



Ref: DOC24/646477-1

Department of Planning Housing and Industry
Submitted via CNR Portal

Attention: Ms Ingrid Berzins

27 August 2024

**Response to Modification of Development Consent DA-8137 Mod 3
Temporary Storage of Lithium-Ion Batteries.**

Dear Ms Berzins

Thank you for consulting with the NSW Environment Protection Authority (EPA) regarding the planning referral (CNR-72004), application by the Port of Newcastle Operations Pty Ltd to modify Development Consent DA-8137 Mod 3. The application seeks to modify consent conditions to allow temporary storage of Lithium-Ion Batteries at the Mayfield Cargo Storage Area located at 109 Selwyn Street Mayfield North.

The EPA has reviewed the document titled "*DA 8137 (MOD 3) - Storage of Lithium-Ion Batteries (Class 9DG) at Mayfield – Modification Report, Port of Newcastle Operations Pty Ltd*", prepared by GHD 16 July 2024 ("the report").

The EPA does not have any objection to the proposal to modify the consent in line with the activities described in the report.

The EPA notes that the proposal is not required to be licensed by the EPA under Schedule 1 of the *Protection of the Environment Operations Act 1997* but advises that ship transfer activities will occur on the Mayfield No.4 berth and the conditions of Environment Protection Licence 13181 will apply to those activities while on that premises.

The EPA advise the proponent that compliance with relevant dangerous goods transport legislation is required when transporting batteries considered as dangerous goods (*as per the Dangerous Goods (Road and Rail Transport) Act 2008*).

If you have any questions about this request, please contact Steve Clair on (02) 4908 6850 or via email at info@epa.nsw.gov.au.

Yours sincerely

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