

# REVIEW OF ENVIRONMENTAL FACTORS

## Addendum #1 – Alternate Route Wolgan Road Emergency Bypass Review of Environmental Factors

Prepared for: Lithgow City Council

# Review of Environmental Factors – Addendum #1: Alternate Route

## Wolgan Road Emergency Bypass

### Document Verification

Revision	Author/s	Internal Review	Date submitted	Client Review and Approval	
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This Addendum has been prepared by The Environmental Factor (TEF) at the request of L NSW Public Works Advisory (PWA), on behalf of Lithgow City Council (LCC or Council) in order to describe changes to the project as previously stated in the final Review of Environmental Factors (REF) for the *Wolgan Road Emergency Bypass*, Prepared TEF, 2022 (hereafter, the Project REF). This document is not intended to be utilised or relied upon by any persons other than PWA or LCC, nor to be used for any purpose other than that articulated above. Accordingly, TEF accepts no responsibility in any way whatsoever for the use of this report by any other persons or for any other purpose.

The information, statements, recommendations, and commentary (together the “Information”) contained in this review have been prepared by TEF from material provided by PWA, LSC and NSW Department of Planning and Environment (DPE), including available databases.

This report has been developed in accordance with the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act), the *NSW Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the Department of Planning and Environment’s (DPE) Guidelines for Division 5.1 assessments (DPE Guidelines) and demonstrates how the environmental factors specified in clause 171(2) of the EP&A Regulation were taken into account when considering the likely impact of the proposed activity. TEF has not sought any independent confirmation of the reliability, accuracy or completeness of this information. It should not be construed that TEF has carried out any form of audit of the information which has been relied upon.

Accordingly, whilst the statements made in this report are given in good faith, TEF accepts no responsibility for any errors in the information provided by ELA, DPE or PSC nor the effect of any such errors on the analysis undertaken, suggestions provided, or this report. TEF does not accept responsibility arising from, or in connection with, any change to the site conditions. TEF is also not responsible for updating this report if site conditions change.

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## Abbreviations

Abbreviation	Description
<b>AoS</b>	Assessments of Significance
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>DCCEEW</b>	Department of Climate Change, Energy, the Environment and Water
<b>DPI</b>	Department of Primary Industries
<b>DPE</b>	Department of Planning and Environment (formerly OEH)
<b>EPA</b>	Environmental Protection Authority
<b>EPBC Act</b>	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
<b>ERSED</b>	Erosion and Sediment
<b>FM Act</b>	<i>Fisheries Management Act 1994</i>
<b>KFH</b>	Key Fish Habitat
<b>LCC</b>	Lithgow City Council
<b>LGA</b>	Local Government Area
<b>LoO</b>	Likelihood of Occurrence
<b>MNES</b>	Matters of National Environmental Significance
<b>NSW</b>	New South Wales
<b>OEH</b>	Office of Environment and Heritage (now DPE)
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>PCT</b>	Plant Community Type
<b>REF</b>	Review of Environmental Factors
<b>TEC</b>	Threatened Ecological Community
<b>TEF</b>	The Environmental Factor

## 1 SUMMARY

The Environmental Factor (TEF) was engaged by Lithgow City Council (LCC or Council) to complete an addendum to the Wolgan Road Emergency Bypass Review of Environmental Factors (REF), which was prepared to fully consider the environmental issues relating to the re-establishment of the Donkey Steps track for use as a vehicular access road (hereafter, 'the Project REF'). This addendum has been prepared in response to the need to re-route the road alignment, due to site constraints including access to private property. Also captured herein, is an update on the Aboriginal Heritage site supervision and Due Diligence assessments, which are ongoing.

