Future**

Mayfield has suffered a very industrial history, but since the closure of BHP's activities has enjoyed, along with wider Newcastle, its right to a cleaner living environment than it previously had. There is still plenty of industry, though, and Mayfield still suffers from industrial pollution - due to the number of industries close by and the large coal deposits.

It is grossly unfair to propose a further source of pollution without taking stringent measures to counter that pollution, and to contribute to the environmental and social wellbeing of a community that this industry is affecting.

On the plan to inflict more dirty industry on Mayfield we are deeply disturbed by the Proponent's response. The Submissions Report dismisses objections to further heavy industry in Mayfield, stating that it is just being consistent with what Mayfield's history has been.

The disregard for adjacent community and the environment was further highlighted during our consultations with NPC stating that adding more dangerous goods and explosive liquids to an already heavily industrial corridor should not be a problem.

We suggest that the Proponent is completely out of touch with the desires of the Mayfield and broader Newcastle community for a clean and green future, and that this

concept plan runs totally counter to harmonious and sustainable planning for industry and community.

## **7.2 Property Prices**

The Proponent dismisses concerns that this development will have a negative impact on property prices. Calling on the rationale of an industrial history the Proponent states in the Submissions Report that an examination of the impact on property prices is outside the scope of their planning.

We dispute this claim. All environmental impacts should be examined and addressed – prosperity is one important factor. Mayfield's economy as an inner suburb of Newcastle will suffer and decline as a result of this plan. Newcastle has benefited from the changing face of Mayfield since the closure of the BHP industries on Industrial Drive. Private investment in Mayfield will diminish as a result of this plan in its current form. There is no doubt that those who have already invested substantially in Mayfield will suffer a financial loss. How will compensation occur?

## **7.3 What's in it for Us?**

The Proponent has identified few benefits to Mayfield or greater Newcastle besides a handful of jobs – the exact number is unclear, but it has been estimated at a couple of hundred at the most.

There appears to be no requirement to compensate Mayfield or Newcastle for the deleterious impact of the plan in its current form. There is no mention of:

- investment in greening the suburb
- improved park areas or children's parks
- safe riding tracks to join the Throsby creek cycleway
- investment in Mayfield Pool (provided to Mayfield residents by BHP as compensation for the loss of our beach and now under threat of closure)
- investment in neighbouring community facilities, including the schools, to mitigate pollution and damages,
- improved access to the harbour
- any other form of compensation or investment in Mayfield or Newcastle

## **8. We Call on The Minister for Planning**

We urge NSW planning to reject the plan in its current form and to start from scratch to plan for port activities that:

- are part of a clearly articulated plan for the whole of Newcastle
- are harmonious with community and the environment
- will contribute to achieving our Renewable Energy Targets
- rely on use of rail over trucks; and building rail infrastructure to make this possible
- factor in management strategies for all forms of pollution
- have high minimum environmental standards for all operators on the site

- are based on genuine consultation with all stakeholders – including those beyond the port's immediate neighbours.
- will contribute in a positive way to our community.

We trust you will take our concerns seriously.

Yours sincerely,

Megan Smith	23 Roe Street, Mayfield, 2304
Katie Sachs	Forbes Street, Carrington
Donna Manning	George Street, Mayfield East
Elizabeth Shoebridge	22 Abel Street Mayfield West
Jodie Kell	Mayfield
Maree Gilchrist	34 Estell Street, Maryville, 2293
Stephen Clarke	25 Roe Street, Mayfield, 2304
Michael Mackie	Mountier Street, Mayfield East
Sarah Kell	C/- Mayfield East Public School, Mayfield East
Faye Neilson	119 Ingall Street, Mayfield East
Ted Prior	Miss Carey's Road, Killabakh
Bill Robertson	48 Kitchener Parade Mayfield East
Jennifer Curnow	28 Holt St, Mayfield East
Tobias Spitzer	119 Ingall Street, Mayfield East
Alison Harwood	22 Mounter Street, Mayfield
Liam Phelan	22 Mounter Street, Mayfield

Please send all correspondence to:

Mayfield East Public School Parents  
 C/- Megan Smith  
 23 Roe Street Mayfield, 2304  
 ph: 4960 8854  
[megan@megansmith.org](mailto:megan@megansmith.org)

Lisa Chan  
NSW Planning  
GPO Box 39, Sydney 2001

Date: 22/3/11

Dear Ms Chan,

Please accept this submission regarding the current concept plan for a new shipping terminal on industrial Drive in Mayfield. As a resident of the area, and with children attending Mayfield East Public School I have grave concerns about the impact of this development on our health and wellbeing. Particularly:

The lack of <sup>knowledge of the</sup> "airborn" pollution from the 100 more B-Double's and noise this is a major impact to our health now and into the future!

