WATER TECHNOLOGY
WATER, COASTAL & ENVIRONMENTAL CONSULTANTS

Flora and Fauna Assessment

Albury Thurgoona New Primary School and New Public Preschool

School Infrastructure NSW

16 July 2025

School Name	Albury Thurgoona New Primary School and New Public School	**Consultancy Name**	Water Technology
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ACKNOWLEDGEMENT OF COUNTRY

The Board and employees of Water Technology acknowledge and respect the Aboriginal and Torres Strait Islander Peoples as the Traditional Custodians of Country throughout Australia. We specifically acknowledge the Traditional Custodians of the land on which our offices reside and where we undertake our work.

We respect the knowledge, skills and lived experiences of Aboriginal and Torres Strait Islander Peoples, who we continue to learn from and collaborate with. We also extend our respect to all First Nations Peoples, their cultures and to their Elders, past and present.

Artwork by Maurice Goolagong 2023. This piece was commissioned by Water Technology and visualises the important connections we have to water, and the cultural significance of journeys taken by traditional custodians of our land to meeting places, where communities connect with each other around waterways.

The symbolism in the artwork includes:

- *Seven circles representing each of the States and Territories in Australia where we do our work*
- *Blue dots between each circle representing the waterways that connect us*
- *The animals that rely on healthy waterways for their home*
- *Black and white dots representing all the different communities that we visit in our work*
- *Hands that are for the people we help on our journey*

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ACRONYMS AND DEFINITIONS

Acronym	Definition
BC Act	*Biodiversity Conservation Act 2016*
BV	Biodiversity Values
DCP	Development Control Plan
DD	Due Diligence
EP&A Act	*Environmental Planning and Assessment Act 1979*
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
FFA	Flora and Fauna Assessment
FM Act	*Fisheries Management Act 1994*
LEP	Local Environment Plan
LGA	Local Government Area
MNES	Matter of National Environmental Significance
PCT	Plant Community Type
SINSW	Schools Infrastructure New South Wales
TEC	Threatened Ecological Community
WM Act	*Water Management Act 2000*

1 EXECUTIVE SUMMARY

A flora and fauna Assessment has been conducted for the proposed new Albury Thurgoona Primary School and Public Preschool to identify potential constraints that may impede the activity. This assessment aims to seek approval for a development without consent application under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), requiring a Review of Environmental Factors (REF) to be prepared to mitigate any risks during the development of the school. The report documents the findings of the biodiversity assessment, identifying potential biodiversity constraints relevant to the proposed activity under the NSW *Biodiversity Conservation Act 2016*, Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, and the NSW *Fisheries Management Act 1994*.

No Plant Community Types (PCTs) were mapped as occurring within the subject site, and no biodiversity values were mapped. Our desktop assessment using Bionet found 10 listed species within a 10km radius of the site. This included the Koala *Phascolarctos cinereus* and Sloane's Froglet *Crinia sloanei* both listed as endangered under NSW BC Act and EPBC Act. Also recorded was the Swift Parrot *Lathamus discolor* which is endangered under NSW BC Act and critically endangered under the EPBC Act and the Grey-headed Flying-fox *Pteropus poliocephalus* listed as vulnerable under NSW Act and EPBC Act. The Likelihood of Occurrence analysis found the Sloane's Froglet has a moderate likelihood of appearing within the lot boundaries and the proposed site access road. No other threatened species were found, and the site has no Key Fish Habitat.

The Flora and Fauna Assessment concluded that there will be no significant impacts on Matters of National Environmental Significance. At the request of Albury City Council, a Test of Significance (ToS) was conducted for 12 species, including Sloane's Froglet, and determined that, due to the absence of suitable habitat or the implementation of mitigation measures, a Species Impact Statement (SIS) is not required.

Consequently, no referral to the Australian Minister for the Environment under the EPBC Act is required. The proposal would be unlikely to cause a significant impact on the environment. Therefore, it is not necessary for an Environmental Impact Statement to be prepared and approval to be sought from the Minister for Planning under the EPBC Act.

2 INTRODUCTION

2.1 Background

This flora and fauna assessment (FFA) report has been prepared to support a Review of Environmental Factors (REF) for the Department of Education (DoE) for the construction and operation of the new Albury Thurgoona Primary School and Public Preschool.

The purpose of the REF is to assess the potential environmental impacts of the activity prescribed by State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) as "development permitted without consent" on land carried out by or on behalf of a public authority under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The activity is to be undertaken pursuant to Chapter 3, Part 3.4, of the T&I SEPP.

The *Biodiversity Conservation Act 2016* outlines that '*an activity to which Part 5 of the Environmental Planning and Assessment Act 1979 applies which is carried out or proposed to be carried out on biodiversity certified land is taken, for the purposes of Part 5 of that Act, to be an activity that is not likely to significantly affect any threatened species or ecological community under this Act, or its habitat, in relation to that land*' .

This document has been prepared in accordance with the Guidelines for Division 5.1 assessments (the Guidelines) by the Department of Planning, Housing and Infrastructure (DPHI). The purpose of this report is to assess the flora and fauna of the site and immediate surrounds.

The construction company will make sure the proposal is carried out as described in this FFA. If the scope of work or work methods described in this FFA change significantly following determination, an additional environmental impact assessment, or FFA Addendum, may be required.

2.2 Site Description

The site is located on 356 Kerr Road, Wirlinga (Lot 1 DP 1315132). The site is located within the Albury City Local Government Area and is zoned R1 General Residential (the R1 zone) under the Albury Local Environmental Plan 2010 (the LEP) and it comprises pasture grass. (Refer to Figure 2-1 and Figure 2-2).

The site is within and surrounded by R1-General Residential land to the north, east and south of the site. The closest major town is Thurgoona, approximately 3 kms to the west.

Figure 2-1 below provides an aerial image of the site.

Figure 2-1 Aerial Photograph of Site with Lot and DP number

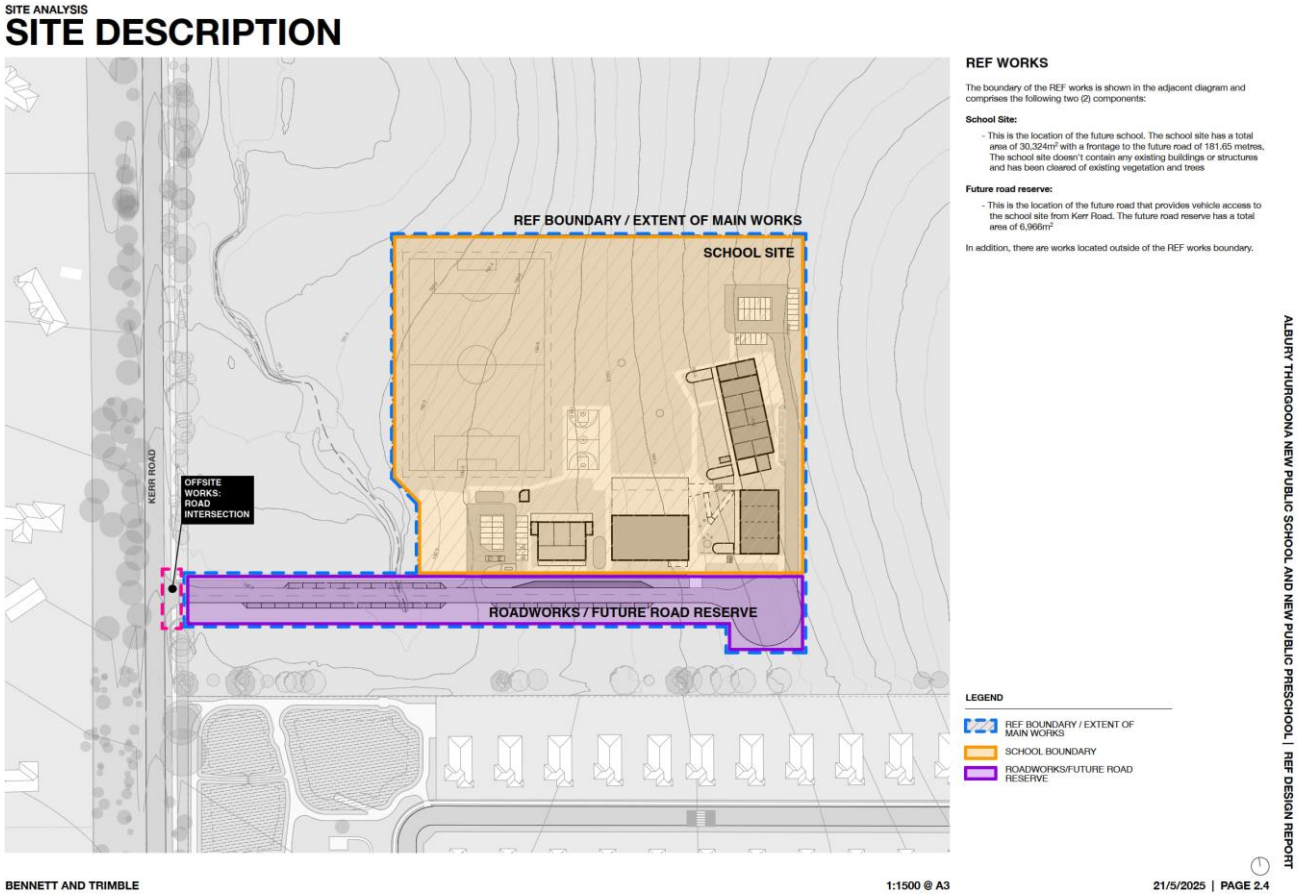

Figure 2-2 Site description

2.3 Proposed Activity Description

The proposed activity is for the construction and operation of a new primary school and public preschool known as Albury Thurgoona Public School. The primary school will accommodate 422 students and 23 staff, while the preschool will accommodate 60 students and 6 staff. The proposed activity will comprise of:

- Construction of a new school building, including learning hubs and an administration and library building
- Construction of a multi-purpose hall
- Construction and operation of a preschool
- Construction of car parking, waste storage and loading area
- Associated site landscaping and open space improvements
- New road with roundabout and public domain works
- Associated off-site infrastructure works to support the school, including (but not limited) services, driveways and pedestrian crossings.

The revised site plan of the school is shown in Figure 2-3.

