

Wolgan Road Reconstruction Project

Application Number: **02933**

Commencement Date:
22/05/2025

Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Wolgan Road Reconstruction Project

1.1.2 Project industry type *

Transport - Land

1.1.3 Project industry sub-type

Road

1.1.4 Estimated start date *

03/05/2027

1.1.4 Estimated end date *

02/12/2030

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

In 2022, Wolgan Valley Road was closed to traffic following a major landslide. Lithgow City Council (Council) has since been planning, and seeking funding for, a safe, permanent access solution for the Wolgan Valley community. A temporary emergency access track along the eastern side of the Wolgan Gap based closely on the route of an existing historic track known as the Donkey Steps was constructed and has provided some relief by allowing restricted access for residents but is not a suitable long term permanent all vehicle access.

The Wolgan Road Reconstruction Project (the project or proposed action) aims to:

1. restore road access to the Wolgan Valley as a priority
2. reduce safety risks for all road users
3. provide a resilient road that addresses geological challenges, minimises risks from slips and rockfalls, and remains operational during adverse weather conditions,
4. achieve a cost-effective solution that minimises long term maintenance costs.

The project involves construction of a two lane road (one lane in each direction) road with a likely speed limit of 40 or 50 kilometres per hour. Key features of the proposal would include:

- Benched rock cuttings and cut retaining walls
- Road pavement and line marking
- Pavement drainage and cross drainage structures
- Safety barriers (likely differing types depending on location and design)
- Regulatory, guide and information signs
- Utility relocations
- Temporary ancillary facilities during construction, such as construction compounds, material stockpile locations and access tracks
- Rehabilitation of disturbed areas and landscaping.

Indicative construction activities would include:

- Establishment and use of ancillary facilities including construction compounds, fencing, installation of site facilities, relocation and protection of utilities
- Traffic control measures to allow continued local traffic access during construction
- Haulage of materials and waste
- Vegetation clearing
- Earthworks for cuttings and embankments
- Establishment of construction areas and access roads
- Road construction including pavement, bridges, stormwater drainage and roadside furniture
- Construction of connection and interfaces with the existing road.

Two alignment options are currently being considered. One is located to the east of the closed Wolgan Road section would run adjacent to a section of the temporary emergency access track which would improve construction access. It would also run through a cleared corridor containing the Telstra fibre optic cable, which improves construction access and minimises vegetation clearing. The second option would follow the temporary emergency access track more closely and would be potentially viable if the closed Wolgan Road is deemed to be temporarily operable following an updated slope risk assessment.

The indicative project and disturbance area (covering both options) is 71 hectares (refer to Attachment A). The project will be subject to further design development during the concept design / environmental assessment to avoid and minimise impacts on native vegetation, and an avoidance area and retention area may be identified at that time. The project area and disturbance footprint will be reduced once the preferred alignment is confirmed and during further design development.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

No

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

Legislation and planning frameworks

Key Commonwealth and NSW legislation relevant to the project is identified below.

Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

Under the EPBC Act a referral is required to the Australian Government for proposed actions that have the potential to significantly impact on matters of national environmental significance or the environment of Commonwealth land (i.e. the purpose of this referral).

Based on the assessment of the project's impact on matters of national environmental significance, specifically in relation to nationally listed threatened species and ecological communities, Council is referring the proposed action to determine whether the proposal constitutes a controlled action. If the proposal is determined to be a controlled action, the approval of the Australian Government Minister for the Environment will be required.

Native Title Act 1993 (Commonwealth)

Searches of the registers maintained by the National Native Title Tribunal identified NC2018/002 as a Native Title Claim applying to the study area. The claim area is over 13,000 square kilometres and comprises Wollemi National Park, Lithgow, Portland, Kandos and Gulgong. It was lodged on 31 August 2018 and accepted for registration on 22 November 2018.

Council would provide a notice of the proposal to NTSCORP under section 24KA of the Act and would invite comment on the project from the claimants.

Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, may apply to contemporary Aboriginal cultural property, ancient sites, and other Indigenous rights and interests. The Act includes provisions for the emergency and long term declarations relating to the protection of an area or object for a specified period.

Environmental Planning and Assessment Act 1979 (NSW)

Council has formed the opinion that the project is likely to significantly impact the environment and would require preparation of an Environmental Impact Statement (EIS). Activities requiring an EIS do not trigger State Significant Infrastructure (SSI) where a council is the proponent. Council remains the determining authority under EP&A Act Part 5, Division 5.1.

Under Section 5.16 of the EP&A Act, the Planning Secretary is to prepare environmental assessment requirements (SEARs) which set out the minimum assessment requirements to be considered in the EIS prepared for the project. SEARs for the project were issued on 6 February 2025 (refer to Appendix B).

Biodiversity Conservation Act 2016 (NSW)

The *Biodiversity Conservation Act 2016* (BC Act) provides legal protection for biota of conservation significance in NSW. Section 7.3 of the BC Act requires a determination of whether an activity subject to Part 5 of the EP&A Act is likely have a significant impact on threatened species or ecological communities. The test for significant impact is described in section 7.3 of the BC Act. A significant impact also occurs if the activity is carried out in an area of outstanding biodiversity value pursuant to section 7.2 of the BC Act. Activities that are likely to have a significant impact on threatened species or ecological communities require the preparation of a Species Impact Statement or Biodiversity Development Assessment Report (BDAR). A BDAR will be prepared for the project.

Fisheries Management Act 1994 (NSW)

The Fisheries Management Act 1994 (FM Act) aims to conserve, develop and share the fishery resources of the State for the benefit of present and future generations.

Section 200 of the FM Act requires a permit from the Department of Primary Industries and Regional Development (DPIRD) for dredging work or reclamation within areas identified as Key Fish Habitat. The Wolgan River and a tributary running adjacent to the Donkey Steps are identified as Key Fish Habitat

Section 219 of the FM Act includes a prohibition on the blocking of fish passage. A permit from DPIRD would be required for permanent or temporary blocking of fish passage.

National Parks and Wildlife Act 1974 (NSW)

Parts of the project area encroach the Gardens of Stone State Conservation Area (SCA). Consultation is occurring with the National Parks and Wildlife Service to determine whether any revocation the SCA is required for the project.