★ Think about our children's health + futures! ★  
I call on the Minister to halt the plan in its current form. We want infrastructure built to move the goods by rail and measures put in place to reduce the safety hazards and protect the environment.

I would support a new shipping terminal that was part of a clear overall plan for Newcastle and that would not add further pollution or safety risks to our home, school, community or environment.

Yours sincerely,

Name:

Samie-Lee Cocklebin

Address:

4 Hann St, Mayfield

PLEASE TELL THEM YOUR CONCERNS. Thank you, MEPS PAC.

Lisa Chan  
NSW Planning  
GPO Box 39, Sydney 2001

Date:

Dear Ms Chan,

Please accept this submission regarding the current concept plan for a new shipping terminal on Industrial Drive in Mayfield. As a resident of the area, and with children attending Mayfield East Public School I have grave concerns about the impact of this development on our health and wellbeing. Particularly:

the amount of traffic in the area and the  
effect it will have on our fantastic Public  
School Mayfield East

I call on The Minister to halt the plan in its current form. We want infrastructure built to move the goods by rail and measures put in place to reduce the safety hazards and protect the environment.

I would support a new shipping terminal that was part of a clear overall plan for Newcastle and that would not add further pollution or safety risks to our home, school, community or environment.

Yours sincerely,

Name:

Janette Wolski 0417299889

Address:

36 Kitchener Pde Mayfield East

Lisa Chan  
NSW Planning  
GPO Box 39, Sydney 2001

Date: 25-3-11

Dear Ms Chan,

Please accept this submission regarding the current concept plan for a new shipping terminal on industrial Drive in Mayfield. As a resident of the area, and with children attending Mayfield East Public School I have grave concerns about the impact of this development on our health and wellbeing. Particularly:

*the fact that previous concerns have not been addressed, the amount of trucks & subsequent noise, road damage, fumes & safety issues anticipated particularly near Mayfield East Public School*

I call on The Minister to halt the plan in its current form. We want infrastructure built to move the goods by rail and measures put in place to reduce the safety hazards and protect the environment.

I would support a new shipping terminal that was part of a clear overall plan for Newcastle and that would not add further pollution or safety risks to our home, school, community or environment.

Yours sincerely,

Name: *Jodie Whiteside*

Address: *93 Margaret St Mayfield East NSW 2304*





Lisa Chan  
NSW Planning  
GPO Box 39, Sydney 2001

Date: 22.3.11

Dear Ms Chan,

Please accept this submission regarding the current concept plan for a new shipping terminal on industrial Drive in Mayfield. As a resident of the area, and with children attending Mayfield East Public School I have grave concerns about the impact of this development on our health and wellbeing. Particularly:

the unavoidable and negative impact of massive road usage by B double trucks on the streets, Air quality and safety for all residents especially children.

I call on The Minister to halt the plan in its current form. We want infrastructure built to move the goods by rail and measures put in place to reduce the safety hazards and protect the environment.

I would support a new shipping terminal that was part of a clear overall plan for Newcastle and that would not add further pollution or safety risks to our home, school, community or environment.

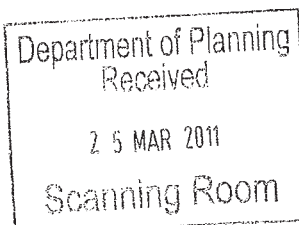
Yours sincerely,

Name:

Alison Milner

Address:

75 Margaret St Mayfield East 2304.





Submission to NSW Planning re Newcastle Port Corp. (NPC) Concept Plan  
For 7 new wharfs on the old BHP site at Mayfield

To Lisa Chan,  
NSW Planning  
[lisa.chan@planning.nsw.gov.au](mailto:lisa.chan@planning.nsw.gov.au)  
Or by post - GPO Box 39 Sydney 2001