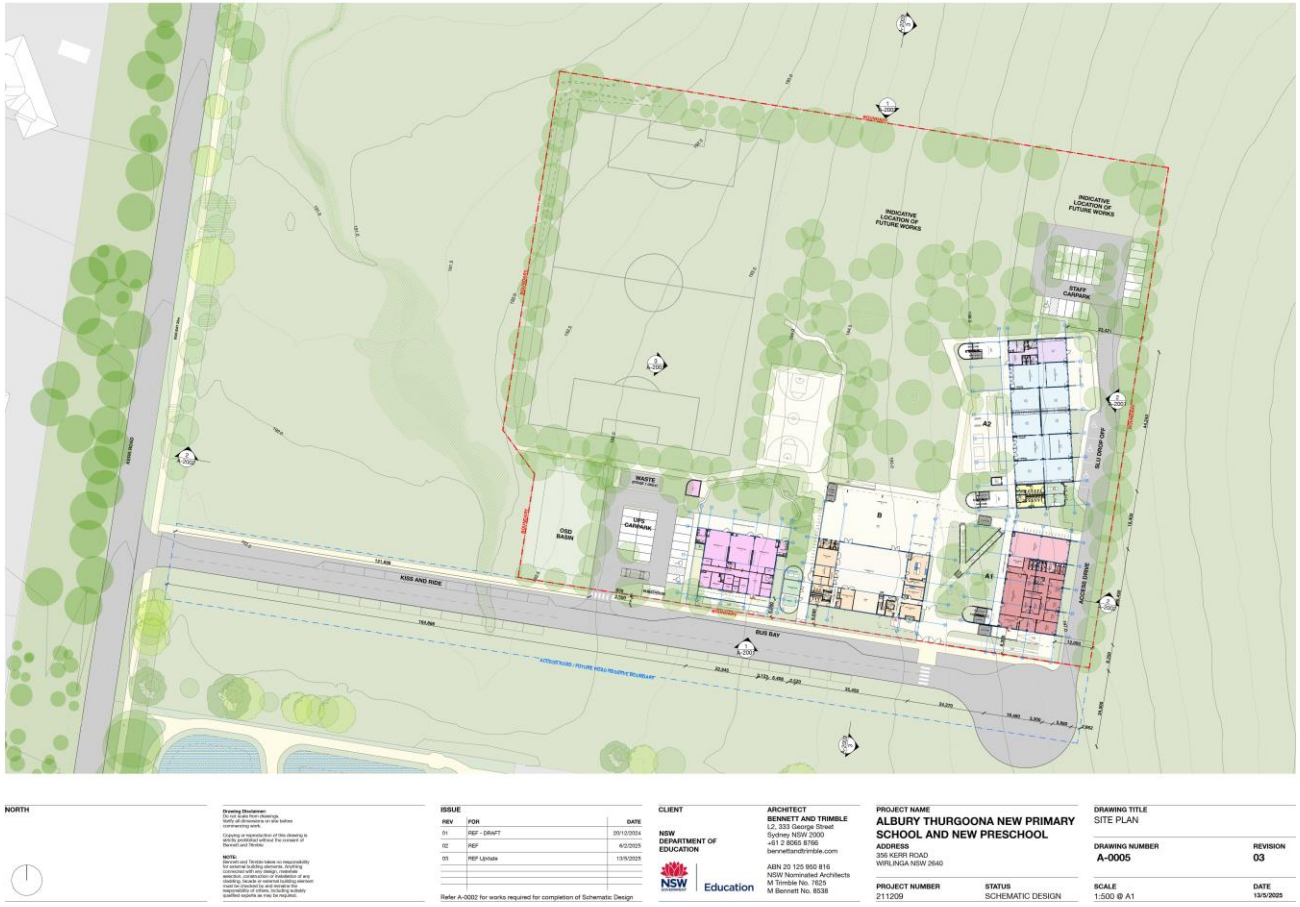

Figure 2-3 Overview of site plan

3 RELEVANT LEGISLATION

Legislation and policy relevant to the biodiversity component of works within the subject site are outlined below:

3.1 *Environmental Planning, Assessment Act 1979* and *Local Government Act 1993*

Planning and development within NSW is regulated by the *Environmental Planning & Assessment Act 1979 (*EP&A Act*)*.

The proposed works are permitted without consent under the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TISEPP). Where works do not require development consent but require approval of a government organisation under any legislation, then they are defined as an activity under Part 5 of the EP&A Act. Division 5.1 and Section 5.7 of the EP&A Act requires any such Government body to determine whether the impacts of the activity are likely to be significant. A FFA contributes to that determination.

A FFA is prepared, to inform a Review of Environmental Factors, to meet the requirements of Clause 171 of the *Environmental Planning and Assessment Regulation 2021*.

3.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TISEPP) provides for the efficient provision of public infrastructure in NSW. The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.

3.3 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) includes the Biodiversity Offsets Scheme (BOS) that governs how biodiversity offsets will be used to ensure they offset the loss due to development and deliver conservation outcomes. The Act and Regulations also govern the Biodiversity Assessment Method (BAM) as a scientific method that assesses biodiversity losses from impacts at activity sites and gains from conserving land at stewardship sites.

Public authorities seeking to undertake an activity under Part 5 of the EP&A Act can voluntarily opt-in to the BOS and BAM scheme or alternatively can elect to undertake an Assessment of Significance and proceed with Part 5 approval. It will be required to:

- take serious and irreversible impacts into consideration; and
- determine if there are any additional and appropriate measures that will minimise the impact if the activity is to be carried out or approved.
- The potential ecological impacts of the proposal are discussed in Section 5 of this FFA.

The provisions of the Biodiversity Conservation Act 2016, which outlines that '*an activity to which Part 5 of the Environmental Planning and Assessment Act 1979 applies which is carried out or proposed to be carried out on biodiversity certified land is taken, for the purposes of Part 5 of that Act, to be an activity that is not likely to significantly affect any threatened species or ecological community under this Act, or its habitat, in relation to that land'* and that a SIS or a BDAR therefore is not required.

The BC Act provides that, activities under Part 5 of the EP&A Act to be undertaken on such land is not likely to significantly affect any threatened species or ecological community or its habitat. This requires agreement with the DCEEW.

3.4 *Environmental Protection and Biodiversity Conservation Act 1999*

Under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), Commonwealth approval is required for certain actions. Actions which have or may have or are likely to have a significant impact on Matters of National Environmental Significance (MNES). MNES include nationally threatened species or endangered ecological communities. Under the EPBC Act an assessment of the impact of a proposal on a MNES must be undertaken to determine whether there is likely to be a significant impact. If the assessment concludes there is a significant impact, then it will become a controlled action under the EPBC Act, and the proposal must be referred to the Commonwealth. Approval from the relevant Federal Minister is also required for any actions that may have a significant impact on matters of National Environmental Significance, except in circumstances which are set out in the EPBC Act.

Approval from the Commonwealth is in addition to any approvals under NSW legislation. However,

The listing of an ecological community under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) has significant implications for land managers and potential developers. In areas where Threatened Ecological Communities (TECs) occur, it is crucial to ensure adequate protection and implement appropriate land use practices to maintain the ecological community for future generations.

National protection under the EPBC Act requires that any new or activities likely to have a significant impact on the listed ecological community be referred to the Australian Government Minister for the Environment for assessment. Certain exemptions may apply, but failing to refer a significant action can result in legal consequences such as financial penalties and remediation orders.

Activities that may require referral include:

- Clearing native vegetation adjacent to or upstream of the community, affecting its drainage regimes
- Significant changes in management regimes, including altered fire frequencies
- New weed management practices posing risks to the community, such as aerial spraying

It is also important to note that individual plant or animal species within the ecological community may also be protected under the EPBC Act. Activities impacting these species may require separate approvals. Additionally, some TECs may overlap with National Heritage List sites or Ramsar wetlands, necessitating further considerations.

As the subject is taking the necessary precautions to protect potential Sloane's Froglet habitat, with mitigation measures in place to ensure the species or its habitat will not be disturbed during activity, the findings of this report do not necessitate further referral or approval from the Commonwealth under the EPBC Act. It is anticipated that the bilateral agreement between NSW and Federal governments will apply providing suitable mitigation can be demonstrated.

3.5 Water Management Act 2000

The Water Management Act 2000 (WM Act) provides for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations. The WM Act defines principles of water management, sets out water licensing laws and environmental water provisions.

Section 91 (2) states that: *waterfront land means—…where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance.*

3.6 Albury Local Environmental Plan 2010

The Albury Local Environmental Plan 2010 (LEP) current version came into effect on 13 August 2010. This Plan aims to make local environmental planning provisions for land in the Albury LGA in accordance with the relevant standard environmental planning instrument.

The works are to be conducted in Zone R1 General Residential as per LEP zoned land. The objectives of this zone include:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage affordable housing.
- To encourage medium density housing that is designed to achieve a high standard of amenity.

3.7 Albury Development Control Plan 2010

The aim of the Albury Control Plan 2010 (DCP) is to allow detailed provisions to be made to control and guide development and subdivision within the Albury LGA.

4 EXISTING ENVIRONMENT

4.1 Desktop Search

Prior to undertaking the ecological field survey, desktop searches were conducted to provide a context of the surrounding environment.

The draft Biodiversity Due Diligence Report prepared by Water Technology (2024), as well as a Preliminary Arboricultural Assessment Report (Wade Ryan Contracting, 2024) was also reviewed and updated as required.

4.1.1 Vegetation Communities

A review of the vegetation mapping databases using the SEED portal (NSW Government's central resource for Sharing and Enabling Environmental Data in NSW) was undertaken to identify Plant Community Types (PCTs) present within the area. As indicated in Figure 4-1.

According to the NSW State Vegetation Type Mapping, one PCT was mapped as occurring within the subject site – specifically on the access road:

- PCT 277 – Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion

This PCT is associated with White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions which is listed as Critically Endangered under the BC Act. It is also associated with White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland which is listed a Critically Endangered under the EPBC Act

Various PCTs occur in proximity to, but within, the subject site. This also includes PCT 277 – Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion, as well as, PCT 278 – Riparian Blakely's Red Gum - box - shrub - sedge - grass tall open forest of the central NSW South Western Slopes Bioregion. These PCTs are associated with White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions which is listed as Critically Endangered under the BC Act. They are also associated with White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland which is listed a Critically Endangered under the EPBC Act.

An ecological site inspection was conducted to confirm the vegetation present within the subject site and determine the absence or presence of PCTs.

4.1.2 Threatened Species

A search was conducted for records of threatened species using the NSW BioNet database. 26 listed species were found within 10kms of the subject site (Appendix A).

The search of NSW SEED Portal showed that the following species have been sighted in close proximity to the site area, but not within the site itself:

- Koala *Phascolarctos cinereus* Endangered under NSW BC Act and EPBC Act
- Sloane's Froglet *Crinia sloanei*, Endangered under NSW BC Act and EPBC Act
- Swift Parrot *Lathamus discolor* Endangered under NSW BC Act and Critically Endangered under EPBC Act

- Grey-headed Flying-fox *Pteropus poliocephalus* Vulnerable under NSW Act and EPBC Act
- Black-chinned Honeyeater (eastern subspecies) *Melithreptus gularis gularis* Vulnerable under NSW BC Act
- Brown Treecreeper (eastern subspecies) *Climacteris picumnus victoriae* Vulnerable under NSW Act
- Flame Robin *Petroica phoenicea* Vulnerable under NSW BC Act
- Purple-crowned Lorikeet *Glossopsitta porphyrocephala* Vulnerable under NSW BC Act
- Scarlet Robin *Petroica boodang*, Vulnerable under NSW BC Act
- Squirrel Glider *Petaurus norfolcensis*, Vulnerable under NSW BC Act

Threatened species near the site are shown in Figure 4-2.

A Likelihood of Occurrence (Appendix A) has been compiled using information obtained from the NSW BioNet database, NSW Threatened Species Profile Database, and the site characteristics have been assessed in the above desktop review. This informs which species have a high probability of occurring within the subject site and guides whether any targeted species surveys are required.

The likelihood of occurrence is considered low for the subject site as the desktop review indicated there are no potential habitats such as trees, burrows or waterways located within the site.

Although Sloane's Froglet, and Squirrel Glider have been sighted close to the site, none of the species are considered likely to occur on the site due to high level of disturbance across proposed activity area and lack of suitable habitat.

The Commonwealth Government Department of Climate Change, Energy, the Environment and Water's (DCCEEW) Protected Matters Search Tool, these results are provided in (Appendix B), summarises the matters of national environmental significance that may occur in, or may relate to, the subject site.

Analysis of the Protected Matters Search Tool indicated that there are three listed threatened ecological communities, 44 listed threatened species, and 11 listed migratory species previously recorded within 10 km of the subject site. These have been considered herein as part of the PCT analysis and the Likelihood of Occurrence process. One National Heritage Place and seven Wetlands of international importance occur within 10km of the site, and no World Heritage Properties or Protected Marine Areas occur within 10km of the site.

