



Appendix E – Preliminary Environmental Assessment



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Preliminary Assessment of proposed subdivision - 348 Meadows Lane

Bath Stewart Associates (the client) are considering a subdivision of two of three cadastral lots comprising 348 Meadows Lane, Warral, NSW (Lot41 DP634499 and Lot442 DP807359) to be assessed under Part 4 of the Environment and Planning and Assessment Act, 1974.. Stringybark Ecological have been engaged by the client to conduct a preliminary biodiversity assessment on the property to determine if assessment under the Biodiversity Offsets Scheme (BOS) would be required for a subdivision application.

Desktop review

A desktop review of the property was conducted prior to a field assessment. This included:

- The NSW Biodiversity Values Map, which identifies land with known high biodiversity value sensitive to development impacts,
- A review of the State Vegetation Type Map (SVTM) to determine possible Plant Community Types (PCTs) present on the property,
- A BioNet search for threatened species records within the last 50 years within 1500 metres of the property, and
- NSW Planning Portal was reviewed to determine existing Land Zoning and minimum lot size for lots within the property
- The Native Vegetation Regulatory (NVR) map was consulted after field assessment was conducted.

The results of the desktop review are as follows:

- No Biodiversity Values are shown to occur on the property. Timbumburi Creek, which is mapped as biodiverse riparian land, occurs approximately 150 metres to the west of the property boundary and would not be impacted by a subdivision proposal (Figure 1)
- No PCTs are mapped within the property boundary on the STVM (Figure 1)

- No BioNet threatened species records were found within the property boundary. One record of a Spotted-tailed Quoll was recorded in 2004, approximately 1.3 kilometres west of the property boundary Figure 1
- NSW Planning Portal shows both considered lots are zoned RU4 – Primary Production, with a minimum lot size of 9.9 hectares (Report in Appendix A).
- According to NVR mapping the property is designated as Category 1 exempt land with some areas designated to Category 2 regulated land (Figure 2).

Site assessment

A site visit was conducted by Greg Bible of Stringybark Ecological on 22 January 2025. The focus of the property assessment was to identify the extent of key biodiversity values with potential to be impacted (or assumed impacted) by a subdivision proposal and to determine if entry into the Biodiversity Offset Scheme (BOS) would be required as part of a Development Application for the proposal.

Assessment of vegetation assemblage and structure was undertaken to identify which (if any) Plant Community Types (PCTs) could be identified on site, as well as to identify any habitat with potential to be utilised by flora and fauna listed as threatened species under the *Biodiversity Conservation Act 2016* (The BC Act).

Vegetation on site was found to be typical of vegetation on historically agricultural land, with grazed/cropped paddocks making up most of the property, with some remnant eucalypt patches and scattered isolated paddock trees (*Yellow Box (Eucalyptus melliodora)* and *Blakely's Red Gum (Eucalyptus blakelyi)*). The larger proportion of native treed vegetation were planted stands of Yellow Box, Blakely's Red Gum and Weeping Myall (*Acacia pendula*).

No significant shrub layer was observed anywhere on the property.

Groundcover on the property occurred in the forms of grazed and sown pasture paddocks, almost entirely dominated by exotic grass and forb species, and as low-quality native cover under some driplines of patches of remnant trees.

Almost no native species were recorded in paddocks, consistent with the NVR definition of Category 1 – exempt land. Two paddocks had a low to moderate cover of Couch grass (*Cynodon dactylon*) but otherwise, few native groundcover species were observed.

Given the highly modified condition of vegetation on the property, it is difficult to accurately assign a PCT to the remaining vegetation. As a 'best fit' scenario *PCT599 Blakely's Red Gum - Yellow Box grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion* would be a likely candidate given the two key upper stratum species occur and it is mapped nearby on the STVM, but this mapping is often inaccurate and should be used as a guide in the absence of formal vegetation survey plots.

Notable potential species habitat on the property would be limited to large, medium, and small tree hollows observed in larger tree stands and in scattered eucalypts. These tree hollows potentially provide important habitat for many threatened bird, mammal, and reptile species, as well as some frog species. The Spotted-tailed Quoll, as an example, which has been recorded nearby, partially relies on hollow-dwelling prey (e.g. gliders, possums, birds) and are also known to utilise larger tree hollows as breeding habitat.