Copy

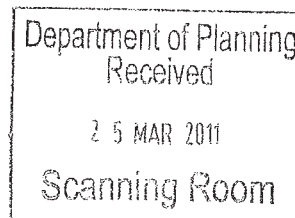
Correct Planning & Consultation for Mayfield group  
c/- [jlhayes@bigpond.com](mailto:jlhayes@bigpond.com)

I / WE GARRY & TRISH COUNTY  
Of 100 CARRINGTON ST MAYFIELD Post Code 2304  
Phn ..... Fax ..... mob 0450 307 113  
Email gt.county@tpg.com.au

I/we object to the granting of approval of the ~~NPP~~ Concept Plan at this time, and until all the matters referred to below have been satisfactorily attended to.

Reasons and thinking are as set out below.

1. There has been no real assessment of the social or economic impacts associated with this development, save for the Newcastle Port Corp's (NCP) unproven opinion that it will create overall economic benefits.
2. Exactly who will benefit from this project is unclear, however it is clear that it will place a huge imposition on local residents in terms of noise and amenity impacts, and add significantly to the state's existing transport problems.
3. The exact costs to local residents have not been assessed.
4. The exact benefits to the region and state have not been assessed.
5. The project has not been adequately assessed
6. The Environmental Assessment (EA) and submissions report proves that the project cannot operate, even at a conceptual level, without a complex series of management plans and procedures being set in place for matters such as traffic and noise management.



As any number of private companies would operate the wide range of facilities planned for the site, and as the site would be developed ad-hoc, it is unrealistic to assume that a co-ordinated approach to environmental management and compliance could be achieved across the site.

7. The cumulative impact of the total BHP site has not been considered. There is no indication of what is to go on the Buildev site. There is talk of another COAL TERMINAL.
8. If the NCP site is considered as one envelope (as NCP suggests) then there needs to be a mechanism to detail how the components of the ultimate complex will not exceed the levels set for the total envelope for things like noise, dust, light, vibration, fumes, traffic etc.
9. We fail to understand how a concept plan such as this can be done in isolation of the total port. This proposal must enhance the ports capability and not just move things from one location to another WITHOUT explaining what is to happen to the site vacated.

In other words there needs to be a **Port Master Plan** for various future dates eg 2020 and 2030. This current proposal must be part of the overall strategy.

10. We are not convinced that the freight movements, visitor movements, and staff movements have been assessed correctly.

11. Alternate road and rail routes are not adequately detailed and considered.

12. There is little information of the impacts on other infrastructure within the Newcastle LGA and beyond.

13. There is no input from Councils other than Newcastle.

14. We have told NCP, at the recent Information sessions, that their response to submission document was much more difficult to read, and that the NPC staff themselves did not understand their own document, and that they had trouble answer questions

Eg we have now been given 2 conflicting answers by NPC on specific questions:

a: exits from site – we were told there were 4; when only 2 exist:

b: that majority of containers would be local delivery.

We pointed out that their Document states 66 % will be heading to Sydney.

15. We also told NCP that their stated aim of building a 21st century state of the art port was not being achieved;

and in fact their Comparable Model – Port Botany was designed in the 1970s – **40 years ago;**

and that Port Botany never has worked properly – and probably never will.

16. Problems we have found with the NPC Responses to submissions include:

a) Cumulative issues should look at the proposed concept plan at full operation and other existing and approved projects in the port at full operation. Long timeframes don't count; what we want to know is the worst case scenario.

The Camberwell dust study was unique from a NSW planning perspective (some would say a precedent rather than unique), but the situation at Camberwell has clear parallels with air quality issues within inner Newcastle. The difference is that cumulative air quality impacts at Camberwell are caused by mining, while in inner Newcastle they are caused by transport and industrial operations which currently aren't as popular a target.

b) The following statement doesn't make any sense, except for the bit about the level of information in the EA being appropriate. This assertion is not one for NPC to make, as it is for the Department of Planning to decide. Port Corp should avoid presenting opinion as fact, and should explain what the second half of this sentence means:

*the level of information available on the future destination of imports to the Port of Newcastle it is not only appropriate, but only possible to undertake detailed analysis of the type, origin & destination of freight once future proponents submit Project Applications of which these studies will be an integral part.*

c) 20 percent still sounds like a lot of traffic going to Kooragang Island; what is the assumption behind this?

d) Why has Port Corp not considered restricted operating hours (i.e. no road/rail movements between 11pm-5am)?