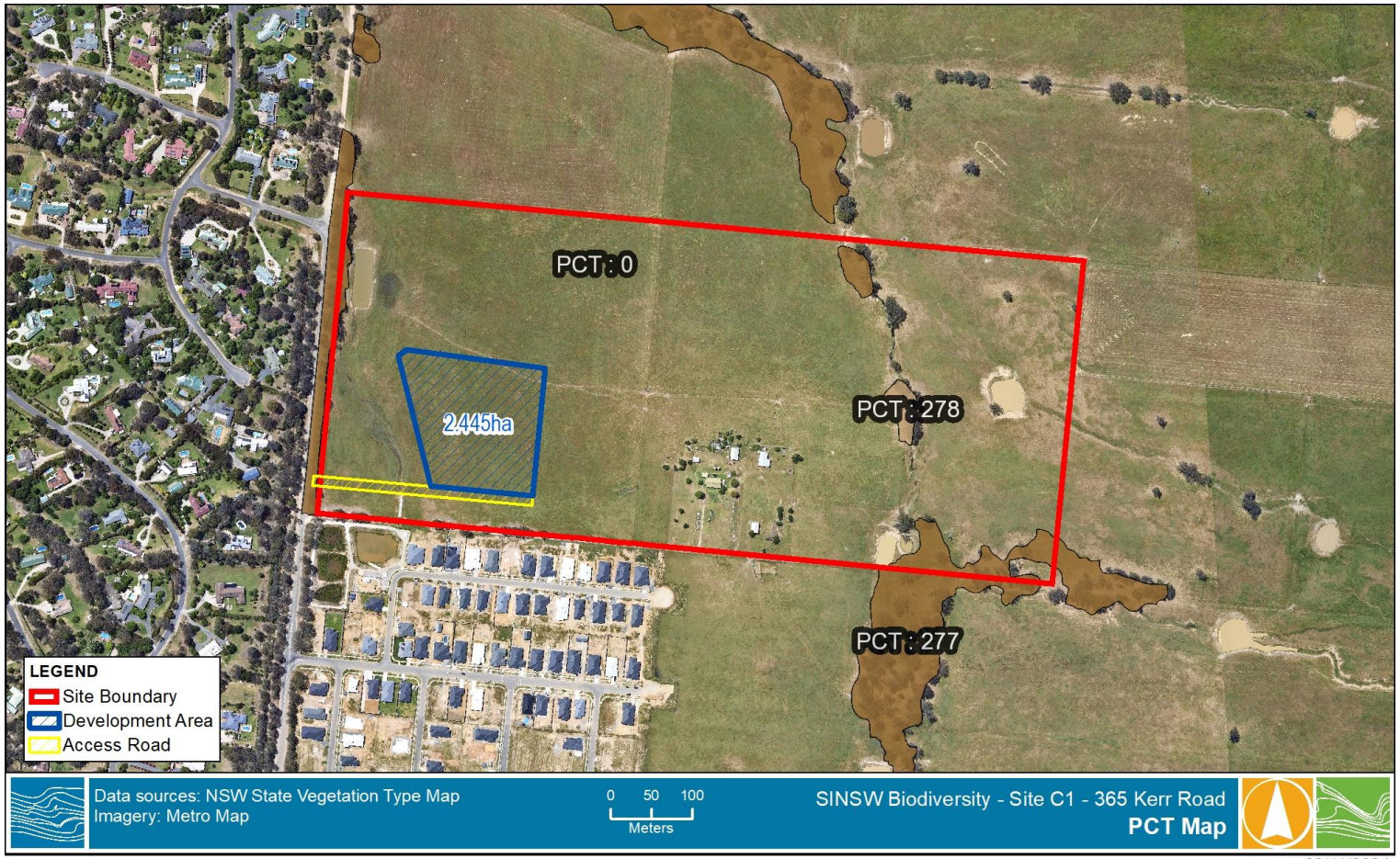

Figure 4-1 NSW State Vegetation Type Map

Figure 4-2 Threatened Species Map

4.1.3 Biodiversity Values

Biodiversity Values were not mapped on the site but were in proximity to the site (Figure 4-3). Biodiversity values refer to the importance of the variety and variability of life forms (species, ecosystems, and genetic diversity) within a given area. These values can be categorised into different types based on their significance to ecosystems, human society, and the environment.

4.1.4 Previous Arboricultural Assessment

A literature review of tree retention values and habitat features was conducted using the report by Wade Ryan Contracting (2024) in Appendix C. The report assessed the row of trees located west of the site along Kerr Road and south of the site along the private driveway to determine their retention value and protection requirements in accordance with Australian Standard 4970:2009.

The arborist assessment had 10 trees recommended for removal, 20 recommended to retain if possible, and six to retain. The report confirms that no trees within the private driveway or along the lot boundary will be impacted. Additionally, the proposed access road is aligned through an existing gap in the tree line, minimizing direct disturbance. The report highlights that a well-designed landscape plan can effectively replace lost tree values and canopy cover, ultimately improving site conditions. These findings align with broader research advocating for proactive tree management strategies that balance activity needs with environmental sustainability, ensuring minimal disruption to existing vegetation while maximizing long-term canopy benefits.

4.1.5 Waterways

The subject site was not mapped as containing any Key Fish Habitat. Under the WM Act a controlled activity approval (CAA) is required for controlled activities which are carried out in, on or under waterfront land, i.e., within 40 m of a waterway.

The mapping shows a drainage line west of the subject site.

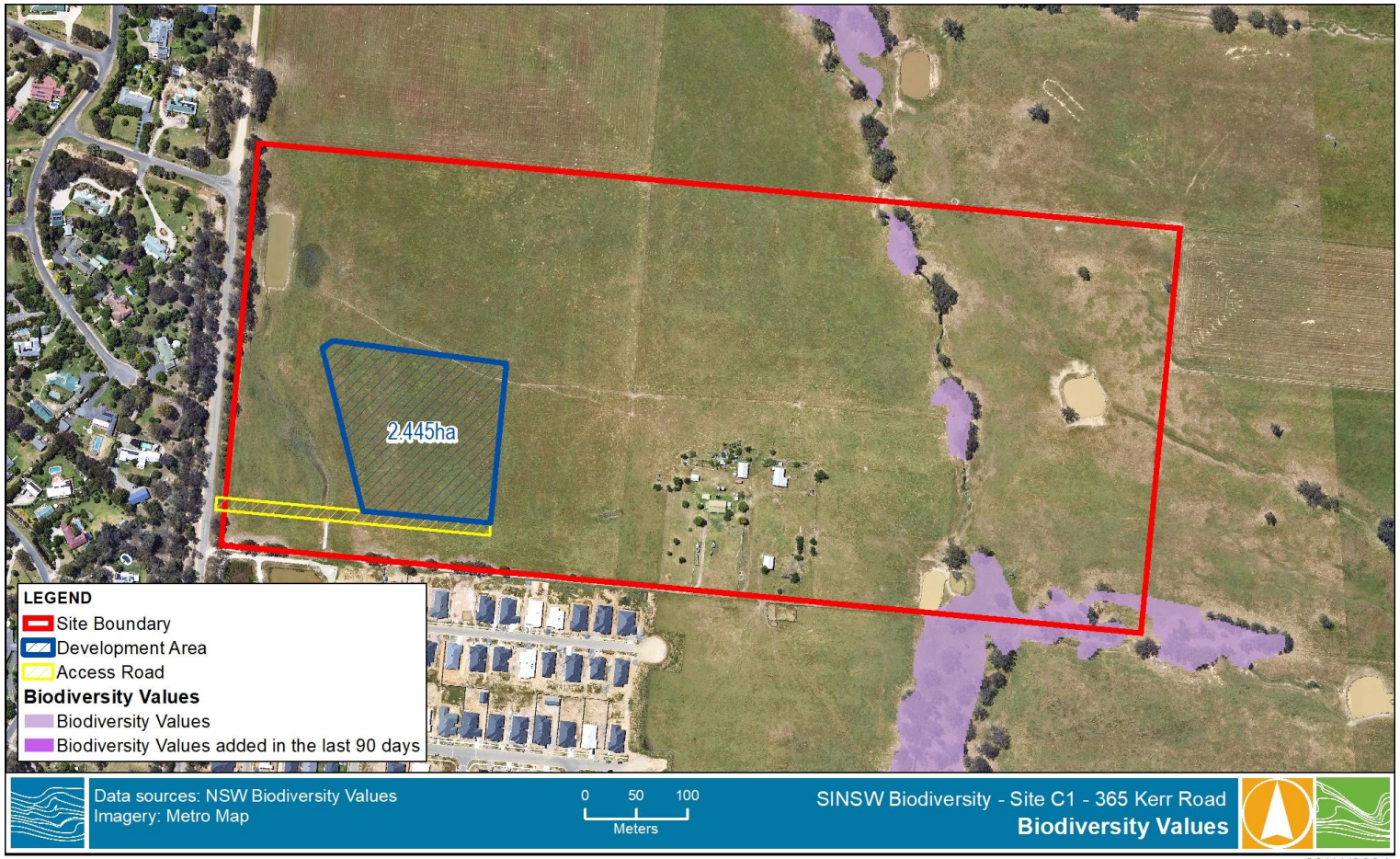

Figure 4-3 Biodiversity Values

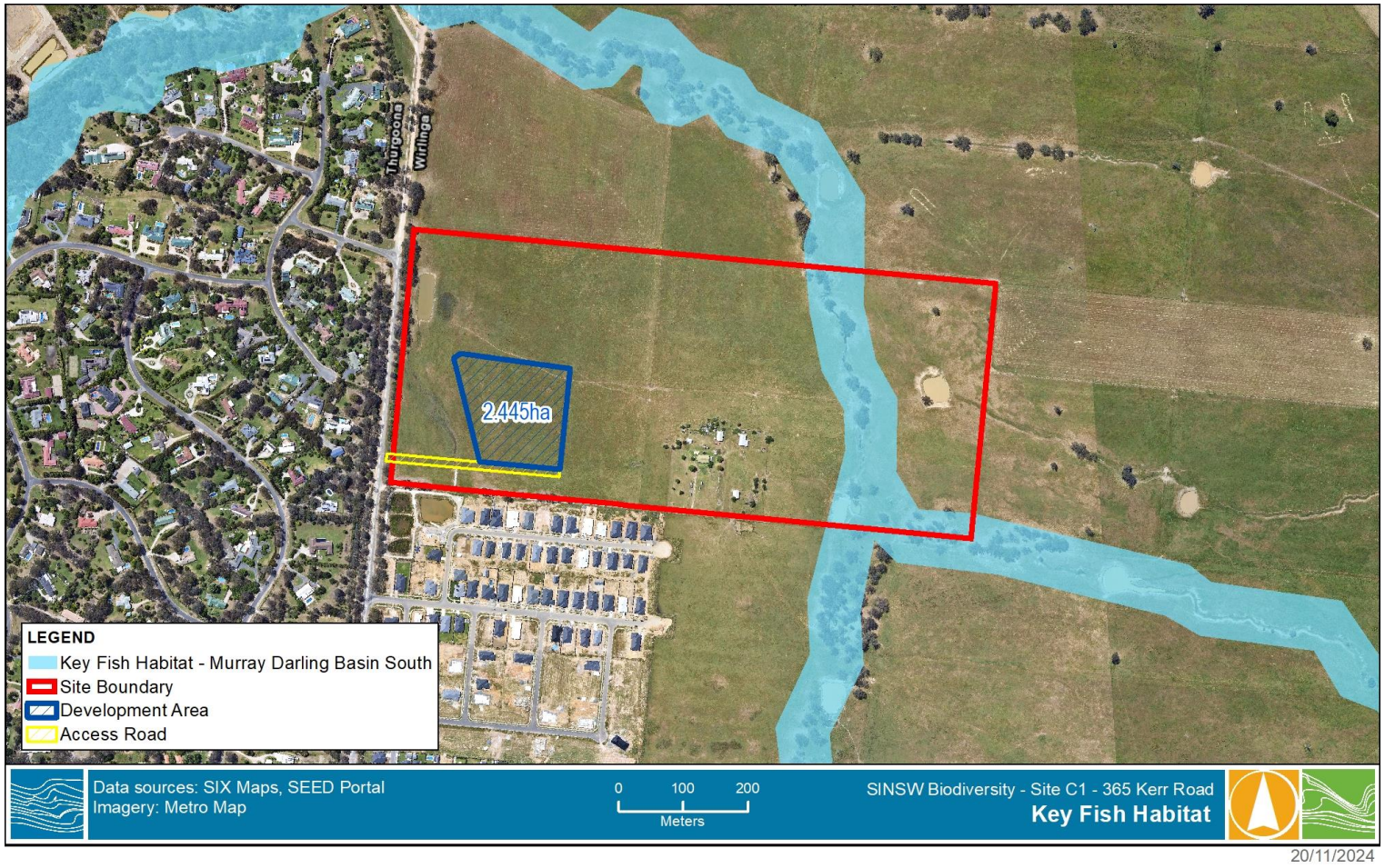

Figure 4-4 Key Fish Habitat

4.2 Site Visit

An assessment of the site was undertaken on 10 September 2024 by experienced ecologist Stephanie Phillips. The survey comprised a walkthrough of all the accessible vegetated areas of the site. Flora species were surveyed by stratum and were identified and recorded.