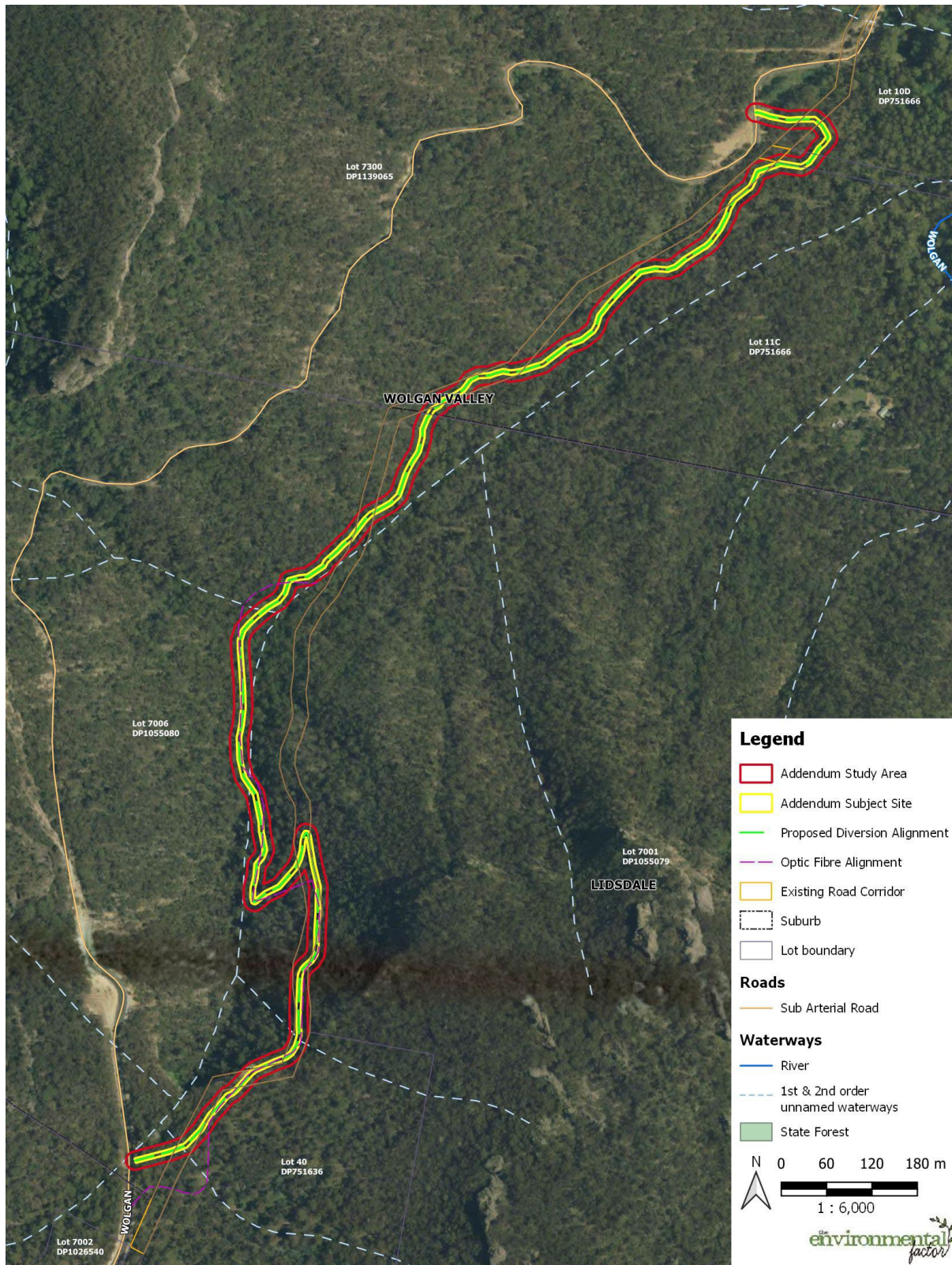
The update to the original design and construction works detailed in the Project REF has been undertaken through provision of this addendum. This REF addendum should be read and considered in conjunction with the Project REF 'Wolgan Road Emergency Bypass' to assess the matters affecting or likely to affect the environment by reason of the environmental impacts of the project as a whole.

Impacts as a result of the proposed alternative design and construction of the route re-alignment detailed in this addendum includes the following:

- Direct and indirect impacts to a small additional area of land, including native vegetation in the form of PCT 3227, PCT 3369, PCT 3735 and PCT 3749 along the length of the route (refer Table 1).
- Alternative access point onto Wolgan Road, and arrangements to accommodate the private landholder whose property was previously traversed. This will include reinstatement of the private property fencing and gate/s in consultation with the owner.
- Minor alignment adjustments across the length of the site, where environmental aspects including waterlogged areas, riparian zone and large hollow bearing trees have been avoided through the construction phase.

