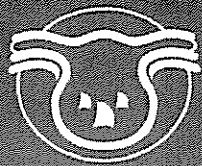


Vegetation Protection Register



Redland
CITY COUNCIL

VP 3

VEGETATION PROTECTION REGISTER

Property address	62-64 Beachcrest Road Wellington Point Qld 4160	
Lot on plan	Lot 4 RP 77497	
File references		
Planning & Policy Meeting date		
General Meeting date	03 April 2008 - Interim VPO 06 August 2008 - Full VPO	
Revocation date	30 April 2008 - Interim VPO 27 August 2008 - Full VPO (<i>confirmed</i>)	
Dataworks number		
Theme ID on Proclaim	EV 02	VP 3

10.1 PLANNING AND POLICY

10.1.1 VEGETATION PROTECTION ORDER CONFIRMATION - BEACHCREST ROAD WELLINGTON POINT

Dataworks Filename: EM Vegetation Protection
Attachments: Expert Report [PDF 940KB]
Responsible Officer Name: Angela Wright
Acting Manager – Environmental Management
Author Name: Leo Newlands
Advisor - Reserves Management

EXECUTIVE SUMMARY

Following an enquiry from a member of the community, the Environmental Management Group (EMG) began action to protect the Cook Pine (*Araucaria columnaris*) on Lot 4 RP 77497 under Local Law No.6, 'Protection of Vegetation'.

Council resolved on the 30th of April 2008 to make an Interim Vegetation Protection Order under the provision of Local Law No.6.

This report outlines the outcomes of expert report, public submissions and officer recommendations regarding the confirmation of a Full Vegetation Protection Order

PURPOSE

To recommend that Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 'Protection of Vegetation' on the Cook Pine (*Araucaria columnaris*) located on Lot 4 RP 77497 and described as 62-64 Beachcrest Road Wellington Point

BACKGROUND

- Council's Local Law No. 6 'Protection of Vegetation' provides for the protection of vegetation through Vegetation Protection Orders.
- Council officers have noted the significance of the Cook Pine and recommended that action commence for its protection under a Vegetation Protection Order.
- Council resolved on the 30th of April, 2008 to make an Interim Protection Order under the provision of Local Law No.6.
- Discussions with the owner of the property (Mrs Hilda Barclay) and Mrs Barclay's son/caretaker (Mr Ross Barclay) in relation to the process and implementation of the VPO have been undertaken on three occasions.
- An expert report for the Cook Pine has been undertaken by Biodiversity Assessment & Management Pty Ltd (BAAM) and received.
- Public notification of the Vegetation Protection Order was advertised (16 May 2008) through the 'Redland Times' and a period of at least 21 days has been allocated for receiving public submissions. This has occurred as per provisions of Local Law No. 6. No Submissions were received.

ISSUES

MAKING OF VEGETATION PROTECTION ORDER'S UNDER LOCAL LAW 6 (PROTECTION OF VEGETATION)

Any person may apply to have a Vegetation Protection Order (VPO) placed on vegetation on private land. Local Law 6 (Protection of Vegetation) (LL6) provides the power for Local Government to make VPOs for 'significant vegetation' (defined under LL6) on private land. This request for a VPO must be assessed by Council and by resolution for an interim VPO be placed upon the tree. The Interim VPO will remain for 6 months in which time public notification with a minimum of 21 days for submissions to be received. The advertisement must detail the grounds on which the VPO is being made and invite public submissions within 21 days of a fixed date, for or against the order. No Submissions were received for this application.

During this time Council must also get an expert report by a qualified person, ensuring the order is consistent with and justified in light of the objects of the law. The expert report received from BAAM has confirmed the grounds for which the Interim VPO was placed on the tree.

The outcomes of the expert report and public submissions are subsequently presented to Council for a decision on whether the VPO is confirmed.

GROUND'S FOR THE VEGETATION PROTECTION ORDER

This application for VPO has stated the grounds for the application was the vegetation is important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; important for its age, height, trunk circumference or canopy spread and important for its unique contribution to the landscape

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to ensure the enhancement of biodiversity including koala habitat, bushland, greenspace, waterways, catchments, air and coastal ecosystems in recognition of our unique location on Moreton Bay; as well as supporting Council's strategic priority to preserve a balance of urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.

FINANCIAL IMPLICATIONS

Redland City Council

There are minor financial implications with this application associated with in-kind (advice) to the owners when required.

Owner

There are costs to owners and/or applicants of \$125 associated with a permit to damage protected vegetation.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has been undertaken with Mrs Hilda Barclay (owner) and Mr Ross Barclay on three occasions. Both Mrs Barclay and Mr Ross Barclay were consulted with in relation to the process, purpose and implications of placing the VPO on the Cook Pine. Neither Mrs Barclay nor Mr Ross Barclay has provided any written submissions for or against the VPO being placed on the tree. Consultation was also undertaken with Environmental Management, Development Assessment; Operation and Maintenance, Biodiversity Assessment and Management (external consultants) and the general public.

OPTIONS

PREFERRED

1. That Council resolve to confirm a Vegetation Protection Order under the provisions of Local Law No. 6 'Protection of Vegetation' on the Cook Pine (*Araucaria columnaris*) located on Lot 4 RP 77497 and described as 62-64 Beachcrest Road Wellington Point; and
3. That damage to the tree is only permitted under Section 27 (J) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

ALTERNATIVE

That Council resolve to **not** confirm a Vegetation Protection Order under the provisions of Local Law No. 6 'Protection of Vegetation' on the Cook Pine (*Araucaria columnaris*) located on Lot 4 RP 77497 and described as 62-64 Beachcrest Road Wellington Point.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray
Seconded by: Cr Reimers

That Council resolve as follows:

1. **To confirm a Vegetation Protection Order under the provisions of Local Law No. 6 'Protection of Vegetation' on the Cook Pine (*Araucaria columnaris*) located on Lot 4 RP 77497 and described as 62-64 Beachcrest Road Wellington Point; and**
2. **That damage to the tree is only permitted under Section 27 (J) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".**

CARRIED