An opportunistic fauna survey included searches for proxy evidence of fauna activity such as tree scratches, scat, and bird nests. As many faunal species likely to occur are cryptic and/or nocturnal, they are unlikely to be detected during a short survey. The fauna assessment is, therefore, largely an assessment of the potential of the site as habitat for various fauna species. Apart from species definitely recorded from the site, there is no certainty as to the presence or absence of the species discussed. Therefore, it is important to adopt the precautionary principle such that it is assumed that any threatened species are likely to occur at the site if suitable habitat exists.

An assessment of potential habitat features for threatened species, including tree hollows and bark crevices, was conducted along the roadside vegetation west of the site but not within the site itself. Assessing the drainage line within the site thoroughly, to confirm for potential habitat or presence of the threatened species Sloane's Froglet *Crinia sloanei*, was also conducted.

4.2.1 Subject Site

The subject site (activity area) was highly disturbed and at the time of the survey supported very little native vegetation. It is suited in an agricultural landscape and had previously been used for agriculture such as grazing (Figure 4-5).

The majority of the site was dominated by exotic ground vegetation such as Phalaris *Phalaris aquatica*, Paterson's Curse *Echium plantagineum*, Lesser Quaking-grass *Briza minor* and Clover *Trifolium* sp. Native species noted within the paddock include Rush *Juncus flavidus* and Tall Sedge *Carex appressa*, Rush being the prevalent native species in scattered patches throughout the activity area. However, its presence does not constitute a significant proportion compared to the extensive exotic vegetation on the sites (Figure 4-5). The area mapped as PCT 277 where the access road is proposed was found to be small treeless area with no significant native vegetation, and such does not classify the area as a threatened community.

The fauna survey did not find potential nesting or roosting habitat such as stick nests or tree hollows within the subject site. Australian Magpie *Cracticus tibicen* was observed foraging on site. There were no trees bordering the property; however, any habitat trees and the drainage line to the west of the site should be protected from disturbance during activities, including vehicle access.

Figure 4-5 Photo illustrating the typical landscape of the site

4.2.2 Other Observations

No Sloane's Froglets were observed or heard on-site, and no potential habitat was identified within the main subject site where the new school is proposed. However, a drainage line west of the area intersects with the proposed access road. Given the suitable habitat, favourable conditions, and connectivity between wetlands, there is a high likelihood of Sloane's Froglet occurrence. Any activity should take measures to avoid both direct and indirect impacts, such as runoff or vehicle disturbance within this area (Figure 4-6).

Historically, records of calling male Sloane's Froglets have only been found within shallow areas ranging in depth from 1 to 31 cm, with 50% of those measured sitting in water less than 5 cm deep and 80% in water less than 8 cm deep according to the NSW Sloane's Froglet Interim Habitat Guide & Management Recommendations (Knight 2014). While the drainage line where the proposed access road will be constructed has sufficient coverage and depth to allow for frog movement, it is not considered prime habitat for the species (Figure 4-6). The ideal habitat for Sloane's Froglet within this drainage line is located further north, as shown in Figure 4-7. In the Albury area, Sloane's Froglets have been found calling in dams, shallow depressions, natural wetlands, roadside and irrigation drains, oxbows, and gilgais (Knight 2014). The proposed access road area is adjacent to a culvert, which may provide some connectivity for movement but does not offer optimal breeding conditions.

South of the site were ponds within a park in a residential area that has been retained as a wetland habitat for fauna (Figure 4-8), where multiple birds were seen foraging, such as the Yellow-billed Spoonbill *Platalea flavipes*, Australian Wood Ducks *Chenonetta jubata* and White-necked Heron *Ardea pacifica*, as well as frog species being heard such as the Eastern sign-bearing froglet *Crinia parinsignifera* and the Striped Marsh Frog *Limnodynastes peronii*. The wetland is connected to the drainage line that flows through the middle of the activity area towards a dam north of the site by a pipe of overfllow, which provides an ideal corridor between waterbodies and a good habitat and breeding ground for Sloane's Froglet.

Furthermore, due to the gap in the road reserve, no large trees are likely to be directly impacted by the access road.

Figure 4-6 Drainage line west of activity area, intersecting with proposed access road

Figure 4-7 Drainage line west of activity area, with more ideal Sloane's Froglet habitat

Figure 4-8 Ponds south of activity area, connecting with drainage line

5 IMPACT ASSESSMENT

Impacts on biodiversity may arise during the pre-construction, construction, and operational phases, as well as in the long term, due to site activities. These impacts may be direct or indirect, affecting existing trees, vegetation, and local wildlife. This section details potential impacts of the proposed construction and operation of the Albury Thurgoona Primary School on the ecological values of the subject site.

Following this a Test of Significance (ToS) as set out in Section 7.3 of the BC Act was undertaken for threatened species considered likely to occur within the project site, to determine if a Species Impact Statement (SIS) is required. The species herein are listed as threatened under the BC Act and listed under the EPBC Act.

5.1 Direct Impacts

Direct impacts refer to the immediate and physical changes to the environment resulting from the proposed activity. These impacts typically occur during the construction phase and are directly linked to the project's activities.

5.1.1 Vegetation Removal

The construction of the new Albury Thurgoona Primary School will result in the removal of vegetation from the grass paddock. The site is highly disturbed, with little native vegetation present, and this vegetation removal is not anticipated to significantly impact the biodiversity value of the area. Additionally, any vegetation removal associated with the construction of the access road, bridge, and supporting infrastructure that will primarily occur around the water underpass, efforts will be made to minimize disturbance and implement appropriate mitigation measures.

5.1.2 Habitat Loss

The access road for the school will intersect a small section of the drainage line, which provides potential habitat or a travel corridor for the Sloane's Froglet. Although no Sloane's Froglet were observed during the site visit, the precautionary principle will be applied. Given the Sloane's Froglet is known to occur in the area with Bionet records (OEH 2025), we have assumed habitat is suitable indication that they are likely to inhabit or use the drainage line connecting the dam onsite and ponds in the neighbouring residential development south of the site. The construction of the access track may reduce the availability of suitable habitat and fragment the connectivity of the drainage line, potentially affecting the species' movement.

To minimise impacts, all reasonable measures must be taken during construction to avoid the removal or disturbance of habitat within the drainage line. This includes implementing strict exclusion zones, ensuring no works extend beyond designated areas, and maintaining vegetation cover essential for the species' movement and breeding.

If any Sloane's Froglets are detected during pre-clearance surveys or construction works, a qualified ecologist or spotter-catcher will be required to undertake fauna relocation in accordance with relevant environmental regulations. The relocation process would involve carefully capturing individuals and moving them to suitable habitat along the same drainage line or nearby waterbodies with similar environmental conditions. Temporary holding shelters may be required until relocation is appropriate, particularly if immediate release sites are unsuitable due to ongoing construction. Relocation efforts will prioritise minimising stress to the animals, with handling kept to a minimum and conducted under appropriate licences. These measures would ensure that any Sloane's Froglets present are protected, while supporting the ongoing health of the local ecosystem.

5.1.3 Fauna Disturbance

Construction activities may cause noise, vibration, and light disturbances, which can affect fauna species in the surrounding environment. Although no fauna was observed on-site, the nearby wetlands, trees along the lot boundary, and drainage line may support a variety of species, including birds, amphibians, and small mammals. The use of heavy machinery, increased human activity, and potential habitat modification may lead to temporary displacement of fauna, disruption of foraging or breeding behaviours, and changes in movement patterns.

To minimise these impacts, appropriate fauna fencing will be installed to prevent wildlife from entering construction zones, reducing the risk of injury or displacement. Regular fauna checks will be conducted throughout the construction phase to identify and safely relocate any wildlife found within the work area. Additionally, construction activities should be scheduled to avoid key breeding seasons where possible, and artificial lighting should be directed away from sensitive habitats to prevent unnecessary disturbance. Implementing noise and vibration mitigation strategies, such as limiting high-impact work during early mornings and evenings, can further reduce stress on local fauna.

5.1.4 Site Hygiene Protocols

Construction activities can introduce plant pathogens and diseases. To mitigate this risk, basic hygiene protocols will be implemented for construction personnel and machinery to reduce the potential for invasion by amphibian chytrid fungus. This prevents the spread of harmful pathogens and protects the local ecosystem. It is imperative that all machinery is clean when entering the site.

5.2 Indirect Impacts

Indirect impacts are those that occur as a consequence of the activity, typically arising from changes in environmental conditions. These impacts can occur during both the construction and operational phases of the project.

5.2.1 Hydrological Changes

Mitigating the impact on a waterway during site activity involves several strategies to protect water quality and maintain natural hydrology. Current designs show a retarding basin to treat al runoff form the school grounds prior to entering the waterway. This, in addition to establishing vegetated buffer zones around the waterway can help filter out pollutants, reduce runoff, and provide habitat for wildlife. Using erosion and sediment control measures such as silt fences, sediment traps, and erosion control blankets can prevent soil erosion and sedimentation in the waterway. These techniques help maintain the site's pre-activity hydrology and reduce the impact on the waterway. Conducting regular inspections and maintenance of erosion control measures ensures they function effectively throughout the construction period. This proactive approach helps identify and address potential issues before they cause significant impact.

By implementing these strategies, there can be significant mitigation to the impact of activity on nearby waterways, ensuring the protection of water quality and the surrounding ecosystem.

5.2.2 Pollution and Runoff

Construction activities have the potential to generate pollutants such as sediment, chemicals, and hydrocarbons, which could enter the drainage line through surface runoff. This contamination could degrade water quality, posing a threat to aquatic fauna and vegetation. All runoff from the culvert to Kerr Road will be diverted to roadside drains whilst runoff from the road adjacent to the school is proposed to enter the retarding basing for filtration prior to entering the waterway. This will slow and filter the water and guarantee habitat remains for Sloane’s Froglet.

During both construction and operation, the project may generate noise and artificial light pollution, which can disrupt fauna behaviour and reduce the quality of nearby habitat. Night-time lighting, in particular, could affect nocturnal species and those sensitive to light exposure.

5.3 Test of Significance (ToS)

The following section summarises whether the proposal (as discussed and reviewed in this assessment) is likely to have a significant effect on threatened biodiversity by addressing the Parts (a), (b) and (c) of the test of significance applied to species and ecological communities listed in Schedules 1 and 2 to the BC Act and under s.111 of the EP&A Act.

It is important to note that under the Biodiversity Conservation Act 2016 and the Environmental Planning and Assessment Act 1979 no 203 (2018) s. 111; the factors to be considered when determining whether an action, development or activity is likely to significantly affect threatened species, populations or ecological communities, or their habitats (known previously as the '7-part test'), have been revised under the BC Act. The revised factors maintain the same intent under the new ('5 part test) but better focus consideration of likely impacts in the context of the local rather than the regional environment as the long-term loss of biodiversity at all levels arises primarily from the accumulation of losses and depletions of populations at a local level. It also requires the identification on the potential impacts to/or on any areas declared to be of outstanding biodiversity value under Part 3 of the BC Act. When applying each factor, the following sections have considered all perceived likely direct and indirect impacts of the proposed activity as outlined by previous sections of this document.

