

2 July 2020

Our ref: 20SUT/15112

Elizabeth.Garner@wsc.nsw.gov.au

Attention: Nancy Sample

Dear Nancy,

DA 20/1069 – The Robertson Hotel, No. 1 Fountaindale Road, Robertson, Lot 2, DP 610676 – Biodiversity Assessment Review

Additional information was forwarded to Eco Logical Australia on 12 November relating to ELA's previous review dated 2 July 2020, of the development application lodged pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) seeking Council approval for the redevelopment of The Robertson Hotel at No. 1 Fountaindale Road, Robertson. The applicant has submitted the following updated reports in support of the application:

- *Biodiversity Development Assessment Report* (BDAR) prepared by Narla Environmental and dated July 2020.
- *Vegetation Management Plan* (VMP) prepared by Narla Environmental dated July 2020.

The tables below indicate the previous issues raised and how they have been addressed.

Table 1 Issues addressed in the provision of an updated BDAR

Biodiversity Development Assessment Report – Issues Raised	Issues Addressed			
The report needs to include a justification for the classification of Plant Community Type (PCT) 743; it needs to include 743 as a PCT identified within the subject land in Section 3.4; and a summary of vegetation condition for PCT 743 in Table 3-3.	Yes,	no	further	action
	required.			
The report needs to consider whether PCT 743 meets the criteria for Upland Basalt Eucalypt Forest of the Sydney Basin Bioregion endangered ecological community under the EPBC Act.	Yes,	no	further	action
	required.			
PCT 1129 needs to be included in Table 6-1. and in Table 6-2 to ensure consistency as PCT 1129 is identified as a Serious and Irreversible Impact candidate entity in NSW in Table 3-3, Section 5.1 and Section 6.1.3.1.	Yes,	no	further	action
	required.			
Table 3-5 (pg.34) Management Zones within the subject land, says reduction in canopy cover to 15% and removal of shrubs; removal of all leaf litter and coarse woody debris; groundcovers such as grasses regularly mowed or slashed to minimal height" and then in the "Vegetation attributes not changed" column says "Grass and groundcover composition". Additional mitigation measures should be included to justify this approach, such as the timing of slashing of grasses and ground covers should be timed to allow for	Yes,	no	further	action
	required.			

Biodiversity Development Assessment Report – Issues Raised	Issues Addressed
seeds to set, or other appropriate measure, to ensure that the changes in current vegetation attributes will not result in changes to the grass and groundcover composition in the Inner Protection Areas.	
Table 5-1. Table of measures to be implemented before, during and after construction to avoid and minimise the impacts of the project and Section 6.1.2 need to include that nest boxes need to be annually monitored for structural integrity, any pest removal and other issues.	Yes, no further action required.
The report needs to include a Significance Assessment for Robertson Rainforest Robertson Rainforest in the Sydney Basin Bioregion critically endangered ecological community under the EPBC Act.	Yes, however the EPBC Act Significance Assessment requires a conclusion as to whether the impact is significant and whether it is a controlled action that requires Commonwealth approval. As this is not a matter for the EP&A Act consent, it may be included in the conditions of consent as a note.
The report needs to identify whether the development meets the environmental objectives of the E3 zoning and if it is mapped on the Wingecarribee LEP – Natural Resources Sensitivity Map.	Yes, no further action required.
Appendix E needs to be included on page 66	Yes, no further action required.

Table 2 Issues addressed in the provision of an updated Vegetation Management Plan

Vegetation Management Plan – Issues Raised	Issues Addressed
References made to Noxious Weeds and the NSW Noxious Weeds Act 1993 to be updated to Priority Weeds identified in the South East Regional Strategic Weed Management Plan 2017 – 2022, and the <i>NSW Biosecurity Act 2015</i> . Currently the VMP refers to both the old legislative regime (Sections 5.1.3, 6.3.2, 7.5.2, Table 2) as well as the new (7.1, 7.4.2, 7.5.2, Table 1).	Yes, no further action required.
The treatment of Asset Protection Zones referred to in the Bushfire Report and referenced in the BDAR need to be included within each management zone objectives, vegetation clearing protocols (for example inclusion of the requirement to slash following seeding of indigenous grasses and ground covers as described above) and the APZ management and landscaping section of the Bushfire Management report.	Yes, broadly consistent with updated BDAR. The VMP does not include the reduction in canopy cover within the APZ to 15%; this may be included as condition of consent.

Regards,



Diane Campbell
Principal Ecologist Accredited BAM Assessor