This is when significant noise impacts have been predicted and appears to be an insignificant operational period anyway.

From experience, living close to Industrial Drive, there are currently very, very few truck movements at that time in the local area.

e) If a 20 percent level of train transport was adopted to allow for modelling of worst case truck impacts, shouldn't a worst-case (i.e. maximum) level of train transport also have been assessed?

17. Still no real information on freight origin/destination - are all containers going to Sydney? Why haven't they made the assumptions clear?

18. What is happening to the Port of Newcastle over next 20 - 50yrs and how does this development fit in?  
- What is happening to the existing sites for Grain, Aluminum etc? - We need a **Port Master plan**

19. Still no real consideration of regional traffic impacts - why not come clean on Heavy Vehicles increases rather than as a % of all vehicles? - **we say the increase is 165% in heavy vehicles.**

An 8% increase is really between **16-24% increase in equivalent cars**, just from this development - this has not been adequately addressed, nor have the impacts on intersections outside of Mayfield.

20. What are NPC planning for surveillance of 'rogue' trucks in streets?  
What technology?  
What carrots/sticks to transport operators?  
What reporting of 'rogue' trucks and to whom?  
What integration with Police/RTA?

21. Why no discussion by NPC on an outside Intermodel?  
Enfield ILC is being developed by Sydney Ports - both Enfield and Stoney Pinch are a similar distance from each Port.  
Why isn't NPC looking at this?  
It is a key element of the NSW Govt. Three Ports Significant Sites Strategy, but is essentially only given lip service.

22. Detailed Freight Analysis to be undertaken and verified identifying

- o Freight Type
- o Origin and Destination
- o Transport routes

Addendum Submissions report provides 'evidence' of studies previously undertaken, but there is no reasonable summary of these studies to answer our questions above.  
NPC say we need to wait for individual port proponents to detail freight types, origin and destination. However, their whole transport 'strategy' is based on getting the freight into and out of the Port - and NCP has provided minimal detail on this to make a reasonable assessment of impacts.

Seeing the origin/destination information provided raises significant questions about what is happening elsewhere in the Port of Newcastle.  
What is happening to all the loading facilities currently used for these imports/exports?

We need a 20yr **Newcastle Port Master Plan** to document how this development fits into the whole port over the next 20-50yrs.

23. The information used as the basis of freight and cargo movements, referenced as being provided by "Newcastle Port Corporation, April 2010" should be released for review and assessment by the public and relevant transport and freight bodies.

See above in Blue

24. A Regional Traffic Impact Study utilising a regional traffic model accepted by the RTA and Transport NSW to determine the distribution of Port generated traffic and impacts on the regional road network.

Not addressed in either the Submissions report or the Addendum.



NPC still refuse to detail the increase in heavy vehicles and still talk about an 8% in all vehicles as having negligible impact on traffic outside of the NPC site.

**In fact there it is a 110% increase in Heavy Vehicles**

As trucks are 2 -3 times the length of cars this stated 8% is really a **16-24% increase in equivalent cars.**

This is significant

The NPC Original Concept Plan, and their response to submissions, do not even consider the issues of merging traffic, traffic lights/intersections, congestion etc through:

- Mayfield (Tourle St, Werribee St, Steel River, Stevenson Park,
- Sandgate - Inner City Bypass connection, St Josephs
- Hexham - McDonalds, Hexham straight
- Hexham Bridge and OAK area
- Beresfield - John Renshaw Dr, in-particular the merge south bound of trucks coming off F3 at Beresfield)

NPC has still not provided any assessment of any other intersections – only those two at Ingall and George streets Mayfield, near the site, are referred to

25. A predictive model of traffic impacts on local roads within Mayfield, Islington and Tighes Hill areas based on leakage of freight vehicles from the Port as well as commuter traffic that would prefer to use local roads to avoid congestion on Industrial Drive.

Was deemed to be covered in other submissions and 'addressed' in Submissions report - No information provided or considered – NPC restate their intention to ensure that local traffic controls in place.