A ToS was prepared for 12 threatened fauna that have been observed within 10km proximity of, but not directly on, the subject site. Table 5-1 below summarises the results based on potential impacts. The full ToS is provided in Appendix D.

Table 5-1 Summary of Test of Significance

Species	Conservation Status NSW	ToS Results
Black Falcon *Falco subniger*	Vulnerable	The proposed work will not significantly impact the Black Falcon or its habitat and Species Impact Statement (SIS) is not required.
Dusk Woodswallow *Artamus cyanopterus cyanopterus*	Vulnerable	The proposed work will not significantly impact the Dusky Woodswallow or its habitat and Species Impact Statement (SIS) is not required.
Eastern False Pipistrelle *Falsistrellus tasmaniensis*	Vulnerable	The proposed work will not significantly impact the Eastern False Pipistrelle or its habitat and Species Impact Statement (SIS) is not required.
Flame Robin *Petroica phoenicea*	Vulnerable	The proposed work will not significantly impact the Flame Robin or its habitat and Species Impact Statement (SIS) is not required.
Grey-headed Flying Fox *Pteropus poliocephalus*	Vulnerable	The proposed work will not significantly impact the Grey-headed Flying Fox or its habitat and Species Impact Statement (SIS) is not required.
Little Eagle *Hieraaetus morphnoides*	Vulnerable	The proposed work will not significantly impact the Little Eagle or its habitat and Species Impact Statement (SIS) is not required.

Species	Conservation Status NSW	ToS Results
Little Lorikeet *Glossopsitta pusilla*	Vulnerable	The proposed work will not significantly impact the Little Lorikeet or its habitat and Species Impact Statement (SIS) is not required.
Magpie Goose *Anseranas semipalmata*	Vulnerable	The proposed work will not significantly impact the Magpie Goose or its habitat and Species Impact Statement (SIS) is not required.
Scarlet Robin *Petroica boodang*	Vulnerable	The proposed work will not significantly impact the Scarlet or its habitat and Species Impact Statement (SIS) is not required.
Sloane's Froglet *Crinia sloanei*	Endangered	The proposed work will potentially impact habitat of the Sloane's Froglet. However, due to mitigation measures in place to minimise impacts and secure habitat, a Species Impact Statement (SIS) is not required
Spotted Harrier *Circus assimilis*	Vulnerable	The proposed work will not significantly impact the Spotted Harrier or its habitat and Species Impact Statement (SIS) is not required.
Varied Sitella *Daphoenositta chrysoptera*	Vulnerable	The proposed work will not significantly impact the Varied Sitella or its habitat and Species Impact Statement (SIS) is not required.

6 MITIGATION MEASURES

For the construction of the roads, infrastructure and school, there needs to be a Construction Environmental Management Plan (CEMP) that adequately addresses management of the site to ensure Sloane's Froglet and any other threatened species will be protected (NSW DPIE 2021). The table below summarises the mitigation measures that will be implemented to address potential impacts on the different project stages such as:

- (D) Pre-construction / Design
- (C) Construction
- (O) Operation

Table 6-1 Mitigation measures for pre-construction impacts, construction impacts and operational impacts

Project stage	Mitigation Measure	Reason for Mitigation Measure
D	Conduct a pre-clearance fauna survey by a qualified ecologist to inspect the drainage line for any Sloane's Froglet.	To confirm if Sloane's Froglet or other fauna species are present
D	Erosion and Sediment Control Plan – using silt fences, sediment traps, and erosion control blankets	To prevent soil erosion and sedimentation in the drainage line
D	Clearly mark out a no-go buffer zone around the drainage line (outside of the access road footprint) to ensure a drainage line protection zone	To protect the drainage line and potential habitat of the Sloane's Froglet, preventing any unnecessary disturbance to the drainage line
D	Incorporate all biodiversity mitigation measures in a Construction Environmental Management Plan (CEMP)	To ensure spill management, waste disposal and site hygiene.
D	Design a culvert that when placed provides adequate habitat for frogs beneath the road crossing to pass freely	To ensure frog movement beneath road works and not place barriers to movement.
D, C	Induction of all contractors and staff outlining the ecological sensitivity of the site, no-go areas, the need to minimise ecological impact, and all other required mitigation measures is to be undertaken.	To ensure all personnel are aware of the ecological importance of the site and understand the measures needed to minimise ecological impact during construction activities
D, C	Place mesh frog fencing to prevent any frogs from entering the construction site of both the school and road reserve, this should include fencing of the drainage line funnelling frog movement via the drainage line, maintain and check during construction	Prevent frogs entering the school construction site during earthworks and building

Project stage	Mitigation Measure	Reason for Mitigation Measure
C	Have an ecologist present for fauna spotting/catching during vegetation clearing and earthworks near the drainage line. If a Sloane's Froglet is observed on-site, the ecologist must safely relocate it to the wetland basins south of the site, identified as suitable nearby habitat.	To minimise the likelihood Sloane's Froglet will not be harmed or impacted when construction begins.
C	Basic hygiene protocols would be implemented for construction personnel and machinery on site to reduce the potential for invasion of the amphibian chytrid fungus.	To prevent the spread of diseases that could harm any Sloane's Froglet that may occur on construction site.
C	Construction of road reserve to happen outside of breeding period for Sloane's Froglet (July – August) Note: Frog fencing should remain in place for the duration of the school construction undertaken during the breeding period	To prevent any impact on Sloane's Froglet during its breeding period, when it moves into shallow watercourses, the drainage line is a key area of concern.
C	Revegetate both sides of the drainage line within the property boundaries surrounding the proposed culvert.	To provide habitat and cover for the Sloane's Froglet as it moves along the drainage line, ensuring protection from increased human activity during school operations.
O	Install signage or educational materials around the site highlighting the presence of Sloane's Froglet and the importance of protecting the drainage line. This should include hygiene procedures and anti-pollution measures.	To protect habitat connectivity and provide information to teachers, students, parents etc. on the importance of protecting Sloane's Froglets.
O	Implement a weed management plan for the sections of the drainage line within the road reserve, focusing on the areas immediately upstream and downstream of the culvert openings, with ongoing weed control and maintenance to be managed by the Department of Education.	To manage and monitor invasive species along the section of the drainage line within SINSW property.

7 EVALUATION OF ENVIRONMENTAL IMPACTS

The extent and nature of potential impacts on biodiversity that may result as a consequence of the proposed construction project are low to moderate. The project is not expected to have a significant impact on the locality, community and/or the environment provided the proposed mitigation measures in Section 6 are followed and a CEMP produced. Using the listed mitigation measures, the potential impacts can be appropriately mitigated or managed to ensure that there is minimal impact on the locality, community and/or the environment. While the proposed activity is likely to impact a potential habitat for the threatened species, Sloane's Froglet, the mitigation measures exempt it from requiring a Species Impact Statement (SIS) or a Biodiversity Development Assessment Report (BDAR).

No native fauna, including any threatened species, were identified during the field survey undertaken for the Biodiversity Due Diligence assessment in September 2024.The field survey was restricted to the proposed area of impact of the works at the time of the due diligence assessment. The area of impact has increased slightly to include the access road and is shown to intersect with the drainage line; however, placement of the culvert is designed to facilitate ongoing movement of the Sloane's Froglet. While there may be some minor impacts at the time of placement, these will be mitigated where possible.

A Test of Significance was required for 12 threatened species occurring in proximity to the site, but not within the site. The test concluded that no significant impacts to these species or their habitats are expected, as no suitable habitats were identified on the site, and any potential impacts will be mitigated through appropriate measures. The BC Act provides that, activities under Part 5 of the EP&A Act to be undertaken on such land is not likely to significantly affect any threatened species or ecological community or its habitat.

8 CONCLUSION AND RECOMMENDATIONS

The site and selected location are suitable for the construction of a new school as proposed. Impacts to flora and fauna can be minimised by implementing the mitigation measures provided in Section 6. However, it is important that the extent of the works is minimised and no further impacts to the surrounding biodiversity features occurs. The subject site, specifically where a road culvert will be constructed provides good quality connectivity and potential habitat for Sloane's Froglet and impacts to this will be detrimental to the threatened species habitat.

The pre-construction, construction and operational stages are anticipated to have minimal impacts provided impact mitigation measures are carried out.

This FFA for the new Albury Thurgoona Primary School and Public Preschool evaluates the potential environmental impacts of the proposed activity. The assessment identified potential biodiversity areas for one threatened species on the site (Sloane's Froglet), which can be fully mitigated. Provided the mitigation measures are followed, no significant impacts on threatened species are expected.

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APPENDIX A
LIKELIHOOD OF OCCURRENCE

