

To: Steve Arnold, GM Project Development
Geoff Cahill, Principal Manager Project Development,
Sydney

CC: Siva Satchi, Project Development Manager,
Suresh Surendran, Senior Project Development Manager

From: Joseph Fanous **Date:** 04/05/2015
Environment Manager, Sydney

Ref: **Pages:** 3

File no:

Subject: Memorial Avenue upgrade, Kellyville



Transport
Roads & Maritime
Services

REF DECISION MEMO

Project

Memorial Avenue upgrade from Old Windsor Road to Windsor Road

Location

Kellyville

Discussion

Part 5 of the *Environmental Planning and Assessment Act 1979* applies to the proposal. The REF has been reviewed and considered against the requirements of sections 111 and 112 of the *Environmental Planning and Assessment Act 1979*.

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 REF, submissions report and associated information. This assessment is considered to be in accordance with the factors required to be considered under clause 228 of the *Environmental Planning and Assessment Regulation 2000*.

The proposal described in the REF and submissions report will have some environmental impacts which can be ameliorated satisfactorily. Having regard to the safeguard and management measures proposed, 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 Part 5.1 of the *Environmental Planning and Assessment Act 1979*.

The assessment has considered the potential impacts of the activity on critical habitat and on threatened species, populations and ecological communities and their habitats for both terrestrial and aquatic species as defined by the *Threatened Species Conservation Act 1995* and the *Fisheries Management Act 1994*.

The proposal described in the REF and submissions report will not affect declared critical habitat. The activity described in the REF and submissions report will not significantly affect threatened species, populations or ecological communities or their habitats. Therefore the concurrence of the Secretary of the Department of Planning

and Environment and a species impact statement is not required.

The assessment has also addressed the potential impacts on the activity on matters of national environmental significance and any impacts on 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 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*.

The REF and submissions report is considered to be of adequate quality and meets all relevant requirements. Improvements made to the REF and submissions report during the review process included amendments to:

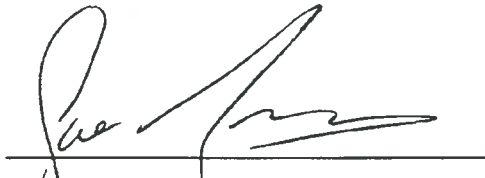
- Proposal description
- Construction Methodology
- Assessment of impacts in relation to water quality and soils
- Identification and summary of issues raised during the submissions process

Recommendation

It is recommended that the proposal to upgrade about 2.2 kilometres of Memorial Avenue between Windsor Road and Old Windsor Road at Kellyville as described in the "Memorial Avenue upgrade from Old Windsor Road to Windsor Road REF" dated November 2014 and "Memorial Avenue upgrade between Old Windsor Road and Windsor Road Submissions Report" dated May 2015, proceed subject to the implementation of all safeguards identified in the REF, submissions report and compliance with all other relevant statutory approvals, licences, permits and authorisations. The REF and submissions report has examined and taken into account to the fullest extent possible all matters likely to affect the environment by reason of the activity and established that the activity is not likely to significantly affect the environment. The REF and submissions report 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 May 2020 at which time it shall lapse if works have not been physically commenced. The pre-construction checklist must be completed prior to the commencement of any works.

Recommended by:


4-5-15
Joseph Fanous
Environment Manager, Sydney

Supported / ~~not supported~~ by:


5-5-15
Geoff Cahill
Principal Manager Project Development Sydney

Determined in accordance with the above recommendation under delegated authority and in accordance with sections 111 and 112 of the *Environmental Planning and Assessment Act 1979*:


Steve Arnold
General Manager Project Development

Date: 7/5/2015

Attachments

1. Memorial Avenue upgrade from Old Windsor Road to Windsor Road, REF, November 2014
2. Memorial Avenue upgrade between Old Windsor Road and Windsor Road, Submissions Report, May 2015