

26 August 2024

Ref: PP-2021-7471 (IRF 24/1359)

Mr Steve Connelly
Planners North
6 Porter Street
Habitat
Byron Bay NSW 2481

Dear Steve,

Re: Gateway determination - PP-2021-7471

I refer to the Gateway Determination (dated 3 July 2024), Department Ref: PP-2021-7471). This determination relates to rezoning land at 66 The Saddle Road, Brunswick Heads (part of Lot 2 DP 1159910), amending associated development standards, and introducing a local provision to facilitate a work/live precinct.

In that determination, Gateway Condition 1 states “*confirm that the small stand of E. tereticornis on the property, considered potential koala habitat, is to be incorporated in the C2 Environmental Conservation or C3 Environmental Management zone*”.

We understand the ‘stand’ refers to approximately 13 trees in or near the south-eastern corner of the proposed Precinct C – as mapped and listed within Appendix E of the Gulgan Road Ecological Assessment submitted as part of the planning proposal documentation. The stand of trees in question is shown in Figure 1, Figure 2 and Figure 3 below.

Please be advised that the stand of *E. tereticornis* trees will be retained and included within the C2/C3 area adjacent to Precinct C. Please note that two *Eucalyptus tereticornis* trees (numbered 35 and 37) are inside the proposed E4 zone (i.e., Precinct C) as shown in Figure 3 and Figure 4.

Tree 35 has a recorded DBH of 84 cm, a height of 17 m, a canopy width of 10 m and was noted as being in poor condition. Tree 37 has a DBH of 86 cm, height 19 m, canopy width 11 m and was in good condition at the time of survey. Tree 35 (slightly north of tree 37) is approximately 11.5 m from an area zoned C2, and tree 37 approximately 4.5 m from an area zoned C3.

Despite these two individual trees existing within the proposed E4 zone, the proponent is committed to retaining both trees, whilst also not blocking terrestrial wildlife access to these trees. The trees will be retained and integrated into the landscaping of Precinct C. Arboricultural assessment will also be undertaken, with management of these trees and any adjacent future works subject to the assessment.

The required outcome (retention of the trees and their associated habitat value) can be realised without the need for amendment to the proposed zoning. Hence, no changes to the proposed zoning are thought necessary.

Regards,



Steve Jarman
Principal Ecologist



Figure 1: The Stand of Eucalyptus tereticornis (looking south-west in the area north-east of Precinct 3).



Figure 2: The Stand of Eucalyptus tereticornis (looking south-east from inside Precinct 3).