Table A-1 Likelihood of Occurrence

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
Amphibia	Myobatrachidae	*Crinia sloanei*	Sloane's Froglet	E1,P	E	197	Sloane's Froglet is a small ground-dwelling frog belonging to the family Myobatrichidae. This species superficially resembles other frogs of the genus Crinia, but it can be readily identified by its physical characteristics and call. C. sloanei shows far less variation in back colour pattern than other Crinia species, having a mustard yellow or greyish back with large patches of darker pigment over the body. The throat of males is greyish green. The call is described as a short metallic 'chick chick chick chick' repeated frequently. It is typically associated with periodically inundated areas in grassland, woodland and disturbed habitats.	Low
Aves	Accipitridae	*Haliaeetus leucogaster*	White-bellied Sea-Eagle	V,P		1	Habitats are characterised by the presence of large areas of open water including larger rivers, swamps, lakes, and the sea. Occurs at sites near the sea or sea-shore, such as around bays and inlets, beaches, reefs, lagoons, estuaries and mangroves; and at, or in the vicinity of freshwater swamps, lakes, reservoirs, billabongs and saltmarsh. Terrestrial habitats include coastal dunes, tidal flats, grassland, heathland, woodland, and forest (including rainforest). Breeding habitat consists of mature tall open forest, open forest, tall woodland, and swamp sclerophyll forest close to foraging habitat. Nest trees are typically large emergent eucalypts and often have emergent dead branches or large dead trees nearby which are used as 'guard roosts'. Nests are	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							large structures built from sticks and lined with leaves or grass.	
		Falco hypoleucos	Grey Falcon	V,P,2	V	1	Usually restricted to shrubland, grassland and wooded watercourses of arid and semi-arid regions, although it is occasionally found in open woodlands near the coast. Also occurs near wetlands where surface water attracts prey. Preys primarily on birds, especially parrots and pigeons, using high-speed chases and stoops; reptiles and mammals are also taken. Like other falcons it utilises old nests of other birds of prey and ravens, usually high in a living eucalypt near water or a watercourse; peak laying season is in late winter and early spring; two or three eggs are laid.	Low
	Burhinidae	*Burhinus grallarius*	Bush Stone-curlew	E1,P		1	Inhabits open forests and woodlands with a sparse grassy groundlayer and fallen timber. Largely nocturnal, being especially active on moonlit nights. Feed on insects and small vertebrates, such as frogs, lizards and snakes. Nest on the ground in a scrape or small bare patch.	Low
	Scolopacidae	*Gallinago hardwickii*	Latham's Snipe	P	J,K	5	Latham's snipe can roost singly and in aggregations. They shelter during the day in small wetlands including urban water bodies, saltmarshes, as well as creek edges, where there is adequate shallow flooded or inundated substrate. They also use crops and pasture. They mostly are found among dense cover comprising sedges, grasses, lignum, reeds, and rushes. The bird tends to disperse after dusk to forage over larger areas.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							Latham's snipe feeds in soft mudflats or shallow water typically at night, early morning, or evening.	
	Cacatuidae	*Callocephalon fimbriatum*	Gang-gang Cockatoo	V,P,3	E	1	In spring and summer, generally found in tall mountain forests and woodlands, particularly in heavily timbered and mature wet sclerophyll forests. In autumn and winter, the species often moves to lower altitudes in drier more open eucalypt forests and woodlands,particularly box-gum and box-ironbark assemblages, or in dry forest in coastal areas and often found in urban areas. May also occur in sub-alpine Snow Gum (Eucalyptus pauciflora) woodland and occasionally in temperate rainforests. Favours old growth forest and woodland attributes for nesting and roosting. Nests are located in hollows that are 10 cm in diameter or larger and at least 9 m above the ground in eucalypts.	Low
	Psittacidae	*Glossopsitta porphyrocephala*	Purple-crowned Lorikeet	V,P,3		1	Found in open forests and woodlands, particularly where there are large flowering eucalypts. Also recorded from mallee habitats. Feed primarily on nectar and pollen of flowering Eucalypts, including planted trees in urban areas. Breeds away from feeding areas, utilising hollow branches or holes in trees. Also roosts in dense vegetation up to several kilometres away from feeding areas.	Low
		Glossopsitta pusilla	Little Lorikeet	V,P		5	Forages primarily in the canopy of open Eucalyptus forest and woodland, yet also finds food in Angophora, Melaleuca and other tree species. Riparian habitats are particularly used, due to higher soil fertility and hence greater productivity.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							Isolated flowering trees in open country, e.g. paddocks, roadside remnants and urban trees also help sustain viable populations of the species. Feeds mostly on nectar and pollen, occasionally on native fruits such as mistletoe, and only rarely in orchards	
		Lathamus discolor	Swift Parrot	E1,P	CE	22	Migrates to the Australian south-east mainland between February and October. On the mainland they occur in areas where eucalypts are flowering profusely or where there are abundant lerp (from sap-sucking bugs) infestations. Favoured feed trees include winter flowering species such as Swamp Mahogany *Eucalyptus robusta,* Spotted Gum *Corymbia maculata*, Red Bloodwood *C. gummifera*, Forest Red Gum *E. tereticornis*, Mugga Ironbark *E. sideroxylon*, and White Box *E. albens.* Commonly used lerp infested trees include Inland Grey Box *E. microcarpa*, Grey Box *E. moluccana*, Blackbutt *E. pilularis*, and Yellow Box *E. melliodora*. Return to some foraging sites on a cyclic basis depending on food availability.	Low
		Neophema pulchella	Turquoise Parrot	V,P,3		1	Lives on the edges of eucalypt woodland adjoining clearings, timbered ridges and creeks in farmland. Usually seen in pairs or small, possibly family, groups and have also been reported in flocks of up to thirty individuals. Prefers to feed in the shade of a tree and spends most of the day on the ground searching for the seeds or grasses and herbaceous plants, or browsing on vegetable matter.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
	Strigidae	*Ninox connivens*	Barking Owl	V,P,3		1	Inhabits woodland and open forest, including fragmented remnants and partly cleared farmland. It is flexible in its habitat use, and hunting can extend in to closed forest and more open areas. Sometimes able to successfully breed along timbered watercourses in heavily cleared habitats (e.g. western NSW) due to the higher density of prey found on these fertile riparian soils. Roost in shaded portions of tree canopies, including tall midstorey trees with dense foliage such as Acacia and Casuarina species. During nesting season, the male perches in a nearby tree overlooking the hollow entrance. Requires very large permanent territories in most habitats due to sparse prey densities. Monogamous pairs hunt over as much as 6000 hectares, with 2000 hectares being more typical in NSW habitats.	Low
	Climacteridae	*Climacteris picumnus victoriae*	Brown Treecreeper (eastern subspecies)	V,P		4	Found in eucalypt woodlands (including Box-Gum Woodland) and dry open forest of the inland slopes and plains inland of the Great Dividing Range; mainly inhabits woodlands dominated by stringybarks or other rough-barked eucalypts, usually with an open grassy understorey, sometimes with one or more shrub species; also found in mallee and River Red Gum (Eucalyptus camaldulensis) Forest bordering wetlands with an open understorey of acacias, saltbush, lignum, cumbungi and grasses; usually not found in woodlands with a dense shrub layer; fallen timber is an important habitat component for foraging; also recorded, though less commonly, in similar woodland habitats on the coastal ranges and plains. Sedentary, considered to be resident in many locations throughout its range; present in all	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							seasons or year-round at many sites; territorial year-round, though some birds may disperse locally after breeding.	
	Acanthizidae	*Chthonicola sagittate*	Speckled Warbler	V,P		9	The Speckled Warbler lives in a wide range of Eucalyptus dominated communities that have a grassy understorey, often on rocky ridges or in gullies. Typical habitat would include scattered native tussock grasses, a sparse shrub layer, some eucalypt regrowth and an open canopy. Large, relatively undisturbed remnants are required for the species to persist in an area.	Low
	Meliphagidae	*Anthochaera Phrygia*	Regent Honeyeater	E4A,P,2	CE	25	The Regent Honeyeater is a flagship threatened woodland bird whose conservation will benefit a large suite of other threatened and declining woodland fauna. The species inhabits dry open forest and woodland, particularly Box-Ironbark woodland, and riparian forests of River Sheoak. Regent Honeyeaters inhabit woodlands that support a significantly high abundance and species richness of bird species. These woodlands have significantly large numbers of mature trees, high canopy cover and abundance of mistletoes. Every few years non-breeding flocks are seen foraging in flowering coastal Swamp Mahogany and Spotted Gum forests, particularly on the central coast and occasionally on the upper north coast. Birds are occasionally seen on the south coast. In the last 10 years Regent Honeyeaters have been recorded in urban areas around Albury where woodlands tree species such as Mugga Ironbark and Yellow Box were planted 20 years ago. The Regent Honeyeater is a generalist forager, although it feeds mainly on the nectar from a	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							relatively small number of eucalypts that produce high volumes of nectar. Key eucalypt species include Mugga Ironbark, Yellow Box, White Box and Swamp Mahogany. Other tree species may be regionally important. For example the Lower Hunter Spotted Gum forests have recently been demonstrated to support regular breeding events. Flowering of associated species such as Thin-leaved Stringybark Eucalyptus eugenioides and other Stringybark species, and Broad-leaved Ironbark E. fibrosa can also contribute important nectar flows at times. Nectar and fruit from the mistletoes Amyema miquelii, A. pendula and A. cambagei are also utilised. When nectar is scarce lerp and honeydew can comprise a large proportion of the diet. Insects make up about 15% of the total diet and are important components of the diet of nestlings.	
		Grantiella picta	Painted Honeyeater	V,P	V	1	Inhabits Boree/ Weeping Myall (Acacia pendula), Brigalow (*A. harpophylla*) and Box-Gum Woodlands and Box-Ironbark Forests. A specialist feeder on the fruits of mistletoes growing on woodland eucalypts and acacias. Prefers mistletoes of the genus Amyema. Insects and nectar from mistletoe or eucalypts are occasionally eaten.	Low
		Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	V,P		12	Occupies mostly upper levels of drier open forests or woodlands dominated by box and ironbark eucalypts, especially Mugga Ironbark (Eucalyptus sideroxylon), White Box (E. albens), Inland Grey Box (E. microcarpa), Yellow Box (E. melliodora), Blakely's Red Gum (E. blakelyi) and Forest Red Gum (E. tereticornis).	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							Also inhabits open forests of smooth-barked gums, stringybarks, ironbarks, river sheoaks (nesting habitat) and tea-trees.	
	Artamidae	*Artamus cyanopterus cyanopterus*	Dusky Woodswallow	V,P		2	Primarily inhabit dry, open eucalypt forests and woodlands, including mallee associations, with an open or sparse understorey of eucalypt saplings, acacias and other shrubs, and ground-cover of grasses or sedges and fallen woody debris. It has also been recorded in shrublands, heathlands and very occasionally in moist forest or rainforest. Also found in farmland, usually at the edges of forest or woodland. Depending on location and local climatic conditions (primarily temperature and rainfall), the dusky woodswallow can be resident year round or migratory. In NSW, after breeding, birds migrate to the north of the state and to southeastern Queensland, while Tasmanian birds migrate to southeastern NSW after breeding. Migrants generally depart between March and May, heading south to breed again in spring. There is some evidence of site fidelity for breeding. Although dusky woodswallows generally breed as solitary pairs or occasionally in small flocks, large flocks may form around abundant food sources in winter. Large flocks may also form before migration, which is often undertaken with other species.	Low
	Petroicidae	*Melanodryas cucullata cucullata*	South-eastern Hooded Robin	E1,P	E	1	Prefers lightly wooded country, usually open eucalypt woodland, acacia scrub and mallee, often in or near clearings or open areas. Requires structurally diverse habitats featuring mature eucalypts, saplings, some small shrubs and a ground layer of moderately tall native grasses.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
		Petroica boodang	Scarlet Robin	V,P		3	The Scarlet Robin lives in dry eucalypt forests and woodlands. The understorey is usually open and grassy with few scattered shrubs. This species lives in both mature and regrowth vegetation. It occasionally occurs in mallee or wet forest communities, or in wetlands and tea-tree swamps. The Scarlet Robin breeds on ridges, hills and foothills of the western slopes, the Great Dividing Range and eastern coastal regions; this species is occasionally found up to 1000 metres in altitude. The Scarlet Robin is primarily a resident in forests and woodlands, but some adults and young birds disperse to more open habitats after breeding. In autumn and winter many Scarlet Robins live in open grassy woodlands, and grasslands or grazed paddocks with scattered trees.	Low
		Petroica phoenicea	Flame Robin	V,P		3	Breeds in upland tall moist eucalypt forests and woodlands, often on ridges and slopes. Prefers clearings or areas with open understoreys. The groundlayer of the breeding habitat is dominated by native grasses and the shrub layer may be either sparse or dense. Occasionally occurs in temperate rainforest, and also in herbfields, heathlands, shrublands and sedgelands at high altitudes. In winter, birds migrate to drier more open habitats in the lowlands (i.e. valleys below the ranges, and to the western slopes and plains). Often occurs in recently burnt areas; however, habitat becomes unsuitable as vegetation closes up following regeneration.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
							In winter lives in dry forests, open woodlands and in pastures and native grasslands, with or without scattered trees. In winter, occasionally seen in heathland or other shrublands in coastal areas.	
	Estrildidae	*Stagonopleura guttata*	Diamond Firetail	V,P		2	Found in grassy eucalypt woodlands, including Box-Gum Woodlands and Snow Gum Eucalyptus pauciflora Woodlands. Also occurs in open forest, mallee, Natural Temperate Grassland, and in secondary grassland derived from other communities. Often found in riparian areas (rivers and creeks), and sometimes in lightly wooded farmland.	Low
Mammalia	Phascolarctidae	*Phascolarctos cinereus*	Koala	E1,P	E	5	Inhabits eucalypt forests and woodlands. Habitat suitability is influenced by the: size and species of trees present, soil nutrients, climate, rainfall and the size and disturbance history of the habitat patches. The Grey Gum (Eucalyptus punctata) is the most important food tree for this species in Pittwater. Other favoured food trees are the Scribbly Gum (E. haemastoma), Swamp Mahogany (E. robusta) and Snappy Gum (E. racemosa). Generally koalas can be expected to feed to a limited extent on all species of Eucalyptus, Corymbia and Angophora that they encounter in Pittwater. Key likely habitats within Pittwater Council are: Swamp Mahogany Forest, ecotone between Spotted Gum Forest & Hawkesbury Sandstone Open-Forest, Northern form of Coastal Sandstone Woodland at Whale Beach, Red Bloodwood - Scribbly Gum Woodland, Bilgola Plateau Forest and the Grey Ironbark - Grey Gum form of the Newport Bangalay Woodland.	Low