An application for a permit under Part 7 s200 of the *Fisheries Management Act 1994* (FM Act) (Fisheries Permit) for 'Dredging and Reclamation' was sought for the Proposal as outlined in the Project REF; advice received from Fisheries has indicated that a permit is not required as no impacts to the bed and banks of the third order waterway on site will occur. Additionally, with the minor changes to the alignment as outlined above, the section of the route which was to follow the top of bank within the riparian zone of the third order waterway has been heavily reduced.

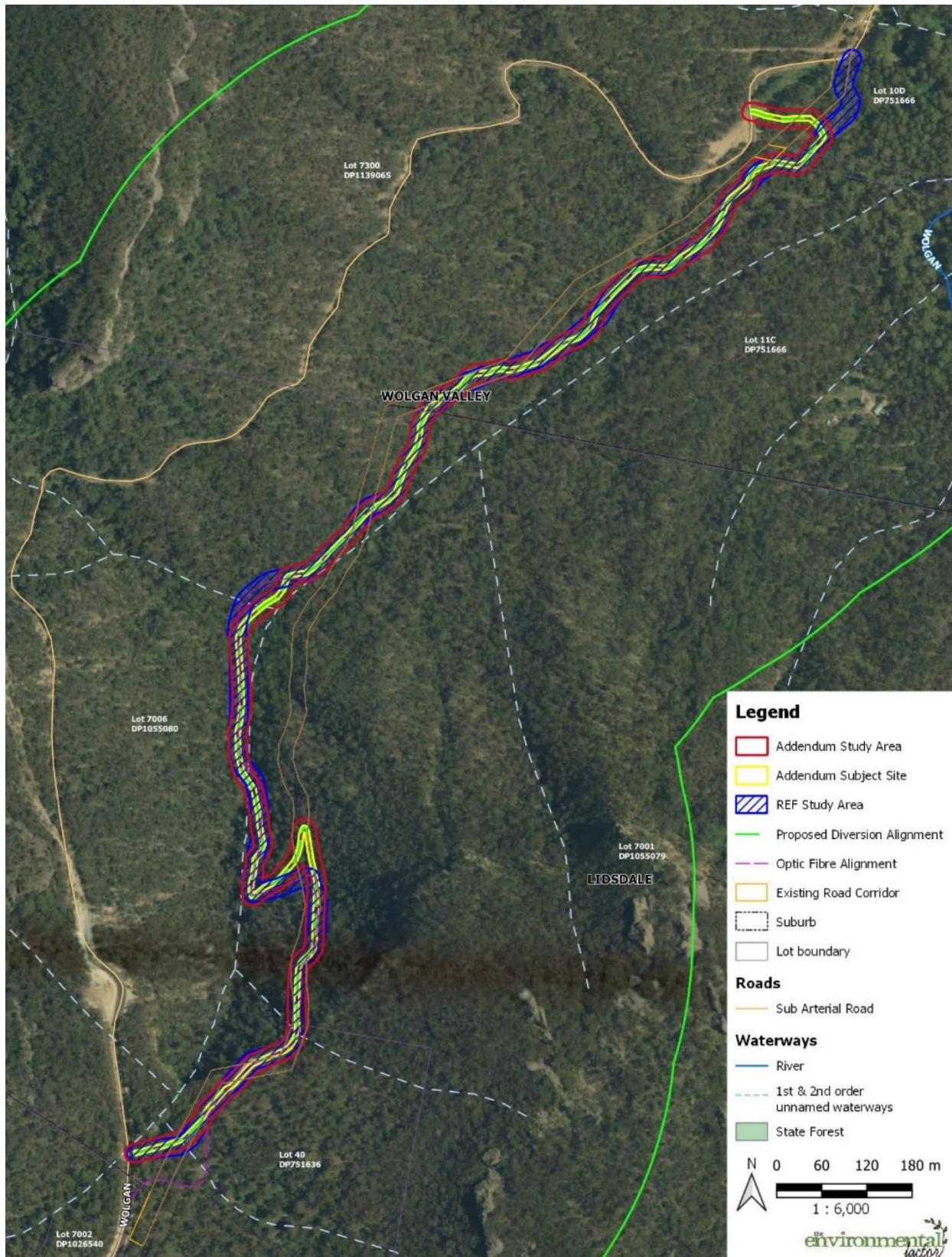
The potential impacts associated with the proposed activity are outlined within this report and are considered unlikely to significantly affect the environment. Environmental Safeguards recommended herein, and in the Project REF, are to be implemented and maintained as part of the scope of works.