The harming or desecrating of Aboriginal objects or places is an offence under section 86 of the *National Parks and Wildlife Act 1974* (NPW Act). Under section 90, an Aboriginal Heritage Impact Permit (AHIP) may be issued in relation to a specified Aboriginal object, Aboriginal place, land, activity or person or specified types or classes of Aboriginal objects, Aboriginal places, land, activities or persons. An AHIP will be required for the project due to impacts on the Maiyingu Marragu (Blackfellows Hand Aboriginal place).

Biosecurity Act 2015 (NSW)

Under the *Biosecurity Act 2015* 'all plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable'.

Contaminated Land Management Act 1997 (NSW)

The *Contaminated Land Management Act 1997* (CLM Act) establishes a process for investigating, managing and remediating contaminated land. The CLM Act outlines the circumstances in which notification to the Environment Protection Authority is required in relation to the contamination of land.

Protection of the Environment Operations Act 1997 (NSW)

The *Protection of the Environment Operations Act 1997* (POEO Act) administers environment protection licences (EPL) for specific activities relating to the pollution of water, air, land and waste, and noise. The NSW EPA and local government, where relevant, administer the POEO Act.

Section 120 of the POEO Act prohibits the pollution of waters. Consideration would be given to measures to prevent water pollution during the design development, detailed environmental assessment, construction phase and operation phase of the proposal.

Part 3.2 of the POEO Act requires an EPL for development activities described in Schedule 1 of the Act. Clause 35 of Schedule 1 of the POEO Act applies to road construction, meaning the construction, widening or rerouting of roads. Development activities require an EPL under the POEO Act if those activities meet the following assessment criteria:

- Clause 35(3)(a) – the extraction or processing (over life of construction) of more than:
 - 50,000 tonnes of materials in the case of premises in the regulated area or in the local government areas of Bega Valley, Eurobodalla, Goulburn Mulwaree, Queanbeyan-Palerang Regional or Snowy Monaro Regional, or
 - 150,000 tonnes of material in any other case
- Clause 35(3)(b) – the existence of 4 or more traffic lanes (other than bicycle lanes or lanes used for entry or exit).

For the purposes of the above, the project is not located within the regulated area and would not propose to introduce four or more traffic lanes. As such the requirement for an EPL would likely be dependent on the volume of material extraction or processing being greater than 150,000 tonnes, which would be confirmed

during design development, when the project scope is further defined. Based on the preliminary design supporting the funding application for the project there is in excess of 150,000 tonnes of material extraction or processing and it is likely that an EPL would be required.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

Community engagement activities to date have included:

- Regular meetings / briefings with the Wolgan Valley community (November 2022 and ongoing) to keep the community informed about the Project status. This has included a meeting in November 2023 and monthly Project update briefings from April 2024
- Meetings with landowners regarding property access for investigations to support design development, including season-specific biodiversity surveys
- Dedicated webpage providing access to essential supporting documents related to the Wolgan Road disaster response including options reports, planning approval documents, community updates and media releases. The project webpage can be accessed here: <https://council.lithgow.com/projects/wolgan-gap/>
- A public information session held on 9 April 2025.

Feedback from the community to date has shown a strong and urgent desire for a permanent solution from some residents, however there is apprehension from property owners potentially impacted by the new road alignment.

There is also strong community concern about the extent of potential impacts Aboriginal cultural heritage and values, and biodiversity. Council is exploring options within the nominated project area to minimise these impacts.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

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1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	59986092492
Organisation name	Lithgow City Council
Organisation address	2790 NSW

Referring party details

Name	Michael Dunn
Job title	Mr
Phone	0455081849
Email	michael.dunn@wassabigroup.com
Address	180 Mort Street Lithgow NSW, 2790

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details

ABN/ACN 59986092492

Organisation name Lithgow City Council

Organisation address 180 Mort Street Lithgow 2790 NSW

Person proposing to take the action details

Name Jonathon Edgecombe

Job title Director Infrastructure and Engineering

Phone 0263549919

Email jonathon.edgecombe@lithgow.nsw.gov.au

Address 180 Mort st Lithgow NSW 2790

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

Lithgow City Council is a local government agency established under the *Local Government Act 1993*. Under the Local Government Act and other NSW legislation, Council has service and regulatory functions. This includes the management of local roads such as Wolgan Road.

Council is committed to achieving good environmental outcomes and continual environmental performance improvement. Council's Community Strategic Plan 2035 includes a 10 year goal "To balance, protect and enhance our diverse environmental elements, both natural and build for the enjoyment and support of both current and future generations".

Council has no prosecutions under any environmental statute in the last 10 years. The most recent proceedings were in 2011 where Council was ordered to pay \$105,000 (plus prosecution costs) in relation to the harming of threatened plants near Glen Alice in the Capertee Valley. Council has since improved its systems for environmental compliance to ensure no repetition of this type of offence.

The Person (Council representative) proposing to take this action is not subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

Council operates under an integrated planning and reporting framework which includes the Community Strategic Plan 2035 supported by:

- The Resourcing Strategy which includes long term financial planning, workforce planning and asset management planning.
- The Delivery Program which identifies detailed strategies to achieve the objectives of the CSP that Council can implement.
- The Operational Plan which spells out the detailed actions and key performance indicators to implement the Delivery program annually.

The Community Strategic Plan 2035 includes a 10 year goal “To balance, protect and enhance our diverse environmental elements, both natural and build for the enjoyment and support of both current and future generations” and outlines strategies to achieve the goal, partners and approaches to measuring success. A copy of the Community Strategic Plan 2035 is provided at Attachment B.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

No

1.3.3.2 Is Proposed designated proponent an organisation or business? *

No

Proposed designated proponent details

Name	Jonathon Edgecombe
Job title	Mr
Phone	0263549919
Email	jonathon.edgecombe@lithgow.nsw.gov.au
Address	180 Mort Street Lithgow NSW, 2790

1.3.4 Identity: Summary of allocation

✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	59986092492
Organisation name	Lithgow City Council
Organisation address	2790 NSW
Representative's name	Michael Dunn
Representative's job title	Mr
Phone	0455081849
Email	michael.dunn@wassabigroup.com
Address	180 Mort Street Lithgow NSW, 2790

✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	59986092492
Organisation name	Lithgow City Council
Organisation address	180 Mort Street Lithgow 2790 NSW
Representative's name	Jonathon Edgecombe
Representative's job title	Director Infrastructure and Engineering
Phone	0263549919
Email	jonathon.edgecombe@lithgow.nsw.gov.au
Address	180 Mort st Lithgow NSW 2790

✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Name	Jonathon Edgecombe
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Job title	Mr
Phone	0263549919
Email	jonathon.edgecombe@lithgow.nsw.gov.au
Address	180 Mort Street Lithgow NSW, 2790

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

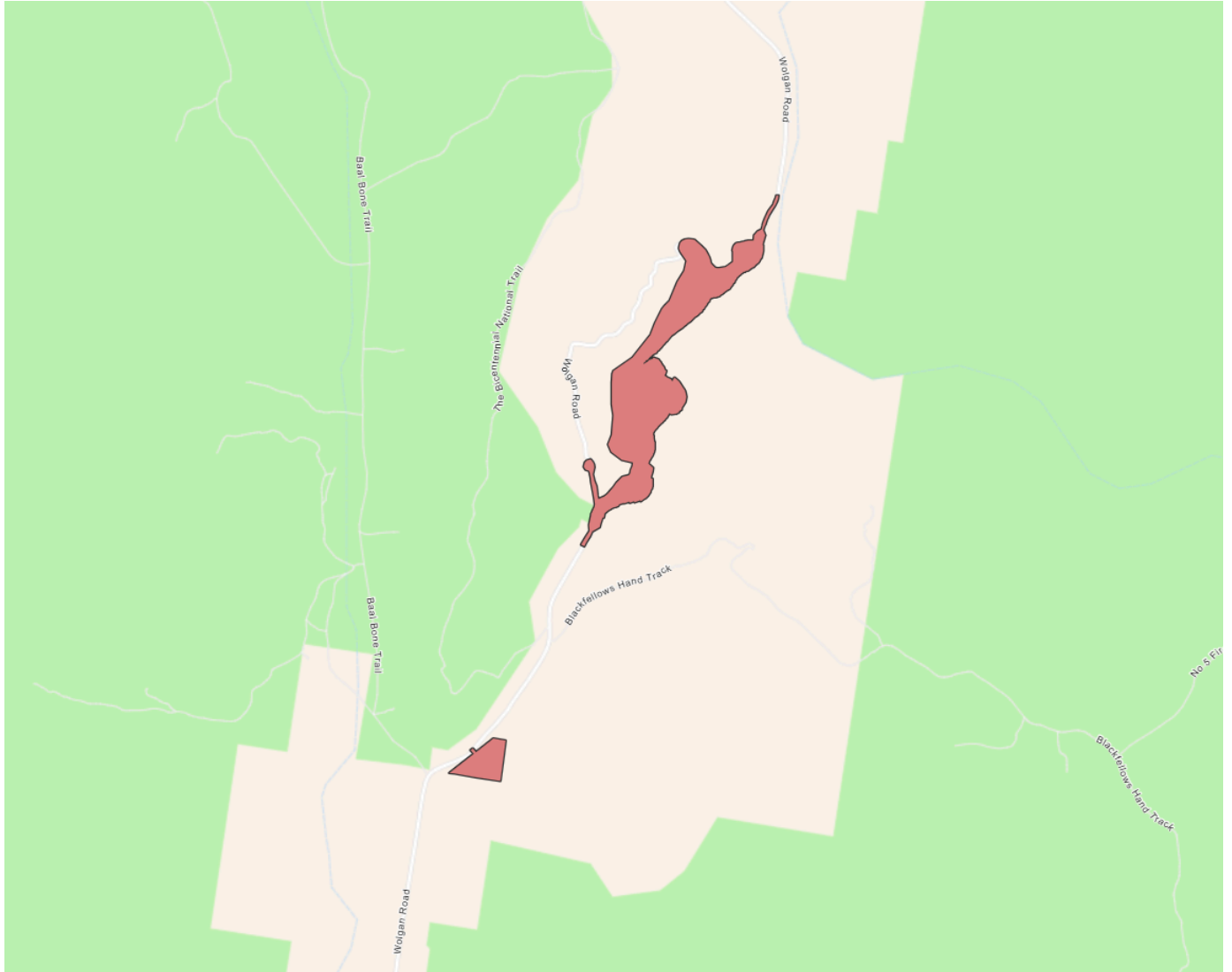
1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Proposed designated proponent

2. Location

2.1 Project footprint



Project Area: 44.53 Ha Disturbance Footprint: 44.53 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

The southern extent of the Wolgan Road reconstruction project (the Project) is located about five

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

Tenure of the land within the project area consists of freehold, Crown land and National Parks Estate.

Land tenure within the project area is provided in Attachment C. The land parcels specified in the attachment were collated using cadastral data provided by NSW Spatial Services. The land tenure provided is indicative and subject to refinement as design progresses.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

Wolgan Valley is visually spectacular mountainous country, with sandstone escarpments generally to the east and west of the valley, which has been formed by the Wolgan River. The river flows generally east, joining the Capertee River, and then becomes the Colo River. The broader Wolgan Valley includes Maiyingu Marragu (Blackfellows Hand Aboriginal place), sections of Wollemi National Park, Gardens of Stone National Park, the Gardens of Stone State Conservation Area and the UNESCO declared Greater Blue Mountains World Heritage Area.

Wolgan Valley includes large areas of native bushland, private residences, farms and tourist destinations. Native vegetation within the project area has been impacted by clearing for the temporary emergency access track and telecommunications infrastructure.

The project area is subject to the following risks and hazards:

- Landslips as a result of steep gradients and instability created by recent weather events
- Rockfalls from upper slopes and cliffs around the project area
- Bushfire risk is high and is associated with the extensive areas of native vegetation in the valley, which are likely to become more significant as a result of climate change (and related increases in the severity of extreme weather events and frequency of high fire danger days). The valley has limited access/egress options, which further exacerbates bushfire risks for those in the valley
- Localised flooding along the Wolgan River.

3.1.2 Describe any existing or proposed uses for the project area.

The project would involve use of the land for the purpose of providing a road and road related infrastructure. The Project area is mostly located in the RU2 Rural Landscape zone, with a small portion of the Project area in the RU3 Forestry zone under the Lithgow Local Environmental Plan 2014 (Lithgow LEP) (refer to Attachment D). Roads are a permitted use without development consent in both zones.

Existing land uses have been described in Section 3.1.1. Land use zoning (and associated permitted uses) is a good indicator of intended future use, although it is noted that areas within both the RU2 and RU3 zones that are within the Gardens of Stone State Conservation Area may be rezoned in the future to C1 National Parks and Nature Reserves.