Class	Family	Scientific Name	Common Name	NSW status	Comm. status	Records	Description	Likelihood*
	Petauridae	*Petaurus norfolcensis*	Squirrel Glider	V,P		181	Inhabits mature or old growth Box, Box-Ironbark woodlands and River Red Gum forest west of the Great Dividing Range and Blackbutt-Bloodwood forest with heath understorey in coastal areas. Prefers mixed species stands with a shrub or Acacia midstorey.	Low
	Pteropodidae	*Pteropus poliocephalus*	Grey-headed Flying-fox	V,P	V	5	Occur in subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops. Roosting camps are generally located within 20 km of a regular food source and are commonly found in gullies, close to water, in vegetation with a dense canopy.	Low
	Emballonuridae	*Saccolaimus flaviventris*	Yellow-bellied Sheathtail-bat	V,P		1	Roosts singly or in groups of up to six, in tree hollows and buildings; in treeless areas they are known to utilise mammal burrows. When foraging for insects, flies high and fast over the forest canopy, but lower in more open country. Forages in most habitats across its very wide range, with and without trees; appears to defend an aerial territory.	Low
Flora	Poaceae	*Amphibromus fluitans*	Floating Swamp Wallaby-grass	V	V	13	*Amphibromus fluitans* grows mostly in permanent swamps. The species needs wetlands which are at least moderately fertile and which have some bare ground, conditions which are produced by seasonally-fluctuating water levels. Habitats in south-western NSW include swamp margins in mud, dam and tank beds in hard clay and in semi-dry mud of lagoons with Potamogeton and Chamaeraphis species.	Low

*Within the location of the proposed school site, it may be associated with habitat in the greater area of the Lot boundary

APPENDIX B
PROTECTED MATTERS SEARCH

WATER TECHNOLOGY
WATER, COASTAL & ENVIRONMENTAL CONSULTANTS

APPENDIX C
ARBORICULTURAL PRELIMINARY ASSESSMENT

WATER TECHNOLOGY
WATER, COASTAL & ENVIRONMENTAL CONSULTANTS

APPENDIX D
TEST OF SIGNIFICANCE

D-1 Black Falcon

Table D-1 ToS Black Falcon

Black Falcon (*Falco subniger*), Vulnerable (BC Act)
Species description
The Black Falcon *Falco subniger* G.R. Gray 1843 (family Falconidae), is a large (45-55 cm in length), very dark falcon with pale grey cere, eye-rings and feet. It is uniformly dark brown to sooty black, with a pale throat and an indistinct black streak below each eye. Some individuals have faint, narrow barring under the wings and tail. The dark form of the Brown Falcon Falco berigora is sometimes mistaken for the Black Falcon. However, the Brown Falcon can be distinguished by its double cheek-mark, longer legs, bicoloured, barred underwings and comparatively slow flight (Debus 1998). The Black Falcon is widely, but sparsely, distributed in New South Wales, mostly occurring in inland regions. Some reports of 'Black Falcons' on the tablelands and coast of New South Wales are likely to be preferable to the Brown Falcon. In New South Wales there is assumed to be a single population that is continuous with a broader continental population, given that falcons are highly mobile, commonly travelling hundreds of kilometres (Marchant & Higgins 1993). The Black Falcon occurs as solitary individuals, in pairs, or in family groups of parents and offspring (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. No significant habitat removal for the Black Falcon is expected, as the subject site consists of a grass paddock with no scattered trees or suitable nesting habitat. The species typically inhabit woodland, shrubland, and grassland in arid and semi-arid zones, favouring wooded watercourses and agricultural land with remnant trees. Given the absence of these features within the activity area, the proposed works are unlikely to impact the Black Falcon's habitat availability. Additionally, as the species primarily prey on birds, small mammals, and large insects, the disruption of the drainage line does not significantly affect its foraging opportunities. The Black Falcon has not been previously recorded on-site, and its presence in the area is expected to be minimal.

b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:

(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or

Not applicable.

(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,

Not applicable.

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c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

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d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Black Falcon

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e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no scattered trees present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Black Falcon given that:

- The Black Falcon is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Black Falcon. As such, a Species Impact Statement (SIS) is not required.

D-2 Dusky Woodswallow

Table D-2 ToS for Dusky Woodswallow

Dusky Woodswallow (*Artamus cyanopterus cyanopterus*), Vulnerable (BC Act)
Species description
The Dusky Woodswallow is a medium-sized bird (16-19.5 cm, 35 g), with a longish tail. Mostly dark grey-brown, merging to blackish on the tail, with a small black-brown mask. Bluish bill with a black tip. Upper-wings are a dark blue-grey with a white leading edge. Conspicuous white corners on the tail. In flight the dark grey-brown under-body contrasts with the whitish under-wing. Juveniles may be distinguished by white streaking on the body and whitish tips on wing feathers. Immature individuals are similar to adults but retain pale-tipped wing feathers. No seasonal variation in appearance is evident, and sexes are alike. Calls consist of brassy chirps, chirups, a soft low 'vut vut' and a brisk 'peet peet'. Also known to mimic other birds, including the rufous whistler and grey shrike-thrush. Dusky Woodswallows are widespread in eastern, southern and south western Australia. The species occurs throughout most of New South Wales, but is sparsely scattered in, or largely absent from, much of the upper western region. Most breeding activity occurs on the western slopes of the Great Dividing Range (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. No significant impact on the Dusky Woodswallow is expected, as the project site consists of a grass paddock with no suitable woodland habitat, remnant trees, or dead timber. This species primarily inhabits dry open eucalypt forests and woodlands with an open or sparse understorey and is often found in farmland near the edges of forests, roadside remnants, or windbreaks. Given that no suitable nesting or foraging habitat is present within the site, and no individuals have been recorded, the proposed works are unlikely to impact this species.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Dusky Woodswallow

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no woodland or forested areas present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Dusky Woodswallow given that:

- The Dusky Woodswallow is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Dusky Woodswallow. As such, a Species Impact Statement (SIS) is not required.

D-3 Eastern False Pipistrelle

Table D-3 ToS for Eastern False Pipistrelle

Eastern False Pipistrelle (*Falsistrellus tasmaniensis*), Vulnerable (BC Act)
Species description
The Eastern False Pipistrelle is relatively large with a head-body length of about 65 mm. It weighs up to 28 grams. It is dark to reddish-brown above and paler grey on its underside. It has long slender ears set well back on the head and some sparse hair on the nose The Eastern False Pipistrelle is found on the south-east coast and ranges of Australia, from southern Queensland to Victoria and Tasmania. It prefers moist habitats with trees taller than 20 m, and generally roosts in eucalypt hollows, but has also been found under loose bark on trees or in buildings (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The Eastern False Pipistrelle prefers moist forested habitats with tall trees exceeding 20 meters in height, where it roosts in tree hollows or under bark. The project site, consisting of a cleared paddock with no tall trees, does not provide suitable roosting habitat for this species. Additionally, as the species hunts flying insects above or just below the tree canopy, the absence of significant tree cover makes the site unlikely to be an important foraging area. As a result, the activity is not expected to impact the Eastern False Pipistrelle.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Eastern False Pipistrelle

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no roosting habitats present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Eastern False Pipistrelle given that:

- The Eastern False Pipistrelle is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Eastern False Pipistrelle. As such, a Species Impact Statement (SIS) is not required.

D-4 Flame Robin

Table D-4 ToS for Flame Robin

Flame Robin (*Petroica phoenicea*), Vulnerable (BC Act)
Species description
The Flame Robin is a small Australian robin that reaches 14 cm in length. The male has a dark grey head and upperparts, a small white forehead patch, and white wing stripes and white tail-edges. The male has a bright orange-red throat, breast and upper-belly. The lower belly is white. The female is brown, darker above, and has a whitish throat and lower belly. The whitish mark on the female's forehead is inconspicuous. Female Flame Robins also have white and buffish marked wings and tail. Immature males resemble females. The main call of the Flame Robin is a thin, pretty, piping descending song. The Flame Robin is endemic to south eastern Australia, and ranges from near the Queensland border to south east South Australia and also in Tasmania. In NSW, it breeds in upland areas and in winter, many birds move to the inland slopes and plains. It is likely that there are two separate populations in NSW, one in the Northern Tablelands, and another ranging from the Central to Southern Tablelands (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. No significant impact is expected on the Flame Robin, as the subject site lacks the species' preferred woodland or forest habitat. This species breeds in upland moist eucalypt forests and woodlands and migrates in winter to lowland open woodlands and grasslands with scattered trees. As the project site consists of a grass paddock with no scattered trees or coarse woody debris for foraging, the site does not provide suitable habitat for this species. The proposed works are unlikely to have any direct or indirect impacts on the Flame Robin.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Flame Robin.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no scattered trees or course woody debris present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Flame Robin given that:

- The Flame Robin is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Flame Robin. As such, a Species Impact Statement (SIS) is not required.

D-5 Grey-headed Flying Fox

Table D-5 ToS for Grey-headed Flying-fox

Grey-headed Flying-fox (*Pteropus poliocephalus*), Vulnerable (BC Act) Vulnerable (EPBC Act)
Species description
The Grey-headed Flying-fox is the largest Australian bat, with a head and body length of 23 - 29 cm. It has dark grey fur on the body, lighter grey fur on the head and a russet collar encircling the neck. The wing membranes are black, and the wingspan can be up to 1 m. It can be distinguished from other flying-foxes by the leg fur, which extends to the ankle Grey-headed Flying-foxes are generally found within 200 km of the eastern coast of Australia, from Rockhampton in Queensland to Adelaide in South Australia. In times of natural resource shortages, they may be found in unusual locations (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The project is unlikely to affect the Grey-headed Flying-fox, as no suitable roosting or foraging habitat is present within the site. This species roosts in camps located within 20 km of a reliable food source, typically in vegetation with a dense canopy near water. The subject site, being an open paddock with no large native flowering trees or suitable roosting vegetation, does not provide habitat for this species. As such, the proposed works will not impact the Grey-headed Flying-fox.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Grey-headed Flying-fox.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no suitable roosting trees or foraging resources present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Grey-headed Flying-fox given that:

- The Grey-headed Flying-fox is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Grey-headed Flying-fox. As such, a Species Impact Statement (SIS) is not required.