Occasional logs were observed on the property, which provide shelter, breeding sites and food sources for threatened species such as lizards, frogs, small mammals and insects. No other significant habitat was identified during the field assessment.

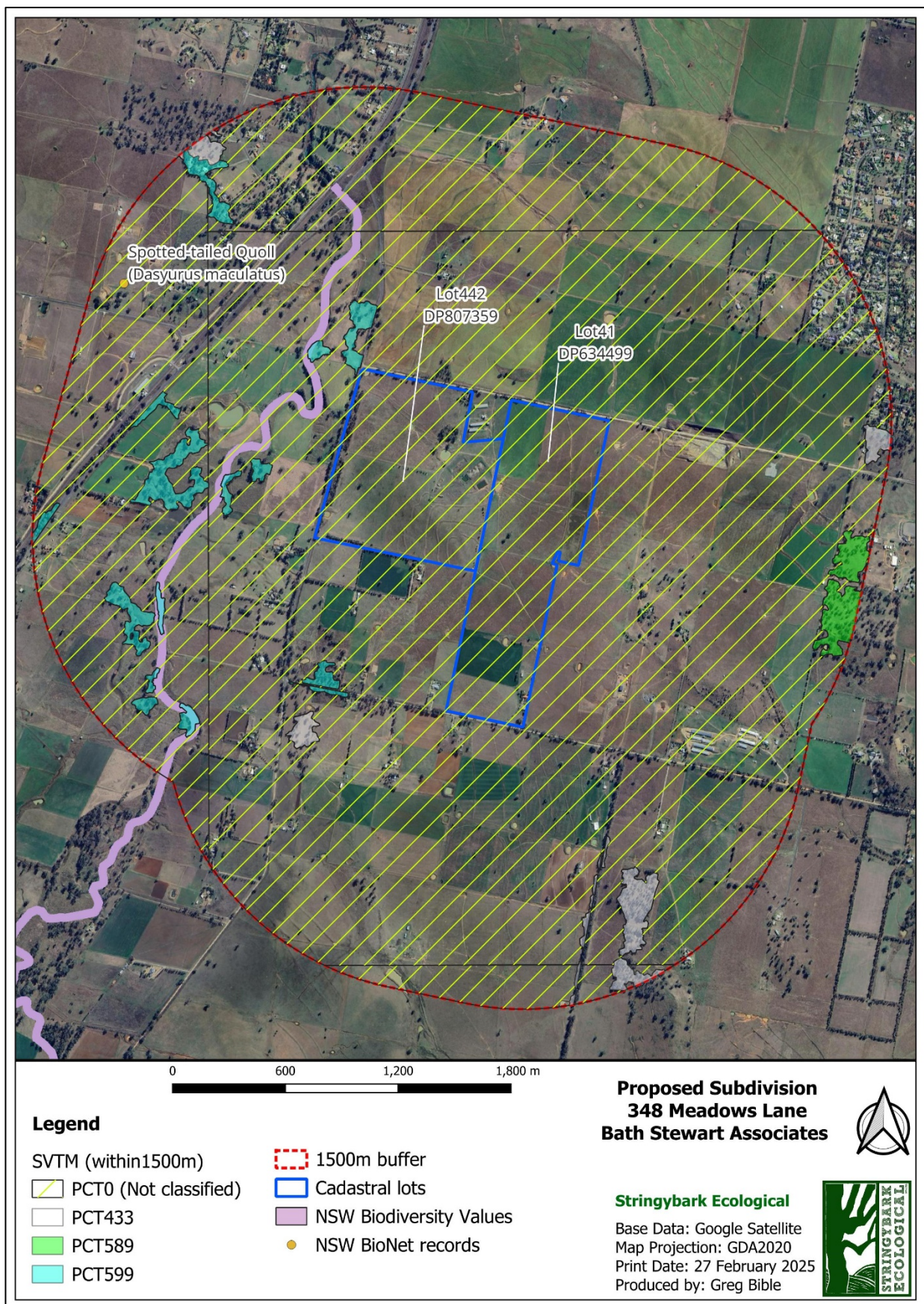


Figure 1: State Vegetation Type Mapping, NSW Biodiversity Values, and BioNet records



