



Transport
for NSW

MEMO

TO: [REDACTED] Director Western
FROM: [REDACTED] Senior Manager Environment and Sustainability
DATE: 7 July 2022
FILE NO: SF2014/002172
PAGES: Three (3)
SUBJECT: Addendum 3 REF Decision Memo - Parkes Bypass at Parkes

Proposal

Parkes Bypass

Location

Parkes

Context

Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies to the proposal. The addendum REF has been reviewed and considered against the requirements of sections 5.5 and 5.7 of the EP&A Act.

In considering the proposal this assessment has examined and taken into account to the fullest extent possible, all matters affecting or likely to affect the environment by reason of that activity as addressed in the addendum 3 REF and associated information. This assessment is considered to be in accordance with the factors required to be considered under section 171 of the *Environmental Planning and Assessment Regulation 2021*.

Discussion

Significance of impact on the environment

The proposal described in the addendum 3 REF will have some environmental impacts which can be ameliorated satisfactorily. This assessment has considered that these impacts are unlikely to be significant and therefore an environmental impact statement does not need to be prepared and approval for the proposal does not need to be sought under Division 5.2 of the *Environmental Planning and Assessment Act 1979*. Various safeguards and management measures are proposed.

The assessment has considered the potential impacts of the proposal on critical habitat and on threatened species, populations or ecological communities or their habitats for both terrestrial and aquatic species as defined by the *Biodiversity Conservation Act 2016* (BC Act) and the *Fisheries Management Act 1994* (FM Act).

The proposal described in the addendum 3 REF will not affect declared critical habitat. The proposal described in the addendum 3 REF will not significantly affect threatened species, populations or ecological communities or their habitats. Therefore the concurrence of the Coordinator General Environment, Energy and Science, DPE and a species impact statement is not required or Biodiversity Assessment Report (BDAR) is not required.

Significance of impact on nationally listed biodiversity matters, Commonwealth land and other matters of national environmental significance

The assessment has also addressed the potential impacts of the proposal on matters of national environmental significance and any impacts on the environment of Commonwealth land and concluded that there will be no significant impacts. Therefore there is no need for a referral to be made to the Australian Government Department of Agriculture, Water and the Environment for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the *Environment Protection and Biodiversity Conservation Act 1999*.

Quality of the addendum REF

The Parkes Bypass addendum 3 REF is considered to be of adequate quality and meets all relevant requirements.

Recommendation

It is recommended that the proposal to modify the Parkes Bypass Project at Parkes as described in the Parkes Bypass Addendum 3 Review of Environmental Factors dated December 2021 proceed subject to the implementation of all safeguards identified in the addendum 3 REF and compliance with all other relevant statutory approvals, licences, permits and authorisations.

The addendum 3 REF [have examined and taken into account to the fullest extent possible all matters likely to affect the environment by reason of the proposal and established that the proposal is not likely to significantly affect the environment. The addendum 3 REF have concluded that there will be no significant impacts on matters of national environmental significance or any impacts on Commonwealth land.

This project determination will remain current for five years until July 2027 at which time it shall lapse if works have not been physically commenced.

In accordance with the current Transport for NSW Delegations Manual the appropriate delegated manager for this addendum REF is the Regional Director West.

Recommended by



07/07/2022

Senior Manager Environment and Sustainability

Determined in accordance with the above recommendation under delegated authority and in accordance with sections 5.5 and 5.7 of the EP&A Act.



Date: 08/07/2022

Regional Director West

Attachments

1. Parkes Bypass Addendum 3 Review of Environmental Factors dated December 2021