No suggestions for policing stray trucks, vehicles – for example could there be rego plate recognition (like SAFE-T-CAM) with rogue vehicles penalized. With regular reporting of these in reports to a regulator or community group with co-operation with Police/RTA.

26. Intersection analysis of all major intersections between the Port site and:
- o F3 Freeway
  - o Pacific Highway Hexham,
  - o New England Hwy, East Maitland

See above – no real response . NPC considered 8% negligible impact

27. Cumulative Impact Assessment of ALL existing and new developments in the Mayfield Industrial Area

NPC has made some minor assessment of Intertrade vehicle numbers @1775 peak/hr trips.  
What effort has NPC and HDC made to look at this in detail.  
Argument appears to be they are worse than us.  
Will be curious to see Buildev/HDC response

28. Detailed study of ALL rail options for the Mayfield Industrial Area:
- o Including rail from Carrington north
  - o Options within Port site for increased rail – costs included

No not even attempted – regurgitation of previous report plus some more information on NSFC project

29. Detailed study of rail interaction between PWCS, OneSteel, Intertrade and other rail users – this requires collaboration and consultation, including quantification of capital costs of rail upgrades

Again no attempt made – not even responded to



30. The results of all of these to be presented and discussed with a Project Specific Consultative Group including members of the Community, Local Councils, RTA, Transport Dept, local Business etc

No comment provided from NPC— Planning NSW consent condition?

If NPC suggest that a briefing with MCCC on 'where they are at in process' is consultation, then it is an incorrect claim.

The MCCC is not the above group – no members of group are Local Council, RTA, and Transport NSW etc

- NPC have mentioned that Gentries would assist in lifting rail above 20% spit. However it makes no attempt to quantify the benefits in terms of sidings etc, it merely says it could help to lift above 20%.
- NPC comment on other transport studies and infrastructure including Freight Hub Hunter and the Black Hill Intermodel but note that "Consideration of rail infrastructure investment outside the immediate area of the port land at Mayfield is outside the remit of this Concept Plan and the EA".

And NPC agree these would be benefits by the use of rail to Port, with no real consideration of them being integrated into planning for the project.

It is interesting to note that the Enfield Intermodel Logistics Centre (ILC) is being developed by Sydney Port Corporation, a facility that is some 16km from Port Botany.

By comparison, the Black Hill – Stoney Pinch Intermodel site is 18km from the Mayfield site.

But this is proposed apparently as a private development with no input from Newcastle Port Corporation.

This Intermodel is a key part of the 3 Ports Strategy supporting the NPC development – yet the Concept Plan not only doesn't mention it as being a key part of that strategy; nor does it mention that it is not a NSW Govt or NPC development.

31. I/ we request ongoing consultation to resolve all the issues referred to above.

We also request your prompt acknowledgement of this submission, and advice as to how this Concept Plan Application will proceed now

Signed Garry County Patricia County  
Print Name GARRY COUNTY PATRICIA COUNTY  
Date 21/3/2011



# Transport

Rebecca Newman  
Senior Environmental Planning Officer  
Infrastructure Projects  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**Attn: Lisa Chan**

Dear Ms Newman,

**RE: RESPONSE TO SUBMISSIONS FOR NEWCASTLE PORT CORPORATION'S  
CONCEPT PLAN FOR PORT TERMINAL FACILITIES AT MAYFIELD  
(MP 09\_0096)**

I refer to your letter dated 10 February 2011 seeking comment regarding the Submissions Report and amended Transport Assessment for Newcastle Port Corporation's major project Concept Plan application for Port Terminal Facilities at Mayfield. Transport NSW appreciates the opportunity to provide further comment on this matter.

Transport NSW has reviewed the Submissions Report and the appended revised Transport Assessment. Transport NSW believes that additional work and consultation is still required to ensure that the impacts that the proposal may have on the rail and broader road networks are adequately understood and addressed.

In particular, issues of road / rail mode share and impact of the project on the rail and road networks, as raised in the submission put forward by Transport NSW in response to the Environmental Assessment (EA) require further detail, particularly in regard to the critical connections linking Sydney and Newcastle.

