

CONFIDENTIAL – TRANSFER OF FUNDS FOR LAND PURCHASE FOR CONSERVATION PURPOSES

Objective Reference: A2773450
Reports and Attachments (Archived)

Attachments:

- [1. Site, Zone and Overlay Mapping](#)
- [2. Resolution for Proposed Environmental Charge Property Acquisitions 6 May 2015](#)
- [3. Confidential Environmental Separate Charge Acquisitions List - Additions March 2015](#)
- [4. Draft Wildlife Corridor Mapping Wellington Point to Raby Bay - Coastal Foreshore Corridor](#)

Authorising Officer: Louise Rusan
General Manager Community and Customer Services

Responsible Officer: Graham Simpson
Group Manager Environment and Regulation

Report Author: Damien Jolley
Acting Senior Property Officer

PURPOSE

The purpose of this report is to recommend that Council approve the allocation/transfer of funds to enable the purchase of land situated at [REDACTED] at fair market value for environmental purposes.

BACKGROUND

Council resolved to purchase [REDACTED] when it adopted additions to the Environment Charge Acquisition list at the General Meeting of 6 May 2015. Council further resolved to purchase the land on 18 November 2015 at a figure recommended by Council's Principal Property Consultant.

Following protracted negotiation, Council's subsequent offer in late 2016 to purchase the property at [REDACTED] was not accepted by the property owner. It was decided that further offers could not be made as this offer was considered final given the valuations obtained prior to that date. It is understood the property was then taken off the market.

On 2 November 2017, Council was approached by the property owners to confirm if there remains an interest in purchasing the property prior to it being relisted for sale.

As the property has been identified as a high priority acquisition it is considered that an offer to purchase the land should be made. Two new valuations have been obtained and negotiations to purchase at fair market value have recommenced.

The two valuations are for [REDACTED] and [REDACTED]. Purchase of this property within this valuation range would be considered fair market value.

While there remains a resolution to purchase the property, there are currently insufficient funds in the Environment Separate Charge Acquisition Capital Reserve fund (acquisition reserve) to purchase the property.

Environmental values

The property is situated on [REDACTED] and is described as [REDACTED]. The total area is 4.5527 hectares and is located on the [REDACTED]

This property is worthy of acquisition as it represents significant habitat for a range of native fauna and wader birds. It completes a significant conservation core habitat and corridor in this location, as mapped on the draft Wildlife Connections Plan 2018.

The property is at the interface between terrestrial and marine ecosystems and positioned near the mouth of Hilliards Creek. As the only functioning ecological corridor in this part of the landscape, Hilliards Creek contributes significantly to fauna movement through the area and provides a significant link between Moreton Bay and habitat in the south of the City.

Planning Description

The property is currently zoned in the Redlands Planning Scheme as Conservation with Bushland Habitat; Waterways Wetlands and Moreton Bay; Flood Storm and Drainage Constrained Land; Acid Sulphate Soils and Bushfire Hazard Overlays which are identified on the maps attached to this report. There is no water or sewerage infrastructure servicing the property.

ISSUES

Environmental Charge Acquisition Capital Reserve Fund

Council has an Environmental Charge Acquisition reserve for the purpose of acquiring land for conservation and environmental purposes. Funds for the reserve are obtained through the environment levy issued to rateable properties within the City.

However, during 2017 the acquisition reserve was depleted as a result of funding the bulk of the purchase of [REDACTED]

As of 31 December 2017, the acquisition reserve had an available balance of [REDACTED]. As such there are insufficient funds to currently complete the purchase.

In order to provide funds for the proposed purchase of [REDACTED] it is considered appropriate to transfer sufficient funds from the Environmental Separate Charge Maintenance Capital Reserve fund (maintenance reserve) to the acquisition reserve.

It is noted that the maintenance reserve commenced the 2017-18 financial year with a carry-over balance of \$1,386,000 and has a current balance at 31 December 2017 of \$2,463,000.

If negotiations are successful to purchase the land, a funding transfer of approximately [REDACTED] would be required to complete the transaction, including initial property clean-up works (establishment works). It is anticipated that the funding transfer would be undertaken in two amounts split between the 2017-18 and 2018-19 budgets.

The acquisition reserve will be used to meet the acquisition costs for the property and initial establishment works (such as pest management, remediation, fencing, signage, waste removal and track works) equal to 20% of the purchase cost. This is in accordance with Council's resolution of 25 August 2010 which sets a cap on funding establishment work costs from the acquisition reserve.

Therefore, if the property is purchased for [REDACTED] under the Council resolution concerning funding establishment work costs through the acquisition reserve, a further 20% of the purchase cost may be used for that purpose. This equates to \$166,000 which may be used from the acquisition reserve.

As the current balance of the acquisition reserve is \$542,000, a transfer of approximately \$600,000 from the maintenance reserve will provide a new balance of approximately \$1,142,000.