A substantial proportion of the project area is within the Maiyingu Marragu (Blackfellows Hand Aboriginal place), which is a declared Aboriginal Place under the NPW Act.

Planning proposals for land use change under the Lithgow LEP were investigated by a search (conducted 30 April 2025) of the NSW Planning Portal ([Planning Proposals | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)). No planning proposals within or near the project area were identified.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

The project area has cultural values associated with the Maiyingu Marragu (Blackfellows Hand Aboriginal place) and biodiversity values associated with threatened species habitat.

Visually the project area is characterised by dense native vegetation, cliff faces and steep topography which creates expansive views across Wolgan Valley. To the north there is a transition to a rural landscape. The combined natural and rural vistas of the locality contribute to its beauty and appeal.

3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The topography of the project area includes a plateau, square-cut cliffs around the rim of the plateau, vegetated slopes and a river valley. The temporary emergency access track (which descends from Wolgan Gap into the Wolgan Valley) has grades typically in the 20-25 per cent (1 in 5 to 1 in 4) but has grades of up to 35 per cent (1 in 3) on the concreted section near the start of the descent.

The southern end of the project area (at Wolgan Gap) has an elevation of 940 metres while the northern end (in Wolgan Valley) has an elevation of around 670 metres.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

A desktop environmental assessment including database searches and review of the State Vegetation Type Map (SVTM) (C2.0.M2.1) has been conducted to identify biodiversity values along the Project extent. Council has previously commissioned preliminary biodiversity surveys within part of the project area which occurred in November 2023. This involved:

- Validation of existing broad-scale vegetation mapping and assigning vegetation to a corresponding Plant Community Types (PCTs) where possible
- Determining the nature and condition of vegetation identified within the site, using rapid data points
- Random meanders focusing on the area where the four alignments diverge to identify and/or assess the likelihood of threatened species likely to utilise the site
- Opportunistic observations of animals and signs of animal activity (e.g. feeding signs, scats)
- Fauna habitat assessments to assess the likelihood of threatened species of animal (those species known or predicted to occur within the locality from the literature and database review) occurring within the study area. Fauna habitat assessments are the primary assessment tool in assessing whether threatened species is likely to occur within the study area.

Targeted biodiversity surveys were also carried out between October 2024 and February 2025 (refer to survey report included as Attachment E). Targeted species lists for surveys were generated based on vegetation associations report from the Threatened Biodiversity Data Collection (TBDC) (BCS, 2020), using a combination of plant community types (PCTs) from the State Vegetation Type Map (SVTM) (DCEEW, 2022) and PCTs mapped by The Environmental Factor (2022). Surveys focused on those candidate species with recommended survey periods between October and February. The biodiversity survey area, and its relationship to the project area, is shown in Attachment E.

Threatened flora

Field investigations during 2023 confirmed the presence of *Eucalyptus cannonii* (Capertee Stringybark) (BC Act vulnerable) within the project area. Other threatened plant species identified at that time as being potentially present included the orchid *Genoplesium superbum* (BC Act endangered), the shrubs *Persoonia marginata* (EPBC Act and BC Act vulnerable), *Grevillea obtusiflora* (EPBC Act and BC Act endangered), *Prostanthera stricta* (EPBC Act and BC Act vulnerable) and *Veronica blakelyi* (BC Act endangered). The cliff line specialist species *Epacris hamiltonii*, *Isopogon fletcheri*, and *Lepidosperma evansianum* which are known from the upper Blue Mountains were also noted to be potentially present on the cliff face as it is unlikely that the true distribution of these species is known due to the inaccessibility of the cliff face habitats.

During October 2024 to February 2025 targeted surveys the following three threatened flora species were recorded within the survey area during targeted surveys:

- *Eucalyptus cannonii* (Capertee Stringybark) (BC Act vulnerable)
- *Persoonia marginata* (EPBC Act and BC Act vulnerable)
- *Veronica blakelyi* (BC Act endangered).

Threatened fauna

Field investigations during 2023 confirmed the presence of five threatened fauna species within the project area:

- *Ninox strenua* (Powerful Owl) (BC Act vulnerable)
- *Petroica boodang* (Scarlet Robin) (BC Act vulnerable)
- *Petroica phoenicea* (Flame Robin) (BC Act vulnerable)
- *Falsistrellus tasmaniensis* (Eastern False Pipistrelle) (BC Act vulnerable)
- *Petauroides volans* (Greater Glider) (BC Act and EPBC Act endangered).

The habitats within the project area are likely to provide potential habitat for a range of threatened bird species. Evidence of *Calyptrorhynchus lathami lathami* (Glossy Black-Cockatoo) (BC Act and EPBC Act vulnerable) presence was observed during the field survey with crushed *Allocasuarina littoralis* cones

observed and it is likely that this species uses this area as a regular foraging ground. No large trees with hollows suitable as breeding habitat for Glossy Black-Cockatoo were recorded during 2023 field surveys within part of the project area.

The habitats within the project area may also be used by mammals including *Cercartetus nanus* (Eastern Pygmy-possum) (BC Act endangered), *Petauroides volans* (Greater Glider) (BC Act and EPBC Act endangered), *Petaurus norfolcensis* (Squirrel Glider) (BC Act vulnerable), and *Petaurus australis* (Yellow-bellied Glider) (BC Act and EPBC Act vulnerable) which are known from the locality. *Phascolarctos cinereus* (Koala) (BC Act and EPBC Act endangered) may also occur but at low density throughout the locality. *Dasyurus maculatus* (Spotted-tailed Quoll) (BC Act vulnerable EPBC Act endangered) is also considered likely to occur. There are also several threatened bat species that are likely to occur and most notable of these in terms of the presence of potential breeding habitat features are *Chalinolobus dwyeri* (Large-eared Pied Bat) (BC Act and EPBC Act endangered), *Vespadelus troughtoni* (Eastern Cave Bat) (BC Act vulnerable), and *Miniopterus orianae oceanensis* (Large Bent-winged Bat) (BC Act vulnerable) as the sandstone cliff face may contain caves or crevices suitable as breeding habitat for these species.