Figure 2: State Vegetation Regulatory mapping (boundary of assessed lots shown in red)

Biodiversity Development Assessment Report (BDAR) requirements

There are a several potential triggers for requirement of a Biodiversity Development Assessment Report (BDAR) (assessment under the BOS) for proposals under the *Environmental Planning and Assessment Act 1979* (Planning Act 1979). The relevant triggers to consider for the proposed subdivision are:

- 1- NSW Biodiversity Values Map threshold,
- 2- Area clearing threshold, and
- 3- Significant impact to threatened species or ecological communities, or their habitats

NSW Biodiversity Values threshold

No Biodiversity Values mapping coincides with either of the considered lots, so this threshold is not exceeded and entry into the BOS is not triggered on this basis.

Area clearing threshold

Most of the site is categorised as ‘Category 1 – exempt’ on the NVR map and is excluded from threshold calculations (aerial image provided in the Appendix A confirms the property was cleared at January 1, 1990).

However, for approvals under the Planning Act in NSW, all native vegetation within lots to be subdivided may be assumed by the consenting authority to be required to be cleared and so needs to be accounted for in area clearing threshold calculations. This is in accordance with the *Biodiversity Conservation Regulation Act 2017* (BC Reg 2017) (Clause 7.1(3)).

The definition of *native vegetation* within the BC Reg 2017 is taken from the *Local Land Services Act 2013* (LLS Act 2013) (5A div1 60B), which does not differentiate between planted and non-planted native vegetation. As such, the total area of all planted native vegetation on the property has been included with remnant vegetation estimates in the area clearing threshold calculation.

For lots zoned RU4 in the Tamworth LGA, the minimum lot size is 9.9 hectares. In accordance with the BC Reg 2017 (Clause 7.2(1)), the maximum area of native vegetation allowed to be cleared under the threshold is 0.5 hectares.

The estimated combined area of planted and remnant native vegetation within the lots was 6.8 hectares, well above the area threshold for entry into the BOS.

To reduce the impact on native vegetation, a covenant should be placed on the significant patches of native vegetation and larger trees. This would provide a positive ecological outcome and entry into the BOS would not be triggered by this exceeding threshold.

As a guide, a vegetation polygon has been provided indicating an amount of native vegetation which, if protected by covenant, would push the application under the 0.5 hectares area clearing threshold. The polygon includes larger patches of native trees with a small buffer to account for potential native understory, as well as the dripline of larger trees, which generally had exotic understory vegetation. It also shows some exotic tree locations, some of which are mapped as ‘Category 2 – regulated’ on the NVR map (above Lot 14 in the Proposed Lot Configuration).

