



Our ref: DOC26/256465-6

29 May 2026

Department of Planning, Housing and Infrastructure
Sent via Concurrence and Referral Portal

Attention: Vageesha Wellalage

Response to Modification of Integrated Development Consent – Mayfield Cargo Storage Facility Southern Expansion- MOD 4 – DA 8137

Dear Ms Wellelaga

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to comment on Concurrence and Referral (CNR) reference number CNR-95377 (A-119505) application to modify Development Consent DA 8317 at 109 Selwyn Street Mayfield North NSW 2304 (the Premises).

The EPA has reviewed the Modification Report - *DA 8137 (MOD 4) – Mayfield Cargo Storage Facility Southern Expansion* – prepared by GHD Pty Ltd on behalf of the Port of Newcastle Operations Pty Ltd – Revision 2 – dated 21 April 2026.

The premises is located on the former BHP Steelworks, which has a long history involving contaminated land remediation under former section 21 of the Contaminated Land Management Act 1997 (CLM Act). In 2001 the EPA declared the Closure Area site was to be remediated. The approval (DA 293-08-00) was granted in 2001 for the remediation of the Closure Area, including the demolition and removal of structures and the development of a Multi-Purpose Terminal (MPT) comprising:

- a container terminal
- General Cargo Handling Facility (GCHF)
- associated road, rail and wharf infrastructure
- dredging of the south arm of the Hunter River.

The EPA understands the modification application seeks to modify the development consent to expand the existing site boundary of the Mayfield Cargo Storage Facility to the south-west (the expansion area), increasing the storage area for general cargo, including lithium-ion battery units, by approximately six hectares.

Based on the information provided, the EPA does not object to the modification of the consent. The proposed Mod 4 works are not expected to impact the residual site contamination, or increase the exposure risks associated with the contamination, provided the Contaminated Site Management Plan (CSMP) that applies to the site continues to be implemented in accordance with Ongoing Maintenance Order (OMO) 20142802.

The EPA notes the following requirements of the OMO, and recommends that the consent authority consider them as part of their determination of the Modification:

NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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- An easement located 5m inside and 10m outside the barrier wall is required to be established and maintained.
- Drainage on the site is required to be maintained so that there is no water ponding on the site.
- Long Term Environmental Management Plans (EMPs) are required to be prepared for each development within the site and regulated by the consent authority. While the CSMP will still apply, the EMPs should be stand-alone and are intended to supersede the CSMP in terms of management of the contamination at each property.
- A Work Management Plan (WMP) is required for any activity that will disturb or penetrate the cap to outline measures required to protect workers and the environment from contaminants and to identify requirements for reinstatement and validation of the cap.
- Assessment of the risks to human health posed by the potential ingress of volatile vapours into buildings or confined spaces is required prior to the construction of any buildings on site.
- A site auditor review of risk assessments, EMPs and WMPs is recommended prior to approval of any redevelopments within the site.
- The (OMO) requires annual monitoring of groundwater levels in accordance with the report titled *Ongoing Monitoring Requirements Former Steelworks Mayfield NSW* prepared by JBS&G dated 7 March 2014. As such, the impacts of the proposed Mod 4 works on the monitoring well network must be considered and prior agreement from the EPA must be obtained before destruction of any wells. It is likely that any wells destroyed or made inaccessible by the proposed Mod 4 works will need to be replaced.

The EPA recommends that the Applicant contact the EPA directly about any concerns relating to conditions of the OMO that may be impacted by the modification of the consent.

If you have any questions about this request, please contact Genevieve Lorang via email at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely



CHRIS MARSH
A/Unit Head - Industry Assessments
Environment Protection Authority