Transport NSW requests that the following is resolved prior to the determination of the final project application:

- Undertake an assessment of the proposal on the road and rail networks taking into account existing and future growth scenarios for container movements. The assessment should inform a mode share target and be guided by targets which have been adopted for movements through Port Botany and Port Kembla's Stage 1 Outer Harbour development;
- The proposal should address the strategic justification for the project taking into account potential growth for container throughput at Port Botany
- A rail capacity assessment is undertaken and agreed with RailCorp that indicates that rail movements to support the facility can be accommodated in the Standard

Working Timetable based on the number of trains and characteristics of the trains and the capacity and configuration of intermodal terminals (including specifying the length of trains, operating assumptions and availability of train paths); and

- Further network analysis to assess and address traffic impacts on the wider road network to/from the port, extending to Newcastle Link Road, the F3, and the New England highway west of Hexham.

### **Rail Mode Share**

As indicated in the Transport NSW submission, substantiation of the proposed rail mode share from the development site is required. It is noted that the proponent proposes a 20% rail mode share for containers based on current practice at Port Botany. It is however important to recognise that Port Botany is an existing container terminal facility serviced by a dedicated freight line with capacity for additional train movements. Further, Sydney Ports Corporation is implementing initiatives to achieve the NSW Government target of a 40% rail mode share (from the NSW State Plan).

It is therefore recommended that the mode share target be developed based on the adopted target for Port Botany. In this regard Transport NSW draws the attention of the Department of Planning to Stage 1 (to 2014) of the proposed container port facilities at Port Kembla and percentage of containers proposed in the Concept Plan for transport by rail from the Outer Harbour development.

The rail mode share should be informed by discussion with Transport NSW, the RTA and RailCorp. The target should be based on the number of train movements required to support this proposal (rather than an assumption), and it is recommended that the proponent be required to initiate this assessment based on their analysis of what the appropriate train length and configurations are.

### **Future Strategic Planning**

NSW Maritime is currently developing the NSW Ports sTRATEGY, which will provide updated strategic direction to the planning of the major ports in NSW. As acknowledged in the original Transport NSW submission on this matter, the Ports Strategy is subject to Cabinet processes and is as yet unreleased. Transport NSW also refers to Action E6.3 of the *Metropolitan Plan for Sydney 2036*, which states that "A Ports Strategy for NSW is currently being prepared to update the existing NSW Ports Growth Plan and to set strategic directions and priorities for NSW Ports ...the NSW Government will work with the Federal Government to assess the future roles and capacity of Port Kembla and the Port of Newcastle through the National Ports Strategy, NSW Ports Strategy and NSW Freight Strategy."

Furthermore, it should be noted that Action E6.2 of the *Metropolitan Plan* indicates that the 3.2 million TEU container freight capacity limit imposed on Port Botany will be reviewed to determine the need for additional movements through that port.

It is important that the Department of Planning is cognisant that these actions will impact on the strategic environment within which the Port of Newcastle is operating, and this should be taken into consideration in the determination of the proposal and in establishing conditions of consent that will assist in mitigating the transport system

impacts of the development, especially given the substantial and strategic nature of the proposed port facilities that the Mayfield development would constitute.

### **Northern Sydney Freight Corridor and Rail Capacity**

This proposal assumes that there will be sufficient train paths to accommodate the proposed mode share of containers based on the Northern Sydney Freight Corridor Project, however this has not been verified or substantiated and should be substantiated through negotiation with RailCorp and ARTC as appropriate.

The Northern Sydney Freight Corridor project involves the upgrades of portions of the Main North Rail Line connecting Newcastle and Sydney, to allow greater capacity on this section of the rail corridor for freight movements.

Transport NSW is the lead NSW Government agency for this project, and the Infrastructure Australia submission referenced by the proponent was developed by Transport NSW's operating entity the Transport Construction Authority (TCA).

As stated in the revised Transport Assessment, the project is proposed to be delivered in 3 stages<sup>1</sup>. Transport NSW however advises that:

- Funding of \$840 million of a total estimated \$1.234 billion required to deliver Stage 1 of the Northern Sydney Freight Corridor has been committed by the Australian Government. Critically, Stage 1 is designed explicitly to provide additional capacity to meet demand from anticipated increases in the interstate freight task, and the assumptions underpinning it do not take additional rail services from the Port of Newcastle into consideration.
- Stages 2 and 3 of the project, which together are costed in the order of \$6.7 billion, do assume a modest demand required from the Port of Newcastle (in addition to substantial additional services to meet further increases in interstate freight rail demand). Definitive train numbers for these stages have not been developed as yet – as stated in the Infrastructure Australia submission, a 'timetable validation' process was carried out to provide detail to quantify the capacity provided by Stage 1, and this has not yet been undertaken for Stages 2 and 3. Further to this, while Stages 2 and 3 are subject to a funding submission to Infrastructure Australia, it is important to note that there has been no commitment to the funding of these upgrades as yet.

