

Our ref: Mayfield Cargo Handling Facility – DA 8137 Mod 2

Professor Mary O’Kane AC

Chair

Office of the Independent Planning Commission NSW

Suite 15.02, Level 15

135 King Street

Sydney NSW 2000

12 December 2023

---

**Subject:** Referral for Determination

Dear Professor O’Kane

The Department of Planning and Environment (the Department) has completed its assessment of the modification application for the Mayfield Cargo Handling Facility – DA 8137 Mod 2 (the proposal).

In accordance with section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the Minister for Planning and Public Spaces is the consent authority for the modification application. The Minister, on 14 September 2011, delegated his determination function to the Planning Assessment Commission (now Independent Planning Commission) in relation to reportable political donation applications. As the Port of Newcastle Operations Pty Ltd (the Applicant) has made a reportable political donation, the Independent Planning Commission will determine the modification application as the Minister’s Delegate.

The Mayfield Cargo Storage Facility (the Facility) is currently maintained as an existing hardstand area for open-air cargo storage facility. The development consent was modified in 2020 (DA 8137 Mod 1), which approved the expansion of the Facility from 12 hectares to 18.6 hectares (an additional 6.6 hectares). The expanded cargo storage facility is required to be remediated prior to its use and operation for cargo storage.

The Applicant proposes to use already remediated portions of the site, following Site Auditor verification, and deferring the remediation of the uncapped legacy Koppers Operational Area.

The modification application was not required to be exhibited, however the Department received advice from the Environment Protection Authority, Transport for NSW and Newcastle City Council on the proposal.

## Department of Planning and Environment



In assessing the merits of the proposal, the Department has considered the potential environmental impacts, agency advice, relevant environmental planning instruments, the suitability of the site and the public interest, in accordance with the requirements of the EP&A Act.

Based on its assessment, the Department believes that the proposal is approvable, subject to recommended conditions of consent.

I have attached a copy of the Department's assessment report, recommended instrument of modification, and other relevant documents for the Commission's consideration.

Further information about the proposal can be found on the NSW Planning Portal:

<https://www.planningportal.nsw.gov.au/daex/under-consideration/expansion-mayfield-cargo-storage-facility-modification-2-da-8137-mod2>.

For further information or to arrange a briefing, please contact Glenn Snow, Director Transport and Water Assessments, on [REDACTED]

Yours sincerely,

[REDACTED]  
12/12/2023

**David Gainsford**  
**Deputy Secretary**  
**Development Assessment and Systems**