Once the purchase price [REDACTED] transactions costs (approx. \$40,000) and establishment costs (approx. \$166,000) are taken from the acquisition reserve, this leaves a balance of approximately [REDACTED]

The balance of initial management works will need to be funded from the maintenance reserve.

A detailed breakdown of estimated clean-up and management costs is contained in the Financial implications within this report and will be subject to due diligence.

STRATEGIC IMPLICATIONS

Legislative Requirements

Local Government under state legislation has a general environment duty and responsibility to protect and maintain significant vegetation and biodiversity.

Risk Management

The property is located at a key break in a major wildlife corridor, as shown in the attached mapping to this report. If the property is retained in private ownership then there is an increased risk of degradation in wildlife corridors values and loss of koala habitat, negatively impacting upon wildlife movement.

Financial

Currently there are insufficient funds to purchase the property through the environmental charge acquisition reserve. Funds will need to be allocated/transferred to the acquisition reserve to enable the purchase to proceed.

The funding transfer from the maintenance reserve to the acquisition reserve will be approximately [REDACTED]

The funding required to execute the total land acquisition and establishment is approximately [REDACTED] spread over two financial years as follows:

- 2017-18 - approximately [REDACTED]
- 2018-19 – approximately [REDACTED]

A breakdown of this funding requirement is as follows:

FY17/18

- Purchase: Approximately [REDACTED]
- Fees, charges and other costs associated with the purchase:
 - Transaction costs (Land purchase fees and charges): [REDACTED]
 - Establishment work costs (Demolition, weed management, fencing, signage etc.): [REDACTED]
 - Land maintenance cost: [REDACTED]

FY18/19

- Fees, charges and other costs associated with the purchase:
 - Establishment costs – demolition, weed management, fencing, signage etc.: [REDACTED]
 - Land maintenance cost: [REDACTED] (maintenance reserve)

The costs associated with the acquisition and establishment will be drawn from the acquisition reserve (once replenished) up to 20% of the purchase price. The balance of the establishment costs and subsequent land maintenance costs ongoing will be drawn from the maintenance reserve.

It should be noted that other projects, such as the Bushfire Report response and purchase of the DAFF land at 61-73 Macarthur Street Alexandra Hills are also partially dependent on additional funding from the maintenance reserve during the 2017/18 financial year.

People

There are no known impacts associated with this report.

Environmental

Purchase of the site would extend the Geoff Skinner Reserve as well as providing additional buffering protection of the endangered wetland ecosystems and the Ramsar area located adjacent to the site. These properties are part of an extensive tidal wetland and are dominated by seagrass, mangroves and salt tolerant grasses. Mangroves are dominant along the Hilliards Creek estuary and extensive seagrass beds exist at the creek mouth.

The property contains important positive environmental values with 80% of the site consisting of the endangered regional ecosystem 12.1.1 (described as *Causarina glauca* open forest on margins of marine clay plains). This ecosystem is identified as being critically limited within the Redland City Council area.

The environmental values of the site are threatened by the current land management practice. There are several building structures, large amounts of waste stockpiled on the property such as vehicle tyres and old machinery that would need to be removed as part of the site establishment. A site inspection also revealed significant weed species identified on the site which have the potential to spread into the surrounding Council owned land. Illegal vehicle access to Geoff Skinner Reserve has been observed to come from this site.

The purchase of this site would allow Council to restrict vehicle access and prevent future environmental impacts. A matrix of regeneration and restoration would be undertaken after acquisition. There is scope for the installation of passive recreation facilities such as bird hides and walkways and the existing house may be utilised for visitor interpretation subject to relevant budget processes.

Social

Strengthening the corridor connection also allows for enhanced visitor experiences by enabling movement through these areas.

Alignment with Council's policy and plans

The purchase of the property is consistent with Council's environmental and conservation policies. The Natural Environment Policy POL-3128 supports Council to purchase land for conservation purposes through the following outcomes:

1. *Protect, enhance, restore the natural values of the City.*
3. *A conservation acquisition program that prioritises acquisition of land for rehabilitation, offsets, corridors and long term protection to achieve cost effective environmental outcomes that contribute to facilitating biodiversity conservation (e.g. koala survival) and has community benefits.*

Consultation

- Environment and Regulation Group
 - Environment and Education Unit
 - Property Services
- City Spaces Group
 - Parks and Conservation Unit
- Project Delivery Group
- Financial Services

OPTIONS

Option 1

That Council resolves as follows:

1. To authorise the allocation/transfer of sufficient funds to the Environmental Charge Acquisition Reserve Fund from the Environmental Charge Maintenance Reserve Fund to purchase the property at fair market value and fund establishment costs;

2. Delegate the Chief Executive Officer under s.257(1)(b) *Local Government Act 2009* to make, vary, negotiate and discharge the contract for purchase of the said property at fair market value;
3. That the report and attachments to this report remain confidential until settlement, except the environmental separate charge acquisition list; and
4. The attachment for the environmental separate charge acquisition list will remain confidential in accordance with Council resolutions of 6 May 2015 and 25 August 2010.