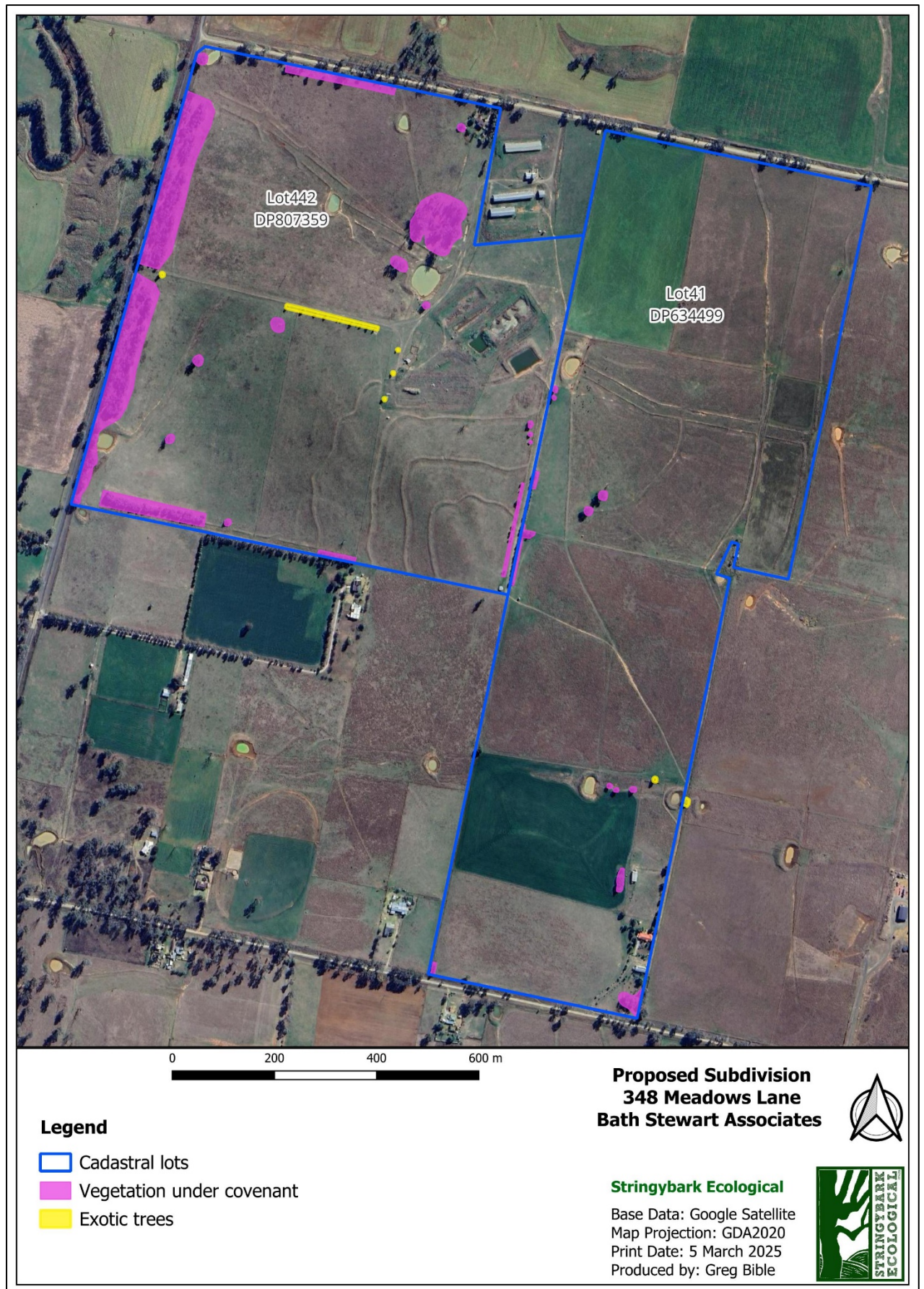


Figure 3 Native vegetation advised to be protected under title covenant.

A small amount of planted native vegetation is not mapped in the polygon but would likely (or should) be viewed by the consenting authority as not required to be cleared as existing infrastructure (houses, sheds, water tanks, fences, roads) already exist.

Significant impact to threatened entities

Any BC Act listed threatened flora, fauna, population or Threatened Ecological Communities (TEC) determined likely to occur in an impacted area must be considered using the Test of Significance (BC Act 7.3). This test considers whether proposals have potential to place any local viable populations of species (or local occurrence of a TEC) at risk of extinction, as well as considers impacts to species habitat.

No threatened species were identified during preliminary assessment and species habitat was determined to be very low quality and unlikely to support most threatened species predicted to occur in the region. Tree hollows were the only notable potential threatened species habitat recorded during field site visit.

If all or most large trees are protected under covenant, then it could not be said that any species with potential to utilise tree hollows would not be significantly impacted.

Entry into the BOS would not be triggered as a result of significant impact to threatened entities from the proposed subdivision.

Summary

Preliminary assessment of the property found native vegetation and species habitat to be of very low quality except for small remnant patches, and isolated individual native trees, and planted native trees.

If this vegetation is placed under covenant and is protected from clearing as part of the terms of the subdivision, entry into the BOS and a BDAR should not be required.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Bible', with a stylized, flowing script.

Greg Bible

Senior Ecologist

Stringybark Ecological Pty Ltd

Appendix A

NSW Planning Portal property report: 348 Meadows Lane, Warral, NSW

<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address>



Property Report

348 MEADOWS LANE WARRAL 2340

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Subject Land (pub. 2-12-2021)

Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

Bushfire Prone Land	Vegetation Category
Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under Transport and Infrastructure SEPP 2021 Clause 2.48. Please contact Essential Energy for more information.
Local Aboriginal Land Council	TAMWORTH
Regional Plan Boundary	New England North West

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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Aerial image taken 15 July 1989. Estimated property boundary shown in red. Accessed from:

<https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>