

ITEM 5.1 - LAND BUY-BACK FOR ENVIRONMENTAL PURPOSES - POLICY REVIEW (Cont.)
#1 Revised Land Buy-Back for Environmental Purposes Policy 2150-118 version 3



Policy: 2150-118

Land Buyback for Environmental Purposes

Head of Power

Local Government Act 2009

Objective

The objective of Council's **Land Buyback for Environmental Purposes Program** is to acquire strategic **properties** for the management and conservation of our region's natural ecosystems and to maintain and enhance connectivity, through a focus on the management of **green corridors** and to the protection of **priority species** into the future.

Definitions

CEO - Council's Chief Executive Officer

Charge - A separate charge levied by Council, described as Council's Regional Infrastructure and Environment Charge.

Emergent site - A property that may be considered for the Program that is not on the priority acquisition list. Any such site recommended for acquisition under the program should be in the top 10% of properties in Moreton Bay, based on the regional evaluation.

Green Corridors – For the purposes of this policy, a green corridor is defined as a pathway or area supporting animal and plant movement, dispersal and refuge, identified on council mapping.

Land Buyback for Environmental Purposes Program - The Land Buyback for Environmental Purposes Program as described in this policy.

Priority acquisition list – A ranked list of priority properties identified through the application of ecological criteria identified in Appendix 1 of this policy. These are the highest-ranking properties as an outcome of the regional evaluation, endorsed by Council and form the basis of pro-active property purchases for the Program.

Priority Species – As defined in Council's Planning Scheme Policy, *Environmental Areas and Corridors 3* July 2017.

Property - As defined by the *Property Law Act 1974*.

Regional evaluation - An ecological assessment of all properties in the Moreton Bay region. This evaluation was undertaken using a multi-criteria assessment. The regional evaluation resulted in a list of all properties in the Moreton Bay region in order of ecological value, related to the Program objective.

Application

This policy applies to the CEO, all Councillors and all Council employees when considering **properties** to acquire as part of the **Land Buyback for Environmental Purposes Program**.



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Policy Statement

Properties to be acquired under the Land Buyback for Environmental Purposes Program

Council aims to strategically acquire properties under this Policy that contributes directly to the management of **green corridors** to conserve the Moreton Bay Region's environmental and ecological values and enhance opportunities to improve outcomes for **priority species** into the future.

Identifying and Assessing Properties

Council will maintain an endorsed **priority acquisition list** to guide the identification of properties that are eligible for acquisition under the program. The **priority acquisition list** will be drawn from the **regional evaluation** in order of ranked priority and will be confidential due to the commercial in confidence information it will contain.

Following resolution of the **priority acquisition list**, Council Officers will conduct investigations in order of priority ranking and, where appropriate, property owners may be contacted to assess their willingness to sell to Council as part of the Program.

As well as ecological values of the **priority acquisition list**, other key criteria will be considered and presented to Council to support informed decision-making;

- **Value for money** - A professional valuation will be procured and considered in all potential purchases.
- **Alternate options** - What are the likely consequences for the land if Council does not procure it, and can desired environmental outcomes be achieved by alternate means?
- **Infrastructure costs** - What are the initial requirements and costs of installation and/or removal of infrastructure and assets?
- **Maintenance costs** - What are the ecological / land maintenance cost of the site?

Emergent sites may be considered for purchase under the Program on a case-by-case basis, even if they are not on the **priority acquisition list**. Nomination of such sites will generally come from:

- a property that is advertised on the open market.
- a property that is proposed for investigation by either the CEO, Councillor, or a Director.

For a site to be considered it must contribute significantly to the purpose of the Program and should be in the top 10% of properties in Moreton Bay, based on the **regional evaluation**.

The following criteria will be considered, and a response presented to Council to support informed decision-making about **emergent sites**:

- **Emergent opportunity** - outline the benefits of acquiring the property under the proposed timeframe.
- **Regional evaluation ranking** - outline of the emergent sites ranking within the regional evaluation.
- **Other benefits** - whether the site adds value to another Council environmental program, initiative or investment.
- **Value for money** - A professional valuation will be procured and considered in all potential purchases.
- **Alternate options** - What are the likely consequences for the land if Council does not procure it, and can desired environmental outcomes be achieved by alternate means?
- **Infrastructure costs** - What are the initial requirements and costs of installation and/or removal of infrastructure and assets?
- **Maintenance costs** - What are the ecological / land maintenance cost of the site?



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Acquiring the Identified Sites

All acquisitions through this Program must be approved by Council resolution. Council may resolve to authorise the acquisition of a property on the **priority acquisition list** or **emergent sites** by various means. This may include commercial or compulsory purchases; however, Council's preference is to acquire land voluntarily rather than compulsorily. Any compulsory purchase would be guided by the Department of Resources *Guidelines for Local Government - compulsory acquisition of land*.

Funding the Acquisition of the Identified Properties

Properties acquired under the Program will primarily be funded by revenue derived from the **Charge**. Council may, through resolution, allocate additional revenue to the Land Buyback for Environmental Purposes Program.