The habitats within the project area are likely to provide potential habitat for two threatened reptile species *Hoplocephalus bungaroides* (Broad-headed Snake) (BC Act and EPBC Act endangered) and *Varanus rosenbergi* (Rosenberg's Goanna) (BC Act vulnerable). Rosenberg's Goanna is well known from the locality and is likely to occur throughout the habitat. The sandstone cliff line may be suitable for Broad-headed Snake.

During October 2024 to February 2025 targeted surveys hollow bearing tree searches recorded 28 hollows throughout the site. Most hollows were recorded in the 5-20 cm diameter range with occasional large and very large hollows (>20 cm, >40 cm). No stick nests were recorded.

Three species of threatened birds were recorded during the October 2024 to February 2025 survey effort. *Callocephalon fimbriatum* (Gang-gang Cockatoo) (BC Act and EPBC Act endangered) were recorded within the site both during targeted surveys and opportunistically throughout the survey effort. One sighting was recorded with visual confirmation, located near the southern entrance to the temporary emergency access track. A further two observations were made on the eastern end of the site boundary with calls being heard only. No breeding behaviour was observed for the species.

Calyptorhynchus lathami lathami (Glossy Black-Cockatoo) (BC Act and EPBC Act vulnerable) foraging habitat was recorded near cliff line at the southern entrance of the temporary emergency access track, and chewed cones were recorded in two locations. Additionally, both *Petroica boodang* (Scarlet Robin) (BC Act vulnerable) and *Parvipsitta pusilla* Little Lorikeet (BC Act vulnerable) were recorded opportunistically throughout the survey effort.

Petauroides volans (Greater Glider) (BC Act and EPBC Act endangered) were recorded in several locations along the temporary emergency access track. The species was recorded during spotlighting surveys and was positively identified by ecologists. *Dasyurus maculatus* (Spotted-tailed Quoll) (BC Act vulnerable EPBC Act endangered) were recorded during remote camera surveys.

No species of threatened frogs or reptiles were recorded during the October 2024 to February 2025 survey effort.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

Vegetation

The PCTs in the project area identified on the SVTM are detailed as follows (Refer to Attachment F):

- PCT3367 Central Tableland Granites Grassy Box Woodland
- PCT3369 Central Tableland Ranges Peppermint-Gum Grassy Forest
- PCT3385 Southern Tableland Creekflat Swamp Woodland
- PCT3495 Western Blue Mountains Monkey Gum Gully Forest
- PCT3510 Capertee Slopes Stringybark-Box Forest
- PCT3694 Upper Blue Mountains Ridgetop Woodland
- PCT3747 Southern Tableland Western Hills Scribbly Gum Forest
- PCT3749 Western Blue Mountains Scribbly Gum Forest
- PCT3932 Central and Southern Tableland Swamp Meadow Complex
- PCT4064 Central Eastern Ranges River Oak Forest.

Plot based vegetation surveys are currently being completed to verify plant community types within the project area, however preliminary findings indicate that none of the PCTs present conform to BC Act or EPBC Act threatened ecological communities. None of the SVTM PCTs identified within the project area have associated threatened ecological communities in the BioNet Vegetation Classification System.

Vegetation within the project area has generally been subject to minimal disturbance, except for clearing associated with the temporary emergency access track and recent installation of optic fibre in the northern part of the project area.

Geology

The project area is within the Sydney 1:250,000 Geological Series Sheet (Bryan, 1966) and contains:

- Rn – Narrabeen Group (Sandstone, shale and tuff)
- Pi – Illawarra Coal Measures (Shale, sandstone, conglomerate and chert with coal and torbanite seams)
- Psb – Shoalhaven Group: Berry Formation (Shale, conglomerate and sandstone, including lenticular development of the Megalong Conglomerate).

Soils

The soil landscapes within the project area and surrounds are:

- Glen Alice – shallow to moderately deep red podzolic soils and yellow podzolic soils. This soil landscape generally comprises of rolling hills
- Hassans Walls – defined by precipitous sandstone cliffs around 100 – 200 metres, and lithosols/siliceous sands on cliffs
- Long Swamp – moderately deep wet Peaty Loams, Grey Earths and Humic Gleys. Comprises level to gently undulating permanently waterlogged swamps with seasonally fluctuating water table maintained within 100 centimetres of the soil surface
- Warragamba – shallow to deep Lithosols on crests and ridges; Brown Earths, Red Podzolic Soils on upper slopes, Yellow Podzolic Soils on lower slopes. The dominant landforms are moderate to very steep slopes
- Wollangambe – Siliceous Sands/Lithosols, Earthy Sands and Yellow Earths on crests; Siliceous Sands/Lithosols on small rock ledges and low broken scarps. Topography generally comprises rounded crests and moderately to steeply includes sideslopes.

The project area has a low risk of salinity, and no risk of acid sulfate soils, as identified on the eSpade Spatial Viewer. The potential for acid sulfate soil rock will need to be investigated as part of the design development process.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

The protected matters search (9 May 2025) did not identify any Commonwealth heritage places within or near the project area.

There are no state or local heritage items within five kilometres of the project area.

The project area is located approximately 1.4 kilometres from the Blue Mountains World Heritage Area, which is listed on the UNESCO World Heritage list. There is a corresponding listing for the Greater Blue Mountains Area on the National Heritage List.

An extension to Greater Blue Mountains Area is nominated for the National Heritage List, which includes a portion of land within the project area. The extended area is not yet listed on the National Heritage List.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

The Project area is partially located within Maiyingu Marragu (Blackfellows Hand Aboriginal Place). The statement of significance for this place on the state heritage inventory is as follows:

The Blackfellows Hand Aboriginal Place has Aboriginal rock shelters with painted art, a teaching site and occupation site.

Blackfellows Hand Aboriginal Place was an important meeting and educational place and holds special meaning for Wiradjuri people. The place is also highly valued by the wider Aboriginal community, including Gandangara, Dharug and Dharkinjung people. The area is regarded for its richness in wild resources and its natural beauty - the vegetation, rock formations, ochres and waterfalls create an aesthetic ambience. Blackfellows Hand Aboriginal Place was also important as an occupation site and includes a men's and a women's area. There is a women's birthing area in a secluded part of the complex.

Blackfellows Hand holds special meaning to Wiradjuri people because of their continuing cultural connection to the place. The site complex includes culturally significant rock shelters and stencil-art which provide a physical and spiritual link to ancestors and provide a place where traditional culture can be sustained. The area is used by the Aboriginal community as a 'bush school room' where young people can hear stories from Elders and learn to collect and use bush food and natural medicine.