Tree Plan

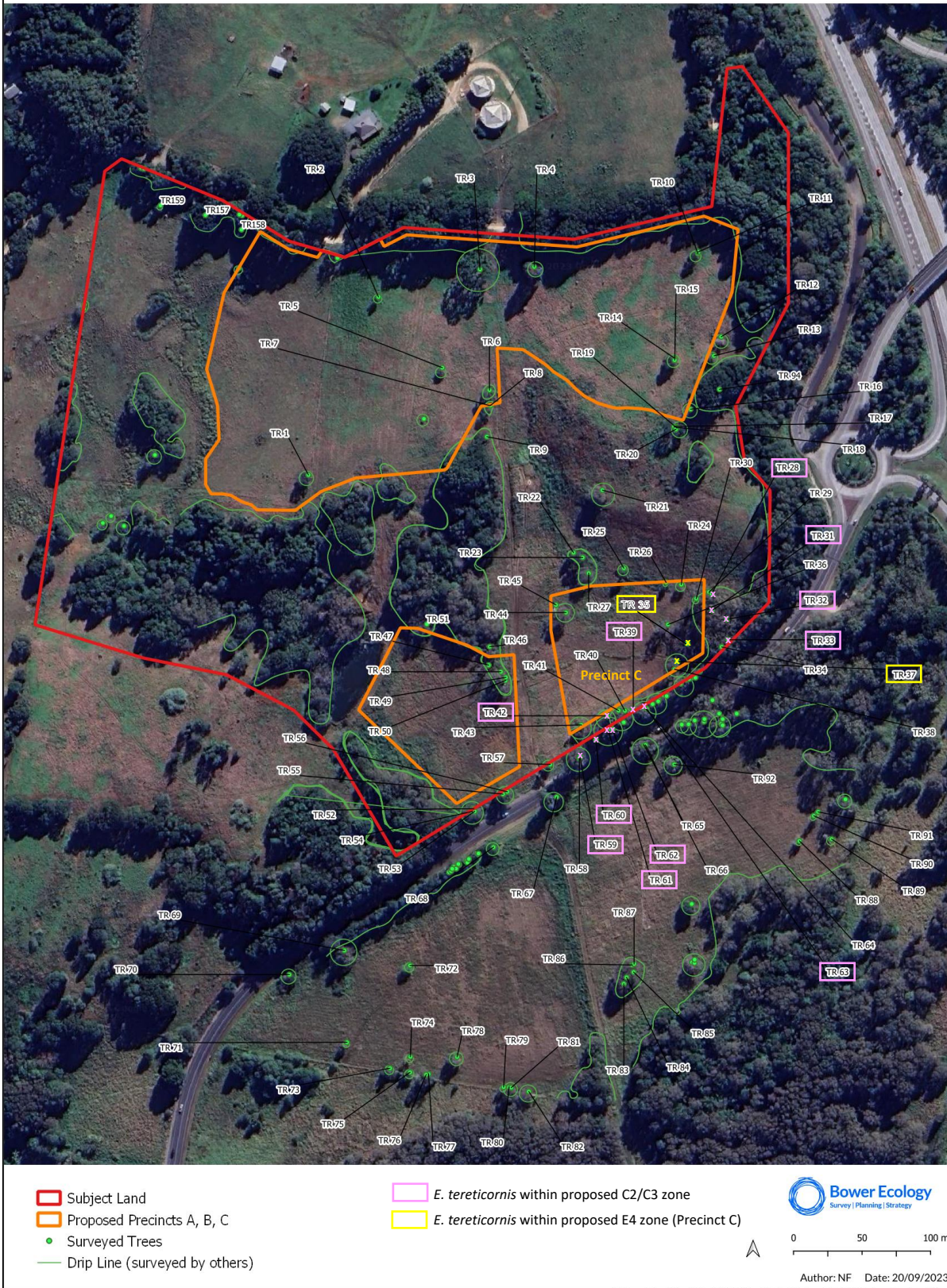


Figure 3: Tree Survey data, and the location of *E. tereticornis* in the stand of trees in the south-east.

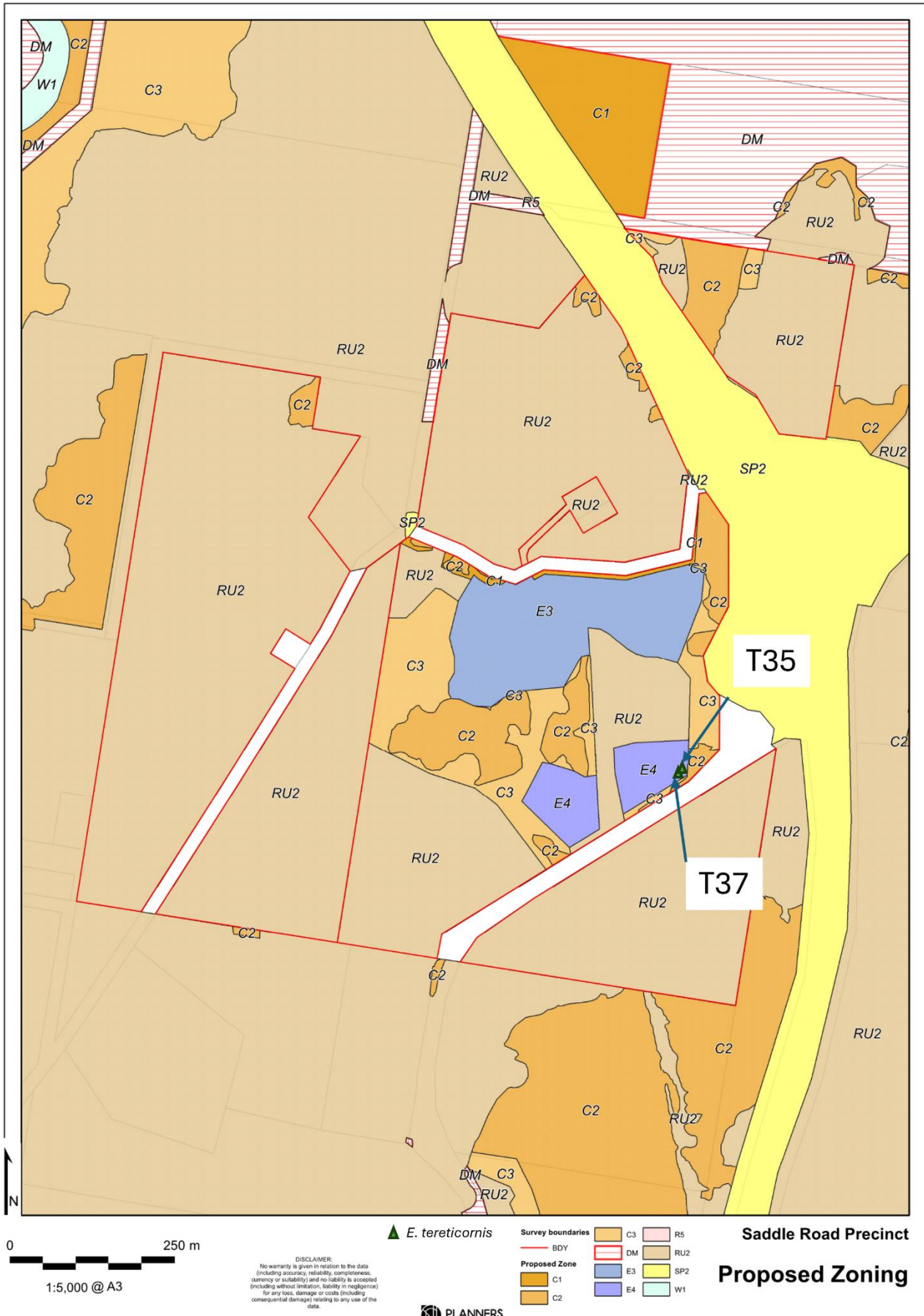


Figure 4: Proposed zoning (Map supplied by Planners North).