Option 2

That Council resolves as follows:

1. Not authorise the allocation/transfer of sufficient funds to purchase the property; and
2. That the report and attachments to this report remain confidential.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. To authorise the allocation/transfer of sufficient funds to the Environmental Charge Acquisition Reserve Fund from the Environmental Charge Maintenance Reserve Fund to purchase the property at fair market value and fund establishment costs;
2. To delegate the Chief Executive Officer under s.257(1)(b) *Local Government Act 2009* to make, vary, negotiate and discharge the contract for purchase of the said property at fair market value;
3. That the report and attachments to this report remain confidential until settlement, except the environmental separate charge acquisition list; and
4. The attachment for the environmental separate charge acquisition list will remain confidential in accordance with Council resolutions of 6 May 2015 and 25 August 2010.

CLOSED SESSION**MOTION TO MOVE INTO CLOSED SESSION AT 11.03AM**

Moved by: Cr M Elliott
Seconded by: Cr M Edwards

That the meeting be closed to the public pursuant to Section 275(1) of the *Local Government Regulation 2012*, to discuss the following item:

The reason that is applicable in this instance is as follows:

- (h) *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

CARRIED 11/0

MOTION TO REOPEN MEETING AT 11.29AM

Moved by: Cr M Elliott
Seconded by: Cr P Bishop


That the meeting be again opened to the public.

CARRIED 11/0

11.4 PORTFOLIO 4 (CR LANCE HEWLETT)**COMMUNITY & CULTURAL SERVICES, ENVIRONMENT & REGULATION****11.4.1 PROPOSED ENVIRONMENT CHARGE PROPERTY ACQUISITIONS**

Objective Reference: A158421
Report and Attachments (Archives)

Attachments: Confidential: Environment Separate Charge Acquisition List Additions - March 2015
Confidential: Greenways Corridor Map

Authorising Officer: 
Louise Rusan
General Manager Community and Customer Services

Responsible Officer: Gary Photinos
Group Manager Environment & Regulation

Report Author: Candy Daunt
Senior Advisor Environment

PURPOSE

Council has been pursuing a strategy of protecting and restoring vital habitat using a number of tools. As part of that strategy Council regularly assesses properties for potential purchase using the Environment Separate Charge Acquisition funds to maintain our biodiversity and in particular strengthen wildlife corridors.

This report seeks endorsement for a number properties to be purchased using the Environment Separate Charge Acquisition funds.

That Council resolves to approve the acquisition of the additional properties as listed in the "Confidential Environment Separate Charge Acquisition List Additions - March 2015" using the funds held in the Environment Separate Charge Acquisition Capital Reserve fund.

BACKGROUND

- December 2013 - a report was presented to Council with a revised Acquisition List for very high priority properties and the balance of properties being placed on a watch list to be considered on a case by case basis. This was endorsed by Council on 20 December 2013.
- A number of properties that have been on our watch list have now come onto the market and are presented to Council to consider for acquisition.

ISSUES

ENVIRONMENT CHARGE ACQUISITION AND MANAGEMENT POLICY POL 3077

Council has approved a land acquisition program to support the Environment Charge Acquisitions and Management Policy to achieve the following objectives:

1. To protect environmentally significant properties through selective acquisition as part of the broader strategy of methods for protecting, maintaining and rehabilitating environmental values and biodiversity;
2. To manage environmentally significant properties for existing and future generations and to protect the environmental significance of the site in both the short term and long term; and
3. To protect and enhance koala habitat, both urban and rural, through selective acquisition and rehabilitation, and to facilitate effective and safe koala movement.

All identified properties nominated for acquisition in this report have been reviewed against the Confidential Greenways Corridor map.

LAND ASSESSMENT GUIDELINES FOR PROPOSED ACQUISITIONS USING ENVIRONMENTAL CHARGE ACQUISITION FUNDS

Council has also adopted a guideline for rapid assessment of properties which become available for acquisition to be considered. This guideline allows for additional properties not previously assessed for acquisition to be proposed and added to the program. A large number of properties have been assessed with this guideline where property owners approach Council to have their land considered for acquisition.

In accordance all new properties have been assessed against the 15 criteria in the guidelines.

CONFIDENTIAL ENVIRONMENT SEPARATE CHARGE LAND ACQUISITION LIST ADDITIONS - MARCH 2015

This confidential list provides an assessment of a number of properties that have been added to the acquisition list that have recently come onto the market. The

assessment includes a general description of each property, an environmental assessment and planning description together with the necessary maps of the proposed properties. These properties have been assessed using the land assessment guidelines referred to above.