Aboriginal Heritage Information Management System (AHIMS) sites recorded numerous Aboriginal sites near the Project study area including artefacts, art sites, potential archaeological deposits habitation structures and grinding grooves.

A preliminary Aboriginal Archaeological Survey (refer to Attachment G) carried out with Aboriginal community representatives some areas of high and moderate archaeological sensitivity within the project area. Three Aboriginal heritage sites / features were identified during the preliminary survey:

- Wolgan Road Rock Shelter 1: A rock shelter with Potential Archaeological Deposit (PAD) within Maiyingu Marragu Aboriginal Place.
- Cultural Feature 1: A landscape feature associated with cultural values within Maiyingu Marragu Aboriginal Place.
- Site 45-1-2871: A previously recorded low-density artefact scatter that extends into the study area.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

Catchments and hydrology

A non-perennial tributary of Wolgan River runs through the project area. The Wolgan River feeds into the Colo River, which is a part of the Hawkesbury River catchment, which drains into the Pacific Ocean north of Sydney. Creeks at the southern extent of the project area drain into Cocks River, which feeds into the Warragamba Dam, and subsequently the Nepean River.

Groundwater

The groundwater system is recharged via the infiltration of rainfall and surface runoff. Infiltration typically occurs primarily through the overlying weathered profile of the hard rock system. Discharge is likely to primarily occur via evapotranspiration, potential groundwater springs or as surface water baseflow and flow through the aquifer.

There are two groundwater bores located adjacent to the norther part of the project area, both of which are identified as being for domestic/stock purposes. Site GW110934 recorded a water bearing zone between 46.0-46.50 metres, while site GW112383 recorded a water bearing zone between 100-101.50 metres.

Water quality

The quality of the water entering local waterways within the project area would be largely a function of the contaminants on roads and activities on adjacent areas. Common road runoff pollutants include gross pollutants and litter, sediment and suspended solids, toxic organics, nutrients, heavy metals and hydrocarbons. Runoff from agricultural lands commonly includes nitrogen, phosphorus, and sediment.

Flooding

The study area is not mapped as being flood prone. Due to the steep topography, rainfall would be unlikely to collect in the project area and would instead drain into the Wolgan River and Cocks River. The project area is not located downstream of any rivers which may cause flooding, although flooding along the Wolgan River has been recorded in larger stormer events.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	No	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

While the project area is located approximately 1.4 kilometres from the Blue Mountains World Heritage Area, the implementation of appropriate safeguards and management measures can prevent indirect impacts.

With reference to the significant impact criteria in Matters of National Environmental Significance - Significant impact guidelines 1.1 it is noted that:

- one or more of the World Heritage values would not be lost
- one or more of the World Heritage values would not be degraded or damaged, and

one or more of the World Heritage values would not be notably altered, modified, obscured or diminished.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

While the project area is located approximately 1.4 kilometres from the Blue Mountains World Heritage Area, the implementation of appropriate safeguards and management measures can prevent indirect impacts.

With reference to the significant impact criteria in Matters of National Environmental Significance - Significant impact guidelines 1.1 it is noted that:

- one or more of the World Heritage values would not be lost
- one or more of the World Heritage values would not be degraded or damaged, and

one or more of the World Heritage values would not be notably altered, modified, obscured or diminished.

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.
*

The project area is not near a Ramsar Wetland and is not within an associated upstream catchment.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
Yes	Yes	Acacia bynoeana	Bynoe's Wattle, Tiny Wattle
Yes	Yes	Acacia flocktoniae	Flockton Wattle
Yes	Yes	Acacia meiantha	
Yes	Yes	Anthochaera phrygia	Regent Honeyeater
No	No	Aphelocephala leucopsis	Southern Whiteface
Yes	Yes	Aprasia parapulchella	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard
No	No	Banksia penicillata	a banksia
Yes	Yes	Boronia deanei subsp. deanei	
Yes	Yes	Botaurus poiciloptilus	Australasian Bittern
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris ferruginea	Curlew Sandpiper
Yes	Yes	Callistemon megalongensis	Megalong Valley Bottlebrush
Yes	Yes	Callocephalon fimbriatum	Gang-gang Cockatoo
Yes	Yes	Calyptorhynchus lathami lathami	South-eastern Glossy Black-Cockatoo
Yes	Yes	Chalinolobus dwyeri	Large-eared Pied Bat, Large Pied Bat
Yes	Yes	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Cryptostylis hunteriana	Leafless Tongue-orchid
Yes	Yes	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
Yes	Yes	Eucalyptus aggregata	Black Gum
Yes	Yes	Eucalyptus benthamii	Camden White Gum, Nepean River Gum

Direct impact	Indirect impact	Species	Common name
Yes	Yes	<i>Eucalyptus pulverulenta</i>	Silver-leaved Mountain Gum, Silver-leaved Gum
Yes	Yes	<i>Eulamprus leuraensis</i>	Blue Mountains Water Skink
No	No	<i>Euphrasia arguta</i>	
Yes	Yes	<i>Euphrasia bowdeniae</i>	
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes	Yes	<i>Grantiella picta</i>	Painted Honeyeater
Yes	Yes	<i>Grevillea evansiana</i>	
Yes	Yes	<i>Heleioporus australiacus australiacus</i>	Giant Burrowing Frog, Eastern Owl Frog
No	No	<i>Hibbertia acaulothrix</i>	
Yes	Yes	<i>Hirundapus caudacutus</i>	White-throated Needletail
Yes	Yes	<i>Hoplocephalus bungaroides</i>	Broad-headed Snake
Yes	Yes	<i>Isoodon obesulus obesulus</i>	Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern)
Yes	Yes	<i>Isopogon fletcheri</i>	Fletcher's Drumsticks
Yes	Yes	<i>Kunzea cabbagei</i>	
Yes	Yes	<i>Lathamus discolor</i>	Swift Parrot
Yes	Yes	<i>Leionema lachnaeoides</i>	
No	No	<i>Leptospermum petraeum</i>	
Yes	Yes	<i>Leucochrysum albicans</i> subsp. <i>tricolor</i>	Hoary Sunray, Grassland Paper-daisy
Yes	Yes	<i>Leucopogon exolasius</i>	Woronora Beard-heath
Yes	Yes	<i>Litoria aurea</i>	Green and Golden Bell Frog
Yes	Yes	<i>Litoria booroolongensis</i>	Booroolong Frog
Yes	Yes	<i>Litoria littlejohni</i>	Northern Heath Frog, Littlejohn's Tree Frog
No	Yes	<i>Macquaria australasica</i>	Macquarie Perch