There continue to be inaccuracies in the assumptions made by the proponent in relation to the outcomes of the Northern Sydney Freight Corridor, such as the assertion that works will be undertaken to improve the gradient on the Cowan Bank (no such works are planned during any of the stages). This indicates that the proponent may be making assumptions based on incomplete or incorrect information.

The detailed business case for the Northern Sydney Freight Corridor Stage 1 works takes into consideration results from the timetable validation process. The business case provides details of the estimated number of reliable train paths created, illustrated in the table below.

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<sup>1</sup> A more detailed description of this proposal can be found in the submission to Infrastructure Australia, a copy of which is available on the Transport NSW web site.



	Train Movements		Train Paths	
	Up	Down	Up	Down
<b>Base Case (existing infra)</b>	<b>13</b>	<b>16</b>	<b>23</b>	<b>27</b>
<b>With new infrastructure</b>	<b>32</b>	<b>37</b>	<b>36</b>	<b>41</b>

The business case for the Stage 1 works is predicated on the creation of train paths for the interstate freight market. The train paths created by the Stage 1 projects were not envisioned for use by intra-state services. Assumptions in the business case related to demand for train movements from the Port of Newcastle on the corridor between Newcastle and Sydney were anticipated for the 2028 period, beyond the expected timeframe for the Stage 1 works package.

As such, there is a need for further analysis and planning to be undertaken by the proponent on the exact task generated by the Mayfield development, and the confirmation or otherwise of the capability of the rail network to meet this task, particularly given the Stage 2 and 3 works programs are as yet unfunded.

Other projects requiring substantial rail access, for example the Port Kembla Outer Harbour Development and the Wallarah 2 Coal Mine, have undertaken detailed rail capacity assessments (with review and validation by RailCorp for Stage 1 – to 2014) to confirm availability and impact of rail paths requirements for operation of services to those development. Transport NSW recommends that the proponent be asked to provide a train plan agreed by RailCorp and the ARTC that shows rail capacity to service this development through demonstrating capacity to service forecast rail movements within the Standard Working Timetable.

Additionally, it is noted that the proponent assumes that a maximum train length of 766m is envisaged for use at the Mayfield facility. Intermodal services operating to Port Botany are being standardised to a 650m length (600m + 2 locomotives). Given this, the receipt of non-standard length train services to intermodal facilities in Sydney servicing port shuttles may be problematic. It is recommended that the train plan indicate the characteristics of the rail services that will operate and demonstrate capacity to accommodate the trains at intermodal terminals as well as on the rail network.

### **Impact on Road Network**

In light of the above concerns regarding the future availability of rail capacity for freight movements, Transport NSW is concerned about the impact of the additional road freight movements on the wider state road network should development proceed and the assumed rail mode share is not achieved.

The proponent has indicated that there is adequate road network capacity to handle consequential traffic increases over the short to medium term without any rail freight movements. However, the proponent has not provided any road network assessment, beyond the local network, to draw such a conclusion. As such, further analysis is required to assess and address traffic impacts on the wider road network to/from the port, extending to the Newcastle Link Rd, F3 and the New England Highway west of Hexham. This will enable a clearer understanding of heavy vehicle movements over a broader

geographic area similar to the rail assessment, especially container truck movements to Sydney, and with sensitivity testing based on 90% and 100% road mode share.

I trust that these comments are of assistance. Transport NSW looks forward to working with the Department of Planning and the proponent in addressing these issues. The contact officer for this matter is Catherine Barlow, who can be contacted on 8202 2467 or [catherine.barlow@transport.nsw.gov.au](mailto:catherine.barlow@transport.nsw.gov.au).