**Wolgan Road Emergency Bypass Addendum - Study Area and Proposed Developments**

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Figure 1 Addendum subject site and study area



**Wolgan Road Emergency Bypass Addendum - Study Area and Proposed Developments**

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Figure 2 Project REF subject site and study area vs addendum



## 2 DESCRIPTION OF CHANGES

The proposed addendum works, as assessed herein, constitute minor works associated with slight alignment adjustment in order to avoid impacts to private, freehold land.

The proposed addendum works require the readjustment of sections of the alignment, including an approximately 100 metres length if alignment present along the bank of a 3<sup>rd</sup> order stream. In total, the proposed realignment would result in an additional approximately 90 metres of proposed future roadway.

Changes as a result of the alignment adjustment are presented in Table 1.

**Table 1 Summary of changes and impact areas**

Impact description	Impacts as described in REF Nov 2022	Updated impacts in Addendum REF Dec 2022
Subject site area (ha)	1.30 ha	1.35 ha
Alignment length	2.16 km	2.25 km
Impacted lots	-	Additional impacts to Lot 7300 in DP1139065
Soil disturbance	1.30 ha	1.35 ha
Private land	Northern portion of route passes through private land	Amended alignment heads west through Crown Land to join the existing road.
<b>Impacts to biodiversity features</b>		
PCTID: 0 - Not Native	0.19	0.16
PCTID: 3227 - Western Blue Mountains Sheltered Shale Forest	0.28	0.27
PCTID: 3369 - Central Tableland Ranges Peppermint-Gum Grassy Forest	0.76	0.83
PCTID: 3735 - Central Tableland Peppermint Shrub-Grass Forest	0.05	0.06
PCTID: 3749 - Western Blue Mountains Scribbly Gum Forest	0.02	0.03
<b>Total area</b>	1.30	1.35
<b>Total native vegetation</b>	1.11	1.19

The following sections and provide further detail on relevant aspects of the works.

### 3 LEGISLATIVE CONTEXT AND STAKEHOLDER CONSULTATION

The majority of the Legislative Context as detailed in the Project REF was considered to remain relevant for the proposed design changes. The below table includes a summary of the predicted legislative changes commensurate with the proposed design addition.

Table 2 Summary of legislative context

Legislation	Proposed change	Consistent with Project REF?
<b>Commonwealth</b>		
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)	-	Yes – MNES within the study area remain unlikely to be adversely affected by the proposed addendum works
<b>State</b>		
<i>Biodiversity Conservation Act 2016</i> (BC Act)	-	Yes – proposed addendum works are not anticipated to have a significant impact, provided that mitigation measures are implemented in accordance with the Project REF and this addendum.
<i>Environmental Planning and Assessment Act 1979</i> (EP&A Act)	-	Yes – Minor alignment change only
<i>Fisheries Management Act 1994</i> (FM Act)	-	Yes – Maximum impact extent to waterways would be consistent with impacts described in the Project REF. Impacts to aquatic areas would be reduced as ~ 100m of impacts along 3 <sup>rd</sup> order stream bank have been avoided / reduced
<i>Heritage Act 1977</i> (Heritage Act)	-	Yes – proposed works do not require approval under s57 of the Act.
<i>Local Land Services Act, Local Land Services Amendment Act</i> (LLS Amendment Act)	-	Yes – the proposal is not subject to the LLS Amendment Act, as the proposed works would be carried out by Council, a determining authority as defined by the Act.
<i>National Parks and Wildlife Act</i> (NPW Act)	-	Yes – Work proposed involves minor alignment changes only. Aboriginal Heritage impacts have been assessed via a site walkover completed on 19 <sup>th</sup> and 20 <sup>th</sup> December, which determined that impacts to Aboriginal Cultural Heritage items or places were unlikely to occur. A Due Diligence report is yet to be completed; however an Aboriginal Cultural heritage representative remains present on site for the duration of construction activities to guide construction works.