Direct impact	Indirect impact	Species	Common name
Yes	Yes	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
Yes	Yes	Mixophyes balbus	Stuttering Frog, Southern Barred Frog (in Victoria)
No	No	Neophema chrysostoma	Blue-winged Parrot
Yes	Yes	Nyctophilus corbeni	Corben's Long-eared Bat, South-eastern Long-eared Bat
Yes	Yes	Paralucia spinifera	Bathurst Copper Butterfly, Purple Copper Butterfly, Bathurst Copper, Bathurst Copper Wing, Bathurst-Lithgow Copper, Purple Copper
No	No	Persoonia hindii	
No	No	Persoonia hirsuta	Hairy Geebung, Hairy Persoonia
Yes	Yes	Persoonia marginata	Clandulla Geebung
Yes	Yes	Petauroides volans	Greater Glider (southern and central)
Yes	Yes	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
Yes	Yes	Petrogale penicillata	Brush-tailed Rock-wallaby
Yes	Yes	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	Polytelis swainsonii	Superb Parrot
Yes	Yes	Pomaderris brunnea	Rufous Pomaderris, Brown Pomaderris
No	No	Pomaderris cotoneaster	Cotoneaster Pomaderris
Yes	Yes	Prasophyllum fuscum	Tawny Leek-orchid, Slaty Leek-orchid
No	No	Prasophyllum petilum	Tarengo Leek Orchid
No	No	Prasophyllum sp. Wybong (C.Phelps ORG 5269)	a leek-orchid
Yes	Yes	Prostanthera cryptandroides subsp. cryptandroides	Wollemi Mint-bush
No	No	Prototroctes maraena	Australian Grayling
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila

Direct impact	Indirect impact	Species	Common name
Yes	Yes	Pteropus poliocephalus	Grey-headed Flying-fox
Yes	Yes	Pultenaea glabra	Smooth Bush-pea, Swamp Bush-pea
Yes	Yes	Pycnoptilus floccosus	Pilotbird
Yes	Yes	Rhizanthella slateri	Eastern Underground Orchid
Yes	Yes	Rhodamnia rubescens	Scrub Turpentine, Brown Malletwood
No	No	Rostratula australis	Australian Painted Snipe
Yes	Yes	Stagonopleura guttata	Diamond Firetail
No	No	Thesium australe	Austral Toadflax, Toadflax
No	No	Xerochrysum palustre	Swamp Everlasting, Swamp Paper Daisy

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Natural Temperate Grassland of the South Eastern Highlands
No	No	Upland Basalt Eucalypt Forests of the Sydney Basin Bioregion
No	No	White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The project would require the clearing of native vegetation which could directly and indirectly impact the Commonwealth listed threatened species outlined in the amended species list above. This list has been derived based on the broad habitat associations contained within the NSW BioNet Threatened Species Data Collection. Note that not all species may be present, this list is representative of the species which may occur and may be impacted.

Potential direct impacts on threatened flora are the removal of individual plants during vegetation clearing and road construction works. Potential indirect impacts (during operation) resulting from fragmentation, degradation of the roadside habitat from edge effects and sedimentation may result in the further loss of individuals.

Potential direct impacts on threatened fauna during construction include removal of foraging and breeding habitat, removal of denning habitat (including tree hollows), injury/mortality, spread of pathogens and disease and disturbance associated with noise (and in some areas artificial light).

During operation, potential impacts include fauna injury/mortality from vehicle strikes and habitat fragmentation (loss of connectivity between bushland areas which may restrict fauna movements). A new road could also introduce edge effects causing changes in the vegetation structure, floristics or climatic conditions (solar access, wind exposure etc) and causing animals to become less abundant in the impacted areas.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

Yes

4.1.4.5 Describe why you consider this to be a Significant Impact. *

The impacts described in Section 4.1.4.2 are considered potentially significant in relation to species that are known to be present including Southern Greater Glider, Large-eared Pied Bat, Gang-gang Cockatoo, South-eastern Glossy Black-Cockatoo, and *Persoonia marginata* and species that may potentially may occur such as Yellow-bellied Glider, Giant Burrowing Frog, Booroolong Frog, Littlejohn's Tree Frog, Stuttering Frog, Purple Copper Butterfly, and Broad-headed Snake.

This preliminary conclusion is based on the number of records for these species, the type of habitat present and the considerations in the EPBC Act Policy Statement 1.1 Significant Impact Guidelines (DoE, 2013), whether there is a real chance or possibility that the proposed action will:

- lead to a long-term decrease in the size of a population
- reduce the area of occupancy of the species
- fragment an existing population into two or more populations
- adversely affect habitat critical to the survival of a species
- disrupt the breeding cycle of a population
- modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline
- result in invasive species that are harmful to a critically endangered or endangered species becoming established in the endangered or critically endangered species' habitat

introduce disease that may cause the species to decline or interfere with the recovery of the species.

4.1.4.7 Do you think your proposed action is a controlled action? *

Yes

4.1.4.8 Please elaborate why you think your proposed action is a controlled action. *

The project is considered a controlled action due to the potential significant pre-mitigation impacts on threatened species as outlined above in Section 4.1.4.5. At this stage of assessment, the true occurrence of these species is not known and a conservative approach has been taken in assuming they are present based on the presence of broad habitat associations. The proposed action has the potential to impact on individual plants during vegetation clearing and road construction works. There is potential for indirect impacts (during operation) resulting from fragmentation, degradation of the roadside habitat from edge effects and sedimentation may result in the further loss of individuals. There is potential for direct impacts on threatened fauna during construction including removal of foraging and breeding habitat, removal of denning habitat (including tree hollows), injury/mortality, spread of pathogens and disease and disturbance associated with noise (and in some areas artificial light). There is also the chance of increased impacts to threatened fauna during operation due to increased local traffic.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

Environmental safeguards and management measures relevant to MNES (species and communities) would be included as part of the project and documented in the EIS. This would include adoption of relevant measures from the Transport for NSW Biodiversity Management Guideline (March 2024) ([best_practice_biodiversity_guidelines.pdf](#) ([nsw.gov.au](#))). The order of consideration for managing biodiversity impacts for the project is:

Avoid and minimise impact first

Mitigate where avoidance is not possible

Offset where residual impact cannot be avoided.