Possible addition funding mechanisms include;

- a) financial or **property** donations from individuals or environmental groups
- b) financial or **property** bequests
- c) partnerships with other agencies

Related Documents

This policy complements, and is to be implemented in conjunction with, other Council policies, directives and relevant documents published by other agencies including, but not limited to:

- Council's Planning Scheme Policy, *Environmental Areas and Corridors* 3 July 2017
- Moreton Bay Regional Council Employee Code of Conduct
- Gifts, Sponsored Hospitality Benefits, Awards & Prizes Policy, 2150-156
- Department of Resources, *Guidelines for Local Government - compulsory acquisition of land*.

Review and evaluation

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

Reviews of this policy will occur as required, or at least once every four years.

Responsibility

This Policy is to be:

- (1) Implemented by the Environment and Sustainability Policy and Planning Manager; and
- (2) reviewed and amended in accordance with the "Review Triggers" by the Director, Planning.

Policy: 2150-118		Official Version: A20376179	
Document Control			
Version / Reviewed	Version Adoption (Council meeting / Minute Page) Reviewed (revision comment)	Date	Word version reference
Version 1	General Meeting (MP.20/1451)	5.8.2020	A20299738
Version 2	Administrative amendments only: 'Review Triggers' - administrative wording and Responsibility - position titles' Approved by Director Planning	15.10.2020	A20851261
Version 3	General Meeting		61222723



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Appendix 1 - Ecological criteria used to inform the prioritisation of the properties for acquisition through the Land Buy- Back for Environmental Purposes program.

- No. of conservation significant species excluding Koala
- Koala Habitat Suitability Category for Non-Remnant OR Koala Habitat Area
- No of Priority species of the Moreton Bay Region
- Regional Ecosystem types
- Endangered Vegetation Management Category Area B
- Endangered Vegetation Management Category Area C
- Presence of Locally Significant Vegetation
- Total Area
- Perimeter to Area Ratio
- Distance to closest MSES Protected Areas
- Distance to closest habitat corridor
- Proximity to High Ecological Value Waters
- Proximity to High Ecological Significance Wetland
- Koala Priority Area
- MBRC Zoning

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#2 Discussion supporting changes to each section of the Policy

Table 1 outlines proposed changes to Council Policy 2150-118 version 3.

Policy item	Discussion supporting policy alterations
TITLE	Small change suggested to align with corporate style guides. The term “program” has been moved from the context of the title to the end of the title.
HEAD OF POWER	No change to the head of power.
OBJECTIVE	<p>The recommendation is to realign the policy objective with the initial intent of the program, being the acquisition and management of key green corridors across the region to protect and enhance the environment for the future. The research conducted by the ESPP Department and Griffith University supports a focus on acquisitions of properties within green corridors.</p> <p>The term green corridors has been included in the policy objective to assist in focusing the program to achieve the best overall outcome. This approach supports acquisitions of properties that provide habitat for priority species, and their movements through the region.</p> <p>The inclusion of the term priority species in the objective recognises the 119 rare, threatened, and endangered species identified in Council’s Planning Scheme Policy - <i>Environmental Areas and Corridors</i>.</p> <p>The use of the terminology, “<i>natural ecosystems and to maintain and enhance connectivity</i>”, aligns with the proposed outcomes of the Healthy Environment pillar of the draft Corporate Plan 2022-2027.</p>
DEFINITIONS	Additional definitions are included to improve and refine the intent and clarity of this draft policy.
APPLICATION	<p>The previous version omitted the CEO.</p> <p>Additional changes to this section relate to rewording for improved clarity of the policy. Also, to clarify roles for governance and implementation.</p>
POLICY STATEMENT	
<i>Properties to be acquired under the Land Buyback for Environmental Purposes Program</i>	Changed to reflect alterations to the policy objective.
<i>Identifying and Assessing Properties</i>	Changes have been made to this section to ensure identified properties align with the policy objective and future reports to Council contain consistent information to inform recommendations regarding the justification for acquisition, ecological values and risks and opportunities for Council.
<i>Emergent sites</i>	<i>Emergent sites</i> may be considered for purchase under the Program on a case-by-case basis on the recommendation of the CEO,

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	Councillors or a Director, whilst also maintaining consistency regarding the policy objective and selection criteria.
Acquiring the Identified Sites	Small changes were made to improve clarity.
Funding the Acquisition of the Identified Properties	<p>Additional funding options recommended to increase the potential impact of the program. Options for public donations and bequests have been included for consideration.</p> <p>In addition, the policy identifies the Regional Infrastructure and Environment Charge will assist in the implementation of the program with additional funding sought through Council resolution.</p>
Overview of Policy Process - Flowchart	Removed - to be redrafted and included in the Operational Directive.
RELATED DOCUMENTS	Through the internal policy review, additional linkages were identified and added.
REVIEW AND EVALUATION	No change proposed.
RESPONSIBILITY	No change proposed.
APPENDIX 1	Changes to policy criteria have been suggested by Griffith University and reviewed by the ESPP Department.