STRATEGIC IMPLICATIONS

Legislative Requirements

Local Government under state legislation has a general environment duty and responsibility to protect and maintain significant vegetation and biodiversity.

Risk Management

The additional lands that have been listed in the attachment are located at key breaks in wildlife corridors, as shown in the Confidential Greenways Corridor Map attachment. If these blocks are retained in private ownership then there is an increased risk of degradation in wildlife corridors values and loss of koala habitat negatively, impacting upon wildlife movement.

Financial

Independent valuations will be obtained for costing purposes and provision has been made in the 2014/2105 financial year to acquire these properties. The Environmental Separate Charge funds will be used to meet the acquisition costs for the properties, and initial management works (such as pest management, remediation, fencing, signage, waste removal and track works), up to a value of 20% of the purchase price of the property.

People

There are no staff implications. The existing continuous conservation estate is currently under active management by the City Spaces Group.

Environmental

The attached Confidential Greenways Corridor map clearly illustrates the role of these properties in enhancing and strengthening existing wildlife corridors.

The proposed acquisition sites have important positive environmental values including proximity to an internationally listed Ramsar area. The sites also contain endangered regional ecosystems (12.5.2 and 12.1.1) and koala habitat identified in the Koala habitat mapping.

Social

Strengthening corridor connections also allows for enhanced visitor experiences by enabling movement through in these areas.

Alignment with Council's Policy and Plans

Should Council proceed with acquisition of the properties mentioned in confidential attachment it will promote the intent of the Corporate Plan Healthy Natural Environment theme and the objectives of the Council's Environment Charge Acquisitions and Management Policy.

CONSULTATION

The following Council officers have been consulted in the preparation of this report and its attachments:

The Principal Property Consultant has provided information from the property owner/agent and history of previous informal negotiations. In addition, the Principal Property Consultant will source independent valuations for the properties.

The Environment and Education Unit has confirmed the environmental and corridor values associated with the properties.

The City Spaces Group has provided information regarding the contiguous conservation estate and site establishment works required.

The Strategic Planning Unit has provided advice on the current Redlands Planning Scheme as it applies to the identified sites.

OPTIONS

1. That Council resolves to:
 - a. Acquire the properties identified in the Confidential Environment Separate Charge Acquisition List Additions - March 2015;
 - b. Delegate the Chief Executive Officer, *under* s.257(1)(b) of the *Local Government Act 2009*, to acquire these additional properties at "fair market value" and execute all associated documentation.
 - c. That the attachments to this report remain confidential.
2. That Council resolves not to acquire the properties identified in the Environment Separate Charge Acquisition List March 2015 (Attachment 1).

COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr W Boglary

That Council resolves to:

1. Acquire the properties identified in the Confidential Environment Separate Charge Acquisition List Additions - March 2015;
2. Delegate the Chief Executive Officer, *under* s.257(1)(b) of the *Local Government Act 2009*, to acquire these additional properties and execute all associated documentation; and
3. That the attachments to this report remain confidential until settlement.

CARRIED 11/0

Wellington Point to Raby Bay – Coastal Foreshore Corridor



Description

Linking Sovereign Waters and Waterloo Bay Foreshores to Raby Esplanade Park, via Wellington Point Foreshore, Main Road Foreshore, Geoff Skinner Wetlands, Empire Point Foreshore.

Environmental Values

Linking coastal foreshore vegetation (12.1.2 saltpan and 12.1.3 mangrove). Some sections with adjacent bloodwood and blue gum open forest to woodland (12.5.2). Seaward edge of corridor Ramsar listed. Wader bird habitat throughout corridor. Multiple corridor dependent bird species recorded along corridor. Osprey nest pole towards northern tip of corridor. Contains High Ecological Values waters under State Environmental Protection (Water) Policy 2009 covering ~80 per cent of corridor length.

Core Habitat Linkages

Links ≈4 core habitat patches. Maximum distance between patches is ≈700m.

Land Uses / Tenure

Marine zone conservation zone bounded by urban development.

Community Use

Seaward edge of corridor Marine State Park. High value coastal recreation area.

Threats & Barriers

Poor urban land management (e.g. uncontrolled domestic animals, garden escapee weeds, noise and light disturbance). Sea level rise causing inundation of saltpan and mangrove habitats.

Gaps & Pinch Points

Gaps at northern tip of Wellington Point and at Raby Esplanade Park. Pinch points at eastern end of Sturgeon Street.

Priority Outcomes

Management of impacts from urban area (e.g. garden escapee weeds, domestic animal control, noise and light reduction, etc.). Rehabilitation of gap and pinch point at northern tip of Wellington Point and end of Sturgeon Street. Investigate options for protecting and extending saltpan and mangrove habitats to accommodate sea level rise.