D-6 Little Eagle

Table D-6 ToS for Little Eagle

Little Eagle (*Hieraaetus morphnoides*), Vulnerable (BC Act)
Species description
The Little Eagle is a medium-sized bird of prey that occurs in two colour forms: either pale brown with an obscure underwing pattern, or dark brown on the upper parts and pale underneath, with a rusty head and a distinctive underwing pattern of rufous leading edge, pale 'M' marking and black-barred wingtips. Both forms have a black-streaked head with a slight crest, a pale shoulder band on the upperwings, a rather short and square-tipped barred tail, and feathered legs The Little Eagle is found throughout the Australian mainland excepting the most densely forested parts of the Dividing Range escarpment. It occurs as a single population throughout NSW (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The Little Eagle typically occupies open eucalypt forests, woodlands, and riparian woodlands, nesting in tall trees within remnant patches. The project site lacks suitable nesting habitat, as it consists of a grass paddock with no large trees. Given that the Little Eagle preys on birds, reptiles, and mammals, it may occasionally forage in the general area, but the absence of significant tree cover or suitable hunting habitat within the site makes any impact on this species negligible. The minor disturbance to the drainage line is not expected to impact foraging habitat.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Little Eagle.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no open woodlands present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Little Eagle given that:

- The Little Eagle is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Little Eagle. As such, a Species Impact Statement (SIS) is not required

D-7 Little Lorikeet

Table D-7 ToS for Little Lorikeet

Little Lorikeet (*Glossopsitta pusilla*), Vulnerable (BC Act)
Species description
The Little Lorikeet is a small (16-19 cm; 40 g) bright green parrot, with a red face surrounding its black bill and extending to the eye. The undertail is olive-yellow with a partly concealed red base, and the underwing coverts are bright green. The mantle is imbued with light brown. The call in flight is diagnostically different from other lorikeets, being a shrill and rolling screech: 'zit-zit' or 'zzet'. Although difficult to observe while foraging high in treetops, a flock's constantly chattering contact calls give it away. Flight is fast, direct and through or above the canopy The Little Lorikeet is distributed widely across the coastal and Great Divide regions of eastern Australia from Cape York to South Australia. NSW provides a large portion of the species' core habitat, with lorikeets found westward as far as Dubbo and Albury. Nomadic movements are common, influenced by season and food availability, although some areas retain residents for much of the year and 'locally nomadic' movements are suspected of breeding pairs (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The Little Lorikeet forages primarily in the canopy of eucalypt forests and woodlands, favouring riparian habitats with high tree productivity. As the subject site is a grass paddock without eucalypt trees or flowering vegetation, it does not provide suitable foraging or nesting habitat for this species. Additionally, the species relies on tree hollows for nesting, which are absent from the site. The proposed works are therefore unlikely to impact the Little Lorikeet.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Little Lorikeet.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no suitable flowering trees or nesting resources and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Little Lorikeet given that:

- The Little Lorikeet is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Little Lorikeet. As such, a Species Impact Statement (SIS) is not required

D-8 Magpie Goose

Table D-8 ToS for Magpie Goose

Magpie Goose (*Anseranas semipalmata*), Vulnerable (BC Act)
Species description
The Magpie Goose is a large, distinctive black and white water-bird (from 70 - 90 cm long) with a prominent knob on the head, and orange legs. It is black at each 'end' - head, neck and upper chest, plus rump and tail - with white body and wings in between. Immature birds have no head-knob and their white parts are mottled grey or brown. It is not a duck or goose but is regarded as a primitive relative of them. The Magpie Goose is still relatively common in the Australian northern tropics but had disappeared from south-east Australia by 1920 due to drainage and overgrazing of reed swamps used for breeding. Since the 1980s there have been an increasing number of records in central and northern NSW. Vagrants can follow food sources to south-eastern NSW. Activities are centred on wetlands, mainly those on floodplains of rivers and large shallow wetlands formed by run-off; breeding can occur in both summer and winter dominated rainfall areas and is strongly influenced by water level; most breeding now occurs in monsoonal areas; nests are formed in trees over deep water; breeding is unlikely in south-eastern NSW. (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The project will not impact the Magpie Goose, as the species primarily inhabits shallow wetlands with dense growth of rushes or sedges, neither of which are present on-site. While the drainage line may provide some ephemeral water, it lacks the vegetation and depth required to support this species. Additionally, the Magpie Goose is not known to breed in southeastern NSW, making it unlikely to be affected by the activity.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Magpie Goose

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no wetlands present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Magpie Goose given that:

- The Magpie Goose is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Magpie Goose. As such, a Species Impact Statement (SIS) is not required.

D-9 Scarlet Robin

Table D-9 ToS for Scarlet Robin

Scarlet Robin (*Petroica boodang*), Vulnerable (BC Act)
Species description
The Scarlet Robin is a small Australian robin that reaches 13 cm in length. The male has a black head and upperparts, with a conspicuous white forehead patch, white wing stripes and white tail-edges. The male has a bright scarlet-red chest and a white belly. The female is pale brown, darker above, and has a dull reddish breast and whitish throat. The whitish mark on the female's forehead is smaller than the male's. The female Scarlet Robin also has white wing and tail markings. Immature males resemble females. The main call of Scarlet Robin is a soft, warbling trill The Scarlet Robin is found from south east Queensland to south east South Australia and also in Tasmania and south west Western Australia. In NSW, it occurs from the coast to the inland slopes. After breeding, some Scarlet Robins disperse to the lower valleys and plains of the tablelands and slopes. Some birds may appear as far west as the eastern edges of the inland plains in autumn and winter (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. No impact is expected on the Scarlet Robin, as the species primarily breeds in high-altitude forests and woodlands and moves to open farming country with scattered trees in winter. Given that the project site is a cleared paddock with no scattered trees or forest remnants, it does not provide suitable breeding or foraging habitat. The absence of coarse woody debris, logs, or a shrub layer further reduces the likelihood of this species occurring on-site.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Scarlet Robin.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned to be on a tree-less paddock with little native vegetation, and no scattered trees or woody debris present and as such there is no risk of key threatening processes for native vegetation and habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Scarlet Robin given that:

- The Scarlet Robin is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Scarlet Robin. As such, a Species Impact Statement (SIS) is not required.

D-10 Sloane's Froglet

Table D-10 ToS for Sloane's Froglet

Sloane's Froglet (*Crinia sloanei*), Endangered (BC Act) Endangered (EPBC Act)
Species description
Sloane's Froglet is a small ground-dwelling frog belonging to the family Myobatrichidae. This species superficially resembles other frogs of the genus Crinia, but it can be readily identified by its physical characteristics and call. *Crinia sloanei* shows far less variation in back colour pattern than other Crinia species, having a mustard yellow or greyish back with large patches of darker pigment over the body. The throat of males is greyish green. The call is described as a short metallic 'chick chick chick chick' repeated frequently. Sloane's Froglet has been recorded from widely scattered sites in the floodplains of the Murray-Darling Basin, with the majority of records in the Darling Riverine Plains, NSW South Western Slopes and Riverina bioregions in New South Wales. It has not been recorded recently in the northern part of its range and has only been recorded infrequently in the southern part of its range in NSW. At a number of sites where records are verified by museum specimens, the species has not been subsequently detected during more recent frog surveys in the vicinity (e.g. Holbrook, Nyngan, Wagga Wagga and Tocumwal). The low number of sites, low number of recorded individuals per site, and the low proportion of records of this species in regional surveys all indicate that a moderately low number of mature individuals exist. The apparent loss from previous recorded sites and decline in recording rates indicates that this is not just a rare or uncommonly encountered species, but that there has been a reduction in population size and range. The Sloane's Froglet is typically associated with periodically inundated areas in grassland, woodland and distributed habitats (NSW OE&H 2022).
The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. No significant habitat removal is expected due to the incorporation of mitigation measures, such as a culvert to maintain connectivity along the drainage line. However, some indirect impacts on the Sloane's Froglet may still occur during construction, including temporary disturbances and potential changes to habitat conditions. While the surrounding area has limited high-quality habitat, the drainage line remains an important corridor for movement between higher-quality habitats, and precautions will be taken to minimise disruption to the species.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**

Not applicable.

(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,

Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

The proposed works are expected to have a minor impact on habitat, as the construction of the access road will result in a permanent alteration of the existing environment. However, mitigation measures will be implemented to maintain the connectivity of the drainage line.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

In the immediate term, habitat fragmentation will result from the establishment of an access road without any mitigation measures. Longer term, changes to the structure of the location with the earthworks may alter water flow and impact the composition of the existing water-loving community. Plans have shown that water runoff from the school and potentially the road will be treated within a retarding basin prior to entering the drainage line. The water will be slowed and seep out of the retarding basin after filtration.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality

Current habitat and connectivity will be altered; however, it is proposed in the long term that there will be landscape connections to a Sloane's Froglet Wetland, which can provide a solution for longer term survival.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Sloane's Froglet.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

The key threatening processes listed under schedule 4 of the BC Act that applies to the proposed works is "Clearing of native vegetation".

Significant vegetation removal is anticipated. Some of the vegetation which will be removed is exotic, however most of the vegetation are aquatic species within the drainage line and part of a waterway habitat.

Conclusion

The proposal is unlikely to have significant impact on the Sloane's Froglet given that:

- The mitigation measures are implemented during design, construction and operation

- A culvert will be installed to maintain habitat connectivity to minimise disruption

Based on the above considerations, some temporary disturbances may occur during construction, however, these will be managed through best-practice construction methods with mitigation measures. As a result, the proposed activity will not significantly impact the survival of the Sloane's Froglet, and a Species Impact Statement (SIS) is not required.

D-11 Spotted Harrier

Table D-11 ToS for Spotted Harrier

Spotted Harrier (*Circus assimilis*), Vulnerable (NSW)
Species description
The Spotted Harrier is a medium-sized, slender bird of prey having an owl-like facial ruff that creates the appearance of a short, broad head, and long bare yellow legs. The upperparts are blue-grey with dark barring, and the wingtips are black. The face, innerwing patch, and underparts are chestnut. The long tail is boldly banded, with a wedge-shaped tip. Juveniles are mottled and streaked ginger and brown, with prominent ginger shoulders, fawn rump and banded tail. The Spotted Harrier occurs throughout the Australian mainland, except in densly forested or wooded habitats of the coast, escarpment and ranges, and rarely in Tasmania. Individuals disperse widely in NSW and comprise a single population (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The Spotted Harrier prefers grassy open woodlands, inland riparian woodlands, and native grasslands for foraging. While it may occasionally hunt in agricultural land, the cleared paddock provides limited prey resources for this species. As the project site lacks suitable nesting trees and does not provide high-value foraging habitat, any potential impact on the Spotted Harrier is expected to be negligible.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Spotted Harrier.

e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned for a treeless paddock with minimal native vegetation, lacking suitable hunting conditions or structural vegetation features. As a result, the activity poses no risk of key threatening processes for native vegetation or habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Spotted Harrier given that:

- The Spotted Harrier is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Spotted Harrier. As such, a Species Impact Statement (SIS) is not required.

D-12 Varied Sitella

Table D-12 ToS for Varied Sitella

Varies Sittella (*Daphoenositta chrysoptera*), Vulnerable (BC Act)
Species description
The Varied Sittella is a small (10 cm) songbird with a sharp, slightly upturned bill, short tail, barred undertail, and yellow eyes and feet. In flight the orange wing-bar and white rump are prominent. In NSW most individuals have a grey head and are streaked with dark brown, but in the extreme north-east they have a white head, and in the extreme south-west a black cap. Varied Sittellas are more active and acrobatic among branches than the larger treecreepers. They fly into the heads of trees, typically working their way down branches and trunk with constant motion. The Varied Sittella is sedentary and inhabits most of mainland Australia except the treeless deserts and open grasslands. Distribution in NSW is nearly continuous from the coast to the far west. The Varied Sittella's population size in NSW is uncertain but is believed to have undergone a moderate reduction over the past several decades (NSW OE&H 2025).
The following is to be considered for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction. The Varied Sittella is dependent on eucalypt forests and woodlands, particularly those with rough-barked trees or smooth-barked gums with dead branches. As the project site lacks native tree cover and associated foraging substrates such as decorticating bark or dead branches, it does not provide suitable habitat for this species. Given the absence of required foraging or nesting habitat, the proposed works are unlikely to impact the Varied Sittella.
b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: **(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or** Not applicable. **(ii) is likely to modify the composition of the ecological community substantially and adversely such that its local occurrence is likely to be placed at risk of extinction,** Not applicable.

c) in relation to the habitat of a threatened species or ecological community:

(i) the extent to which habitat is likely to be removed, modified as a result of the proposed development or activity, and

Negligible impact on habitat is expected from the proposed activity.

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

No habitat fragmentation will result from the proposed activity.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population, or ecological community in the locality

No habitat removal or modification expected from the proposed activity.

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d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

No critical habitat has been declared for the Varied Sittella.

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e) The proposed development or activity is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

N/A The construction of the new primary school is planned for a treeless paddock with minimal native vegetation, lacking eucalypt woodlands and forests. As a result, the activity poses no risk of key threatening processes for native vegetation or habitat.

Conclusion

The proposal is unlikely to have a significant impact on the Varied Sittella given that:

- The Varied Sittella is unlikely to use the subject area as habitat or foraging
- Minimal vegetation removal and habitat disturbance takes place

On the basis of the above considerations, it is unlikely that the proposal would result in a significant impact on the survival of the Varied Sittella. As such, a Species Impact Statement (SIS) is not required.

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