Legislation	Proposed change	Consistent with Project REF?
<i>Protection of the Environment and Operations Act 1997</i> (POEO Act)	-	Yes – the proposed addendum works involve only minor alignment adjustments and are considered achievable to carry out without causing significant water pollution, therefore a license is not required.
<i>Water Management Act 2000</i> (WM Act)	-	Yes – reviewed and consistent with the Project REF
<b>State Environmental planning Policies</b>		
<i>State Environmental Planning Policy (Transport and Infrastructure) (Transport and Infrastructure SEPP) 2021</i>	-	Yes – reviewed and consistent with the Project REF
<i>State Environmental Planning Policy 55 – Remediation of Land</i> (SEPP 55)	-	Yes – reviewed and consistent with the Project REF. The subject site is not identified as being within contaminated land
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	-	<p>Yes – Reviewed and consistent with the findings of the Project REF</p> <p>Chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> applies to Koala habitat protection. This chapter of the Biodiversity and Conservation SEPP 2021 only applies to proposals under Part 4 ‘Development’ of the EP&amp;A Act. The Proposal is being assessed under Division 5.1 of the EP&amp;A Act, therefore this chapter of the Biodiversity and Conservation SEPP does not apply to the Proposal and this has not been considered further in preparation of this REF addendum.</p> <p>However, the Koala is listed as an endangered species under both the BC Act and EPBC Act, and thus also requires assessment under these Acts. This was undertaken in the Project REF and has not changed since the original assessment.</p>
<b>Local Environmental Plan</b>		
Lithgow Local Environmental Plan 2014 (Lithgow LEP)	-	Yes – No changes in land zoning for additional impact areas.

## **3.1 Community and Agency Consultation**

### ***3.1.1 Stakeholder Consultation***

As noted in the Project REF, consultation with landowners is ongoing.

### ***3.1.2 Agency Consultation***

Council will continue to liaise with Crown Land to obtain advice and any necessary permits to enable project delivery.

### ***3.1.3 Aboriginal Consultation***

As discussed in the Project REF '*Mingaan Wiradjuri Aboriginal Corporation conducted a site visit on 28 November 2022. Prior to the site visit a search of the Aboriginal Heritage Information Management System ('AHIMS') within a 1 km radius of the study area was conducted (Appendix C).*

*Following this site visit, it was agreed that an Aboriginal Due Diligence (ADD) assessment report would be produced in accordance with the DECCW 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (the Due Diligence Code of Practice).'*

The small additional alignment option and route variations have been assessed by the Mingaan Wiradjuri Aboriginal Corporation, and consultation with the group is ongoing. No potential Aboriginal Cultural Heritage items or places have been communicated to Council as a result of the site assessments conducted.

Additionally, The Mingaan Wiradjuri Aboriginal Corporation have provided an on-site to supervisor to ensure all construction works are checked for presence of artefacts; a written confirmation that there was no disturbance of artifacts will be provided to Council when completed.

## 4 ENVIRONMENTAL ASSESSMENT

This section of the REF addendum provides a description of the potential environmental impacts associated with the proposed alternative design and construction of the Wolgan Rd Emergency Bypass.

All existing Safeguards and mitigation measures outlined in the Project REF remain applicable to the project and must be implemented as part of the additional works that are the subject of this addendum. Additional site-specific environmental safeguards have been identified where necessary. Not all of the proposed additional works alter the identified impacts for each of the environmental aspects. Table 3 below provides a summary of anticipated impacts for each environmental consideration within the amended study area. Where the new proposed works would not alter the environmental impacts identified in the Project REF, the additional works are not discussed further.

