

# Land Buyback for Environmental Purposes Policy

Council Policy - Statutory/Strategic	
<b>Corporate Plan Link:</b>	Our Healthy Environments
<b>Policy Owner:</b>	City Futures
<b>Responsible Manager:</b>	General Manager, Planning
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## Objective

This policy outlines City of Moreton Bay's (Council) commitment to the Land Buyback for Environmental Purposes Program (the Program) and its objective to acquire strategic properties for the management and conservation, including restoration, of our City's natural ecosystems and to maintain and enhance biodiversity values through a focus on ecological corridors and for the protection and enhancement of conservation-significant wildlife habitats.

## Statement

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

Council aims to strategically acquire properties under this policy that contribute directly to the connection, protection and enhancement of City of Moreton Bay's biodiversity values, through a focus on ecological corridors and for the protection and enhancement of conservation-significant wildlife habitats.

Investigation and assessment of properties for potential acquisition under this policy occurs through the following mechanisms:

- Strategic Pathway
- Emergent Pathway
- Emergent Special Circumstances Pathway

### Strategic pathway for 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 strategic pathway. The priority acquisition list will primarily be informed by relevant council plans, strategies and policies and the City Evaluation Model. Priority acquisition lists will be confidential due to the commercial in confidence information it contains.

The priority acquisition list aims to:

- outline a list of strategic properties of interest that align with the Land Buyback for Environmental Purposes Program objective, by focal area
- provide for balanced representation of biodiversity values across the City, with a focus on protecting and enhancing conservation-significant wildlife habitats and,
- provide opportunity for both conservation and restoration outcomes for ecosystem and biodiversity values.

Following resolution of the priority acquisition list, team members will conduct ecological and due diligence investigations and, where appropriate, property owners may be contacted to assess their willingness to sell to Council as part of the Program.

As well as the ecological value of each potential property, other key criteria will be considered and presented to Council to support informed decision-making around possible acquisition, including:

- Value for money - A professional valuation will be procured and considered in all potential purchases, in addition to the costs associated with any land dealings.
- 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?
- Restoration and maintenance costs - What are the ecological / land maintenance costs?,

The priority acquisition list will be reviewed and updated as necessary, at or around, the end of Quarter 3 of each financial year to inform acquisition activity for the following financial year.

### **Emergent pathway for identifying and assessing properties**

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 be:

- a property that is proposed for investigation by either the CEO, Councillor, or an Executive General Manager or General Manager, and
- a property offered for sale.

In prioritising and assessing an emergent site for potential acquisition under the program, it will be assessed against the same matters that inform the priority acquisition list under the strategic pathway, namely relevant council plans, strategies and policies, the City Evaluation Model and the other key criteria listed above.

### **Emergent special circumstances pathway for identifying and assessing properties**

An emergent site, which has been assessed as not eligible, or not representing a high-priority acquisition under the emergent pathway, may still be considered for purchase under the Program as an emergent special circumstances site. These sites can be nominated by either the CEO or a Councillor.

Emergent special circumstances could include:

- an off-market property, or
- a site nominated with sufficient supporting information and rationale to allow Councillors to consider the special circumstances relevant to the potential acquisition and its ability to achieve the objectives of this policy.

In addition to the ecological assessment, the following criteria will be considered, and a Councillor briefing will be conducted for the purpose of seeking feedback about emergent and emergent special circumstance opportunities:

- Emergent or emergent special circumstance opportunities - outline the considerations of acquiring the property under the proposed timeframe.
- City Evaluation Model ranking - outline of the emergent sites ranking as determined by the City Evaluation Model, including in the context of the focal area and conservation or restoration pathway.
- 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, in addition to the costs associated with any land dealings.
- 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?
- Restoration and maintenance costs - What are the ecological / land restoration and maintenance cost?

### **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 those identified as emergent sites, or emergent special circumstances opportunities 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 Natural Resources and Mines, Manufacturing and Regional and Rural Development 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 a separate charge. Council may, through resolution, allocate additional revenue to the Land Buyback for Environmental Purposes Program.

Possible additional funding mechanisms include:

- financial or property donations from individuals or environmental groups
- financial or property bequests
- partnerships with other agencies

## Application

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

## Related Documents

### Relevant legislation

- *Local Government Act 2009*
- *Property Law Act 1974*
- *Environmental Protection Act 1994*
- *Environment Protection and Biodiversity Conservation Act 1999*

### Council documents

- City of Moreton Bay's Corporate Plan 2022-2027
- City of Moreton Bay's Employee Code of Conduct
- City of Moreton Bay's Environment and Sustainability Strategy 2042 and Healthy Environments Plans
- Managing Gifts and Benefits Operational Directive
- Land Buyback for Environmental Purposes Program Operational Directive
- City of Moreton Bay's Planning Scheme Policy, *Environmental Areas and Corridors*

### Other resources

- Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development, *Guidelines for Local Government - Compulsory Acquisition of Land*