Yours sincerely



Mohini Nair

**A/ Executive Director  
Centre for Transport Planning**

CD11/01728







## Office of Water



Ms Rebecca Newman  
NSW Department of Planning  
Infrastructure Projects  
GPO Box 39  
SYDNEY NSW 2001

3 March 2011

**Attention: Lisa Chan**

Contact: Mark Simons  
Phone: 02 4904 2572  
Fax: 02 4904 2501  
Email: mark.simons@water.nsw.gov.au

Our ref: ER20590  
Your ref: 10\_1104-1



Dear Rebecca

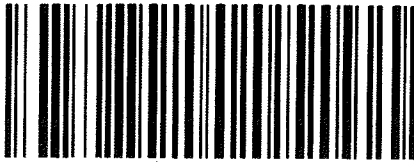
### **Response to Submissions for Newcastle Port Corporation's Concept Plan for Port Terminal Facilities at Mayfield (MP 09\_0096)**

I refer to your letter of 10 February 2011 inviting comment on the submissions report for the above proposal. NOW is satisfied that with the proponents statement that the details relating to the land and water interface will be addressed as part of detailed project Environmental Assessments (EA's). The submission report also provides the assurance that necessary Groundwater Monitoring is currently underway, and that Groundwater Management Plans would be prepared as part of the project EA's and CEMP's.

If you wish to discuss please contact Mark Simons on telephone (02) 4904 2572 at the Newcastle office.

Yours sincerely

**Mark Mignanelli**  
Manager Major Projects and Assessment



PCU021242

Department of Planning  
Received  
01 APR 2011  
Scanning Room

Lisa Chan  
NSW Planning  
GPO Box 39, Sydney 2001

Date: 23/3/11

Dear Ms Chan,

Please accept this submission regarding the current concept plan for a new shipping terminal on Industrial Drive in Mayfield. As a resident of the area, and with children attending Mayfield East Public School I have grave concerns about the impact of this development on our health and wellbeing. Particularly:

*The absolute & utter traffic hazards this proposal will have if allowed to continue, plus the increasing pollution!!*

I call on the Minister to halt the plan in its current form. We want infrastructure built to move the goods by rail and measures put in place to reduce the safety hazards and protect the environment.

I would support a new shipping terminal that was part of a clear overall plan for Newcastle and that would not add further pollution or safety risks to our home, school, community or environment.

Yours sincerely,

Name: CHRIS SOLOWIEJ

Address: 2 NORTHUMBERLAND ST. MARYVILLE

*PLEASE, DO NOT ALLOW THIS TO OCCUR!!*

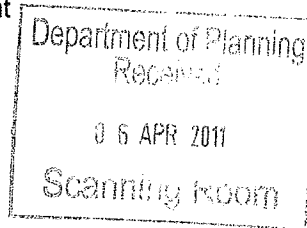


**Environment,  
Climate Change  
& Water**



Your reference: S09/00444; MP09\_0096  
Our reference: DOC10/34459 LIC09/520  
Contact: Mitchell Bennett,  
4908 6806

Ms Rebecca Newman  
Major Development Assessment  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



31 MAR 2011

Dear Ms Newman

**Port Terminal Facilities at Mayfield (MP09\_0096) – Response to Submissions**

I refer to your letter dated 10 February 2011 seeking comment from the Department of Environment, Climate Change and Water (DECCW) on the 'Submissions Report - *Mayfield Site Port-Related Activities Concept Plan*' prepared by AECOM and dated December 2010. I apologise for the delay in responding.

DECCW has not undertaken a comprehensive review of this document, but has focused on the main issues raised in its submission dated 16 September 2010.

The Environmental Assessment concluded that the proposal will result in noise criteria exceedences of up to 7dBA during the night period at Mayfield and Stockton. Revision of the noise assessment in accordance with DECCW's recommendations has not altered these predictions.

To deal with these exceedences, the proponent plans to establish sound power level criteria for four precincts within the area of the concept approval. The proposed sound power level criteria have been calculated to ensure that the revised project specific noise criteria will be met. DECCW considers that this approach has merit for this type of development where the noise emissions cannot be estimated with any certainty at the concept approval stage.

Please contact me on (02) 4908 6806 if you wish to discuss this matter.

Yours sincerely

**MITCHELL BENNETT**  
Head Regional Operations Unit - Hunter Region  
Environment Protection and Regulation