**Table 3 Summary of environmental impacts for proposed design changes**

<b>Environmental Consideration</b>	<b>Additional impacts associated with proposed changes?</b>
<b>Soils and Erosion</b>	<b>Yes – additional excavation of soils required</b>
Surface and Groundwater	No – captured in Project REF Impacts to waterways are reduced as a result of the addendum, as impacts to approximately 100m of the bank of a 3 <sup>rd</sup> order stream would no longer occur due to the realignment
Noise and Vibration	No – captured in Project REF
<b>Air Quality</b>	<b>Yes – minor additional impacts</b>
Non-Aboriginal Heritage	No – captured in Project REF
<b>Aboriginal Heritage</b>	<b>Potentially – additional areas to be excavated under supervision of an Aboriginal representative</b>
<b>Biodiversity</b>	<b>Yes – additional vegetation clearance required</b>
Traffic and Transport	No – captured in Project REF
Socio-economic Considerations	No – captured in Project REF
Waste and Resource Use	No – captured in Project REF
Visual Amenity	No – captured in Project REF
Climate Change	No – captured in Project REF

## 4.1 Soils and Erosion

### 4.1.1 Existing Environment

The existing environment was described in Chapter 5.1 of the Project REF; the addendum study area predominantly coincides with the study area identified in the Project REF. The same soil landscapes (Newnes Plateau mapped as the dominant landscape soil type throughout the site, with the northern portion of the study area mapped as Capertee Plateau landscape soil type) is present within the study area, as described in the Project REF .

### 4.1.2 Potential Geology and Soils Impacts

Potential impacts associated with the addendum include an increase to soil and erosion impacts to a minor extent (about 90 m of additional access road). Subsequently, impacts to soils are generally consistent with those described in the Project REF.

Potential impacts associated with the proposal are included in Table 4 below.

Table 4 Potential impacts – geology and soils

Design Change	Construction Impacts	Operational Impacts
<b>Additional excavation and surface soil disturbance to construct an additional about 90 m of roadway</b>	Impacts to an additional 0.05 ha including vegetation clearing, ground disturbance and erosion.	Nil – following appropriate site remediation and removal of Erosion and Sediment (ERSED) controls, the addendum impacts of the proposal are not expected to impact soils and erosion once operational.

### 4.1.3 Environmental Safeguards – Soils and Erosion

The soils and erosion safeguards and management measures from the Project REF have been reviewed and are considered to be relevant for the revised Proposal outlined herein and must be applied to these additional works accordingly.

Additional safeguards and management measures for soils and erosion have been recommended, per the below:

- Extend the provisions and environmental safeguards outlined in the Project REF CEMP and EMP to include the Addendum study area.

## 4.2 Air Quality

### 4.2.1 Existing Environment

The existing environment was described in Chapter 5.9 of the Project REF and is consistent for the Addendum environment.

### 4.2.2 Potential Air Quality Impacts

Potential impacts associated with the addendum study area are consistent with those described in the Project REF. Excavation of the additional section of road may create additional potential impacts to air quality including airborne dust particles generated during earthworks, stockpiling and managing topsoil, transport and handling of soils and equipment and the use of construction vehicles emitting exhaust fumes. The extent of air pollution generated during construction depends on a number of factors, including the type of machinery used, construction techniques, weather conditions and the cumulative effect of other construction or agricultural activities in the near vicinity (e.g. agricultural activities such as ploughing).

The impacts associated with the addendum works are anticipated to be of short duration and minor in nature and are not expected to have a large or prolonged impact on air quality in the area, in conjunction with the works outlined in the Project REF.

Table 5 Potential impacts – Air Quality

Design Change	Construction Impacts	Operational Impacts
<b>Vegetation removal &amp; grubbing</b>	Minor air emission from plant mobilisation and operation; removal of a minor component ( <b>0.05 ha</b> ) of additional vegetation	Minor dust generation and settling on adjacent vegetation during operations;
<b>Earthmoving and track construction</b>	Airborne dust particles generated during excavation and trenching.  Minor air emissions generated from mobilisation and operation of machinery.	Nil
<b>Placement of roadbase</b>	Dust generation from movement / transport and placement of fill materials	Nil

### 4.2.3 Environmental Safeguards – Air Quality

The Air Quality safeguards and management measures from the Project REF have been reviewed and are considered to be relevant for the revised Proposal outlined herein and must be applied to these additional works accordingly.

## 4.3 Aboriginal Heritage

### 4.3.1 Existing Environment

The existing environment was described in Chapter 4.6 of the Project REF.

As discussed in the Project REF, the Mingaan Wiradjuri Aboriginal Corporation completed a site assessment on 28 November 2022, and no potential constraints or issues relating to Aboriginal Heritage items or places along the proposed alignment, or with the potential to be impacted by the Proposal, were communicated to Council at this time. Mingaan Wiradjuri Aboriginal Corporation agreed that an Aboriginal Due Diligence (ADD) assessment report would be produced in accordance with the DECCW 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (the Due Diligence Code of Practice)', which at the time of this addendum REF has yet to be prepared; as such, a formal written description of the Aboriginal cultural heritage context of the existing environment has not yet been provided. The site is continuing to be assessed as the works continues with no feedback concerning any artifact disturbance being provided to date.

### 4.3.2 Potential Aboriginal Heritage Impacts

The Mingaan Wiradjuri Aboriginal Corporation have conducted the site assessment of the proposed new alignment and no potential Aboriginal Cultural Heritage items or places have been identified or communicated to Council as a result of the site assessments conducted. The results of the additional areas of impact would be similarly included in the ADD to be provided.

A representative of the Mingaan Wiradjuri Aboriginal Corporation has been present on-site to supervise construction works, including for the additional areas of alignment proposed in this addendum REF. This representative will remain on site throughout the construction phase to identify and mitigate any potential impacts to Aboriginal Cultural Heritage.

Table 6 Potential impacts – Aboriginal Heritage

Design Change	Construction Impacts	Operational Impacts
Surface and soil disturbance associated with additional excavation areas for the additional addendum impact areas	None identified – supervision is ongoing	Nil

### 4.3.3 Environmental Safeguards – Aboriginal Heritage

The Aboriginal Heritage safeguards and management measures from the Project REF have been reviewed and are considered to be relevant for the revised Proposal outlined herein and must be applied to these additional works accordingly.

Additionally, further safeguard measures would be outlined in the ADD assessment to be provided.

## 4.4 Biodiversity

### 4.4.1 Existing Environment

The existing biodiversity environment was described in Chapter 5 of the Project REF.



As part of this, DPI Primefacts and NSW Fisheries Spatial Portal was utilised to search for modelled habitat of threatened fish species. A desktop assessment was also undertaken to identify threatened flora and fauna species, populations and ecological communities listed under the BC Act, and Matters of National Environmental Significance (MNES) listed under the EPBC Act that may be affected by the Proposal.

At the time of writing the Project REF (November, 2022), database records pertaining to the study area and locality (i.e. 10 kilometre radius) were reviewed, and included:

- DPE Wildlife Atlas database for records of threatened species and endangered ecological communities listed under the BC Act that have been recorded within the locality of the subject site (DPE 2022).
- NSW Fisheries Spatial Portal
- Department of the Environment and Energy (DEE) Protected Matters Search Tool for Matters of National Environmental Significance (MNES) listed under the EPBC Act recorded or predicted to occur in the locality of the site (DAWE 2022).
- OEH threatened species profiles online database (DPE 2022)
- State Vegetation Type Map (OEH 2019).

Due to the minor length of time elapsed, updated database searches were not required to be completed.

#### 4.4.1 Potential Biodiversity Impacts

Potential impacts associated with the new scope of works are detailed below.

The addendum impacts of the proposal would result in an additional impact to 0.05 ha of native vegetation. Due to the proximity of the addendum impacts to the assessment area, and the results of the additional site assessment conducted on 16 December 2022, Plant Community Types (PCTs) were identified to be consistent with adjacent PCTs mapped during the original site assessment. Additional vegetation impacts are outlined in Table 5 below.

Table 7 Addendum impacts to PCTs

Plant Community Type	Impact area (ha)
PCTID: 0 - Not Native	0.16
PCTID: 3227 - Western Blue Mountains Sheltered Shale Forest	0.27
PCTID: 3369 - Central Tableland Ranges Peppermint-Gum Grassy Forest	0.83
PCTID: 3735 - Central Tableland Peppermint Shrub-Grass Forest	0.06
PCTID: 3749 - Western Blue Mountains Scribbly Gum Forest	0.03
<b>Total vegetation</b>	<b>1.35</b>
<b>Total native vegetation</b>	<b>1.19</b>

In total, and additional **0.05 ha** of vegetation would be impacted as a result of the proposed changes to the route as outlined in this Addendum, which includes a reduction in impacts of **0.03 ha** to non-

native vegetation, and an additional **0.08 ha** of impact to native vegetation. A re-aligned section of the Wolgan Road Bypass, in proximity to the third order waterway, has avoided impacting the hollow-bearing tree found to contain Kookaburra nestlings at the time of the original site assessment for the Project REF.

The Project REF identified Key Fish Habitat (KFH) within the study area, associated with the 3rd order waterway in the site. No threatened aquatic species were identified as having potential to occur within the subject site. No additional impacts would occur in waterways in the site. Instead, impacts to the 3rd order stream (not the KFH mapped area) have been reduced as a result of the proposed re-alignment; about 100 m of proposed impacts along the top of bank of the waterway no longer occur. Liaison with DPI Fisheries has confirmed that a Part 7 Permit for Dredging and Reclamation of the waterway is not required.

Indirect impacts to flora and fauna in the locality, including impacts associated with human presence, noise, dust, vehicle movement, trenching and potential sediment runoff, would be consisted with the Project REF.

Operational impacts as discussed in the Project REF would remain consistent.

**Table 8 Potential impacts – Biodiversity**

Design Change	Construction Impacts	Operational Impacts
<b>Realignment of proposed Wolgan Road bypass alignment</b>	Modification of PCT impacts as per Table 5. Additional impacts to 0.05ha of vegetation and increase in total alignment length of about 90 m	Nil

#### ***4.4.2 Environmental Safeguards – Biodiversity***

**The Biodiversity safeguards and management measures from the Project REF have been reviewed and are considered to be relevant for the revised Proposal outlined herein and must be applied to these additional works accordingly.**

## 5 CERTIFICATION AND ASSESSOR DECLARATION

This REF addendum provides a true and fair review of the Proposal in relation to its likely effects on the environment. It addresses to the fullest extent possible all matters affecting or likely to affect the environment as a result of the Proposal.

This report has been developed in accordance with the *NSW Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the Department of Planning and Environment's Guidelines for Division 5.1 assessments (DPE Guidelines) and demonstrates how the environmental factors specified in subsection (2) clause 171 of the EP&A Regulation were taken into account when considering the likely impact of the proposed activity.

The assessment has concluded that the proposed works as described in this REF and Addendum REF, providing all proposed management measures and Safeguards are implemented, will not result in a significant impact on the environment. An Environmental Impact Statement (EIS) is not required.

The proposed works will not result in a significant impact on any declared critical habitat, threatened species, populations or ecological communities or their habitats. Therefore, a Species Impact Statement (SIS) is not required.

The proposed works are not being carried out on Commonwealth land, are unlikely to affect any Commonwealth land, or have any significant impact on any Matters of National Environmental Significance.

All proposed work contemplated as part of the Proposal will be completed under the guidance of a Construction Environmental Management Plan (CEMP) to manage and minimise potential environmental impacts, particularly ecological impacts, associated with the proposed work. Once operational, the Proposal is not expected to cause any significant environmental or community impacts.

I certify that I have reviewed and endorsed the contents of this REF addendum document, and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Prepared by:

Reviewed and Endorsed for Certification by:

Name: Brianna Turner

Name: Emily Cotterill

Title: Environmental Consultant

Title: Director and Principal Consultant

Date: 20/12/2022

Date: 21/12/2022

Determiner declaration and approval

I have reviewed this REF and determine that the Proposal will not have a significant impact on the environment and can proceed subject to the controls outlined in this REF

Name: Paul Creelman

Title: Transport Manager

Date: 21 December, 2022

## 6 REFERENCES

DAWE 2022 Species Profile and Threats Databases

DAWE 2022 Protected Matters Search Tool for MNES listed under the EPBC Act.

<http://www.environment.gov.au/epbc/protected-matters-search-tool>

DPI 2022 Priority Weeds of the Central Tablelands NSW WeedWise

DPI 2022 Weeds of National Significance NSW WeedWise

DPE 2021 NSW Government Vegetation Regulatory Map

<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=NVRMap>

DPE 2022 Bionet Wildlife Atlas Threatened species records, which holds data from a number of custodians.

The Environmental Factor, 2022. Wolgan Road Emergency Bypass – Review of Environmental Factors. Prepared for Lithgow Shire Council.

Sixmaps tool, <https://maps.six.nsw.gov.au/>