## Definitions

Term	Definition
<b>CEO</b>	Chief Executive Officer of Moreton Bay City Council
<b>Separate Charge</b>	A separate charge levied by Council, described as the City Environment Separate Charge.
<b>City</b>	Moreton Bay City Council Local Government Area
<b>City Evaluation Model</b>	An ecological assessment of all properties in City of Moreton Bay, informed by the criteria identified in Appendix 1. The evaluation is undertaken using a multi-criteria assessment methodology, with models to provide a list of all properties in the City in order of ecological value, which can be further prioritised and filtered, to reflect the program objective. It forms the basis of the priority acquisition list(s).
<b>Conservation outcome</b>	The pathway to provide for the investigation of properties to protect or enhance the biotic integrity of existing vegetation communities.
<b>Conservation-significant</b>	Values or matters that are important or significant for biodiversity conservation, including Threatened Ecological Communities (TECs), endangered or of-concern vegetation communities, vegetation communities that are likely to support priority and hollow-bearing species, vegetation communities that are poorly conserved, endemic or in waterway, wetland, and coastal environments.
<b>Core area</b>	Large intact patches of native vegetation that sustain viable populations of native flora and fauna and provide refuge from extreme events and help buffer the impacts of climate change
<b>Council</b>	City of Moreton Bay / Moreton Bay City Council
<b>Ecological corridor</b>	For the purposes of this policy, an ecological corridor is defined as an existing or potential area that links habitats and supports animal and plant movement, dispersal and refuge.
<b>Emergent site</b>	A property that may be considered by the Program that is not on the priority acquisition list.

Term	Definition
<b>Emergent special circumstances site</b>	An emergent property, aligned with the program policy criteria, however not identified as a higher priority acquisition under either the Strategic or emergent pathways that warrants special consideration due to its potential to demonstrate an opportunity to positively contribute to another Council environmental program, initiative or investment.
<b>Land Buyback for Environmental Purposes Program (the Program)</b>	The Land Buyback for Environmental Purposes Program as described in this policy.
<b>Priority acquisition list</b>	A list of properties of interest to the Program, distributed by program focal area, informed by the City Evaluation Model and other relevant information, aimed at providing for City-wide biodiversity representation and opportunities for both conservation and restoration outcomes.
<b>Program focal areas</b>	The local government area as divided into geographical program focal areas as identified in Appendix 2.
<b>Property</b>	As defined by the <i>Property Law Act 1974</i> .
<b>Restoration outcome</b>	A pathway to provide for the acquisition of properties requiring the partial and full recovery of the biotic integrity of conservation-significant vegetation communities that have been degraded, damaged, or destroyed.
<b>Stepping-stone habitat</b>	Smaller patches of connecting vegetation that sustain populations of native flora and fauna.
<b>Team members</b>	All employees of Council, whether employed on a permanent, temporary, part-time, or casual basis. This definition includes volunteers and employees of businesses and entities contracted to provide services to, or on behalf of Council.

## Document Control

Document History				Official Version: ECM73451939
Version	Approval	Date	Description	Document ID
1.0	Council	5.8.2020	General Meeting (MP.20/1451)	A20299738
2.0	Council	15.10.2020	Administrative amendments only: <i>'Review Triggers' - administrative wording and Responsibility - position titles'</i> <i>Approved by Director, Planning</i>	A20851261
3.0	Council	16.3.2022	General Meeting (MP. 22/490)	ECM61222723
4.0	Council	16.7.25	General Meeting (MP 20)	ECM72176532

## **Appendix 1 - Ecological criteria used to inform the prioritisation and assessment of properties considered for acquisition through the Land Buyback for Environmental Purposes program**

In prioritising and assessing sites for potential acquisition under the program, consideration will be given to the extent each site:

- 1) Supports conservation-significant wildlife habitats, including existing wildlife habitats or wildlife habitats that can be restored, and
- 2) Contributes to ecological connectivity and safe wildlife movement, and
- 3) Is ecologically viable, either on its own or in a landscape context, and
- 4) Is at risk from long term degradation from threatening processes.

The City Evaluation Model – Conservation Pathway is informed by

- 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 type, by conservation significance
- Area of remnant vegetation
- Area of high-value regrowth vegetation
- Presence of locally significant vegetation
- Total area
- Perimeter to area ratio
- Distance to closest MSES protected areas
- Distance to closest ecological corridor
- Proximity to high ecological value waters
- Proximity to high ecological significance wetland
- Koala priority area
- Zoning under Council's Planning Scheme

The City Evaluation Model – Restoration Pathway is informed by

- Pre-clear regional ecosystem type, by conservation significance
- Total area
- Perimeter to area ratio
- Potential area available for restoration
- Distance to closest effective conservation area
- Distance to closest ecological corridor
- Area of ecological corridor overlap
- No. of priority species of the Moreton Bay region
- Koala priority area
- Flood risk
- Storm tide risk
- Coastal erosion risk
- Landslide risk
- Bushfire risk

## Appendix 2 - Land Buyback for Environmental Purposes - Program focal areas

Program Focal Area	Waterway Catchment*	Division
1	Stanley River	12
	Neurum Creek	
	Byron Creek	
	Mary River	
2	Pumicestone	1, 2, 3, 9, 11, & 12
	Bribie	
	Caboolture River	
3	Burpengary Creek	2, 4, 5, 6, 7, 8, 11, 12
	Hays Inlet	
	Sidling Creek	
	Redcliffe	
4	Lower Pine, Brisbane Coastal	4, 7, 8, 9, 10, 11,
	Upper Pine	
	Brisbane Coastal	

\* Waterway catchments as defined by Council's Planning Scheme, Overlay Map – Stormwater Catchments  
<https://www.moretonbay.qld.gov.au/Services/Building-Development/Planning-Schemes/MBRC/Maps>