

Memo

To Alistair Lunn, Regional Director West
Sally Durham, Director Environment and Sustainability (Regions)

CC Kendall Brown, Community and Customer Engagement Manager

From Jonathon Blizzard, Transport Senior Manager Environment and Sustainability

Date 25/08/2023

Subject Decision not to display REF - proposed Jenolan Caves Road Five Mile Failure at Jenolan

Issue

Decision not to display the review of environmental factors (REF) for the Jenolan Caves Road Five Mile Failure for comment.

Background

Transport for NSW (Transport) proposes to restore about 500 metres of Jenolan Caves Road at the Five Mile main failure (slope #94244) and nearby second failure (slope #94242) to near pre-failure conditions (the proposal). The proposal is located within the Oberon local government area (LGA) in Jenolan, New South Wales. The road failures occurred as a result of reduced vegetation from the bushfires in 2019 and subsequent heavy rainfall in 2021 and 2022, that have led to landslides. The work would occur at two slopes, about 1.2 kilometres north (slope #94244) and 1.4 kilometres north (slope #94242) of Jenolan Caves House.

Comment

It is considered appropriate and justified not to display the REF for the following reasons:

- Extensive consultation with directly affected parties would result in better targeted consultation outcomes than REF display.

Transport has briefed and submitted the draft REF to National Parks and Wildlife Service (NPWS), Jenolan Caves Reserve Trust (JCRT) and the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for comment. Their concerns have been included and responded to in the REF. The proposal is to reinstate the road that was in place prior to the slips and to reduce the possibility of the road failing again in the

proposed location. Articles have been published to the wider community to inform them of the investigations that were undertaken and that the road will be reinstated.

A consultation plan will be developed prior to the start of construction to keep NPWS and the JCRT informed of the progress. NPWS will review and approve the CEMP where it related to works within NPWS land. Notifications will be provided for other receivers that may be impacted. This will be in the form of variable message boards near trails where ancillary facilities are located.

In deciding if it is acceptable not to display the REF for comment the following matters have also been considered with regards to the proposal and it is found that:

- There are not likely to be significant impacts on nationally listed threatened species, threatened ecological communities and/or migratory species
- A species impact statement (SIS) or Biodiversity Development Assessment Report (BDAR) is not required
- An environment protection licence (EPL) is not required or likely to be required.
- No public commitment has been made by Transport for NSW or the Minister to display the REF for comment
- There is no known community expectation that the REF would be displayed.

Taking into account the above matters it is considered acceptable not to display the REF for comment.

Recommendation

It is recommended to:

1. Endorse the decision not to display the REF for the Jenolan Caves Road Five Mile Failure for comment.
2. Upload the final REF for the Jenolan Caves Road Five Mile Failure to the project website for information once the project has been determined.

Recommended by:



Jonathon Blizzard

(29/8/2023)

Senior Manager Environment and Sustainability
Western Project Office



29/8/23

~~Endorsed / not endorsed / endorsed with additional requirements~~

Sally Durham
Director Environment and Sustainability (Regions)



01/09/2023

~~Endorsed / not endorsed / endorsed with additional requirements~~

Alistair Lunn
Regional Director West

Please return this paperwork including the approval to publish to: Claude Beitz at
Claude.Beitz@transport.nsw.gov.au