A conservative project area has been identified for this referral. The project area, disturbance footprint and area of native vegetation impact is expected to be reduced significantly during further design development. Further biodiversity surveys are expected with design responses to avoid/minimise impacts on threatened species and their habitats. Ancillary facilities (compounds, stockpile sites, plant/equipment laydown areas) will be located on cleared land where possible to reduce impacts on native vegetation.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

A Biodiversity Development Assessment Report is being prepared for the project in accordance with the Biodiversity Assessment Method (BAM) to assess project impacts on terrestrial biodiversity and required mitigation and offset requirements. The BAM requires the use of the BAM calculator (BAM-C) for calculating offset requirements in the form of biodiversity credits for all residual impacts. Offset requirements are captured in the NSW planning approval. Biodiversity offsets would be achieved prior to construction of the project commencing.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
Yes		<i>Actitis hypoleucos</i>	Common Sandpiper
Yes		<i>Apus pacificus</i>	Fork-tailed Swift
Yes		<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
Yes		<i>Calidris ferruginea</i>	Curlew Sandpiper
Yes		<i>Calidris melanotos</i>	Pectoral Sandpiper
Yes		<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes		<i>Hirundapus caudacutus</i>	White-throated Needletail
Yes		<i>Motacilla flava</i>	Yellow Wagtail

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.5.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The protected matters search (9 May 2025) identified eight migratory species with habitat that may occur the in locality. No Migratory species were recorded during field surveys to date. While potential habitat was observed for Fork-tailed Swift, and White-throated Needletail, and Satin Flycatcher, the project area is not likely to contain 'important habitat' as defined Matters of National Environmental Significance, Significant Impact Guidelines 1.1 EPBC Act (Department of the Environment, 2013).

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The project does not involve a nuclear action.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The project is not within or near a Commonwealth Marine Area.

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The project is not near the Great Barrier Reef.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The project does not involve large coal mining development or coal seam gas.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

The protected matters search (9 May 2025) did not identify any commonwealth land near the project area.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

The project area is not near any Commonwealth Heritage Places.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

- Threatened Species and Ecological Communities (S18)

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

A permanent solution is required to provide connectivity for residents and businesses in Wolgan Valley. A 'do nothing' option was therefore not considered further.

Restoration of existing Wolgan Road not viable as cost estimates are well outside the available funding envelope. Evaluation of the suitability of the existing road for short term use during construction of the project is currently occurring.

Access options are limited based on existing topographical constraints. Two other potential access corridors were considered. These can be described by the direction of access they provide into the Wolgan Valley and are:

- Eastern corridor – incorporating the Old Coach Road and former Wolgan Valley Railway track bed and tunnels
- Northern corridor – incorporating the existing pipeline track to Glen Davis

The eastern corridor is the longest route and would have the largest construction footprint (and associated impacts). The northern section of the corridor (about 10 kilometres) is within the Blue Mountains World Heritage area and National Heritage place. Walking tracks within the eastern corridor are listed on the State Heritage Register (SHR #00980). The cost of upgrading the route be high and the total length of slope hazard is highest of the corridors considered.

The northern corridor is currently undeveloped as a transport corridor, hence environmental impacts would be high. The overall distance between Lithgow and the Wolgan Valley is also the longest making this route the least desirable in terms of travel time. This option is almost entirely within the Blue Mountains World Heritage area.

The project corridor (southern corridor), given its short length of disturbance, would have the least environmental impact of all the corridors. Being the shortest route also means it is likely to be the most cost-effective corridor for a new road route only requiring 2.5 kilometres of new road and it is also the most direct (shortest distance) route between Lithgow and the Wolgan Valley.

More detail on the corridors considered is included in the project Scoping Report which is included in Attachment H (Section 4.2).

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A - Referral project area.pdf Map showing project area	20/05/2025	No	High

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att B - LCC CSP.pdf Lithgow City Council Community Strategic Plan		No	High

2.2.5 Tenure of the action area relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att C - Referral land tenure.pdf Map showing land tensure of the project area	20/05/2025	No	High

3.1.2 Existing or proposed uses for the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att D - Referral zoning.pdf Map showing land use zoning of the project area	23/05/2025	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att E - Bio Survey Rpt.pdf Report on the findings of initial targeted biodiversity surveys	14/03/2025	Yes	High
#2.	Document	Att E - Bio Survey Rpt_redacted.pdf Report on the findings of preliminary targeted biodiversity surveys - sensitive information redacted	14/03/2025	No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att F - Referral vegetation.pdf Map showing plant community types within the project area from the State Vegetation Type Map	20/05/2025	No	Medium

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att G - Archaeological Rpt - redacted.pdf Preliminary Archaeological Technical Report: Wolgan Road Reconstruction Project (Aboriginal) - redacted version	23/03/2025	No	High
#2.	Document	Att G - Archaeological Rpt.pdf Preliminary Archaeological Technical Report: Wolgan Road Reconstruction Project (Aboriginal)	23/03/2025	Yes	High

4.3.8 Why alternatives for your proposed action were not possible

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att H - Scoping Rpt.pdf Scoping Report for NSW EIS	19/12/2024	No	High

5.2 Declarations

✔ Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	59986092492
Organisation name	Lithgow City Council
Organisation address	2790 NSW
Representative's name	Michael Dunn
Representative's job title	Mr
Phone	0455081849
Email	michael.dunn@wassabigroup.com
Address	180 Mort Street Lithgow NSW, 2790

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ By checking this box, I, **Michael Dunn of Lithgow City Council**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

✔ Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	59986092492
Organisation name	Lithgow City Council
Organisation address	180 Mort Street Lithgow 2790 NSW
Representative's name	Jonathon Edgecombe

Representative's job title	Director Infrastructure and Engineering
Phone	0263549919
Email	jonathon.edgecombe@lithgow.nsw.gov.au
Address	180 Mort st Lithgow NSW 2790

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ I, **Jonathon Edgecombe of Lithgow City Council**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Name	Jonathon Edgecombe
Job title	Mr
Phone	0263549919
Email	jonathon.edgecombe@lithgow.nsw.gov.au
Address	180 Mort Street Lithgow NSW, 2790

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ I, **Jonathon Edgecombe**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action

described in this EPBC Act Referral. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *