

## 19.2 PURCHASE OF LAND - CONSERVATION PURPOSES, ORMISTON

### Objective Reference:

**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services

**Responsible Officer:** Graham Simpson, Group Manager Environment & Regulation

**Report Author:** Dale Watson, Natural Environment Officer

**Attachments:**

1. Site Location 3-53 Cowley Street, Ormiston
2. Saunder Havell Group Final Report 3-53 Cowley Street Ormiston (June 2008)

The Council is satisfied that, pursuant to Section 275(1) of the *Local Government Regulation 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (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.*

### PURPOSE

The purpose of this report is to respond to the confidential Notice Of Motion raised at Council's General Meeting of 20 March 2019 to present possible options for protecting significant koala trees at 3-53 Cowley Street, Ormiston to ensure a balanced outcome for the natural environment and the community.

### BACKGROUND

The property the subject of this report is 3-53 Cowley Street, Ormiston (formally described as Lots 141-166 on RP1703 and Lots 1-4 on RP893081). The total land area of the lots is 11,412 m<sup>2</sup> which is privately owned.

The site contains a large amount of mature eucalypts, particularly in the western and eastern parts of the site. The site is within an established residential area, which contains community facilities such as schools and parks. Directly adjoining the site to the east is Raby Bay Esplanade Park. Refer Attachment 1 for site location details.

#### Environmental values

The property contains the following environmental values:

- Mapped vegetation – Council's Regional Ecosystems 2015 mapping indicates that a large portion of the land contains endangered regional ecosystems 12.5.2/12.5.3 (in the western and central part of the site) and of concern ecosystems 12.1.3 (in the eastern part of the site). The mapping also shows the property contains areas of non-regional ecosystem - habitat urban trees in the eastern and central part of the property.
- Koala habitat – Council's mapping has identified that the site contains numerous koala habitat trees (koala habitat mapping - regional ecosystem regrowth and urban koala habitat trees). As shown on koala habitat mapping there are three main clusters of these trees, plus additional trees scattered throughout the site.
- The property forms part of Wellington Point to Raby Bay Coastal Foreshore Wildlife Habitat Corridor as identified in the Redland City Council Wildlife Connections Plan 2018. This corridor provides connections for wildlife such as koalas.

- A site inspection from adjacent streets was undertaken by Council officers on 2 July 2018 and 15 April 2019. The following observations were made:
  - The site contains individual, mature trees including Blue Gums, Ironbarks, Bloodwoods and Melaleucas.
  - There are some introduced species on the site, including Camphor Laurel and Slash Pine trees. These are dispersed across the site.
  - There are two areas of regrowth vegetation.

### Planning information

The property is identified in the Urban Footprint of the SEQ Regional Plan. Under the Redlands Planning Scheme 2006 the site was zoned as Urban Residential. This zoning has been translated to the Low Density Residential zone in the Redland City Plan 2018. The property is not mapped within the Environmental Significance Overlay in the Redland City Plan 2018, due to the methodology used to generate the overlay, as lots less than 1,000m<sup>2</sup> with a Low Density Residential zoning were clipped from receiving the overlay designation. Despite this, the site is identified as containing environmental values, as outlined above.

The site is situated within the Priority Koala Assessable Development Area under the *Planning Act 2016*. The site is entirely identified as an 'Area of koala habitat value'. Predominantly, it contains 'High Value Other' vegetation, with a small portion of the land containing 'Medium Value Other' vegetation.

A small portion of the property is identified as low risk Landslide Hazard in the Redland City Plan 2018. This portion of the site is situated to in the north-western and south-western corners. A small portion of the property (namely Lots 3 and 4 on RP893081) is identified as being impacted by the storm tide component of the Flood and Storm Tide Hazard Overlay in the Redland City Plan 2018. This mapping is unlikely to pose significant constraints to developing the site, but does require minimum habitable floor levels to be constructed above the maximum predicted storm tide level (3.24m AHD).

### Vegetation protection

Council has the ability to protect and restore vital habitat using a number of tools which are further discussed below. These tools can include:

- Regulatory mechanisms such as the Redland City Plan 2018 or Local Law 6 – Protection of Vegetation
- Non-regulatory mechanisms through environmental partnerships and conservation agreements
- Acquisition of land for environmental purposes using the Environment Separate Charge Acquisition reserve (environment levy)
- Acquisition of land for redevelopment or planning purposes to better balance the end outcomes of future land use

### City Plan 2018

A confidential major amendment report was presented to Council on 10 October 2018 to consider the potential rezoning of 3-53 Cowley Street from Low Density to Conservation.

The confidential report to Council stated that while the environmental values of the site are evident, it is highly questionable whether the planning scheme on its own represents an appropriate mechanism in isolation to seek to protect the existing vegetation on the site. Other mechanisms, such as an environmental levy, may be more appropriate to facilitate the protection of vegetation

on the site if determined a priority by Council. Recognising these circumstances, it was recommended the existing zoning over the site is retained.

Four options were presented to Council:

- Option 1: retain existing zoning. This option will enable development over the site in accordance with current zoning unless Council intervenes and pursues other non-planning scheme measures such as a potential purchase utilising the environmental levy;
- Option 2: include the entire site within the Conservation Zone. This option would facilitate protection of the environmental values on the site however incurs a significant compensation risk;
- Option 3: partial Conservation rezoning (western and eastern portions). This option would preserve most mature vegetation to the west and denser vegetation to the south. However, vegetation to the west would likely become isolated habitat and the eastern vegetation would lose the existing link to the southern corridor. A compensation risk would still occur on the portion of the site proposed for rezoning;
- Option 4: partial rezoning (eastern portion only). This option would consolidate Council ownership/trusteeship however it would only protect a small a number of the koala habitat trees distributed across the site. It would also connect to the existing wildlife corridor that extends through Raby Bay Esplanade Park. This would not protect the majority of the mature habitat trees on the site however; it would provide for the protection and rehabilitation of mature vegetation on a small scale and maintain a connection to southern habitat via Hansen Court and Bainbridge Street. A compensation risk would still occur on those lots proposed to be rezoned.

Council resolved to retain the existing Low Density Residential zoning on the 10<sup>th</sup> October 2018.

#### Local Law 6 – Protection of Vegetation

There are no Local Law 6 – Protection of Vegetation Tree Protection or Vegetation Protection Orders on this property.

It is not considered that any declaration of an Interim Vegetation Protection Order by Council would be practical for the properties given lot sizes. It is also likely that a declaration would conflict with the Redland City Plan 2018 and therefore not be a valid regulatory mechanism in accordance with s.27 of the *Local Government Act 2009*.

#### Environmental Partnerships and Conservation Agreements

Council has not entered into any discussion with the owner of the property in regards potential voluntary conservation measures given the zoning and lot sizes making it unrealistic as a target property.

#### Acquisition using the Environment Separate Charge

Council may assess properties for potential purchase using the environment levy to maintain biodiversity and in particular strengthen wildlife corridors.

The property is on Council's Environment Separate Charge Strategic Acquisition List developed in 2010 and was designated as a property to consider for purchase with a combination of resale and retention to preserve the environmental values whilst reducing the final cost of the purchase.

In accordance with Council's 'Land Assessment Guidelines for Proposed Acquisitions using Environmental Charge Acquisition Funds (GL-3128-002)', if the land is for sale, and is identified on the Strategic Watch List, a site visit is required to confirm on ground environmental values and a cost analysis is required to determine whole of life cost, community and environmental benefits.

It is noted that the land is currently not listed for sale, therefore should Council decide to purchase the land it would require Council to approach the owner seeking a private sale or as a last resort commencement of resumption action.

#### Acquisition and up-zoning for redevelopment or planning purposes - 2008 Review

In 2008 the issue of protecting vegetation on this land was considered by Council. Consulting firm Saunders Havill produced a comprehensive report for Council (Attachment 2) on the preferred options to protect the vegetation of this property. The report investigated the following options:

- Local Law No. 6
- Voluntary Conservation Agreements
- Statutory Covenants on Property Title
- Reconfiguration of the Lots (Standard format that incorporates a Community Management Statement)
- Other Development Option – Multiple Dwelling
- Use of Building Envelopes / Conditions of Development Approval
- Land Exchange (with Council land)
- State Funding
- Purchase / Acquisition
- Transferable Development Rights
- Development Concessions / Bonus Development Opportunities
- Revolving Funds
- Conservation Tax Incentives
- Land for Wildlife
- Rate Rebates
- Federal Government Funding

The report concluded that the preferred outcome considered worthy of further investigation was:

1. The use of the 'Environment Separate Charge' funds to purchase selected lots at the western end of Cowley Street containing the highest valued vegetation stands; and
2. The facilitation on the balance lots of a Community Title Scheme which delivers through the approved plan –
  - a. houses located such that the impacts on vegetation is minimized
  - b. the use of communal open space within the development to contain those significant trees that are able to be preserved and to provide opportunity for plantings of replacement koala habitat trees along the Cowley Street frontage of the development.
  - c. the use of covenants on title to secure the protection of trees within common property areas in perpetuity.

- d. the inclusion within the body corporate rules applying to the development, provision for protection of trees within private open space areas, requirements for koala friendly fencing, restrictions on the keeping of cats and dogs, requirement for regular arborists reports on the management of trees within the site, etc.
3. In order to promote this form of development to the current owner, a small increase in development yield may need to be considered. Additionally, the application of legitimate provisions contained within the planning scheme will be required to facilitate a form of development that achieves tree protection (e.g. to enable lots sizes appropriate for dwellings under a community management scheme).

The above report did not proceed to Council.

A recent review of this 2008 Saunders Havill report has identified the following issues:

- The report does not indicate specifically which lots should, and should not be purchased.
- The report does not address the separation risk of the large (25-30m high) eucalypt trees to the proposed adjoining buildings to be developed.
- The report does not identify the development yield required from the property in order for Council to recoup purchase cost.
- A property economic assessment is required to fully understand the risk and benefits of purchasing the property with the intent of redevelopment and resale.
- There is potential for opposition from adjoining residents regarding questions of consistency with adjoining 'low density' residential development.
- The option of redevelopment would require a planning scheme amendment, which is a 12 month process and the consultant's report did not consider interim protection for the vegetation.
- In the confidential major amendment report presented to Council on 10<sup>th</sup> October 2018 to consider the potential rezoning of the property from Low Density, a community title scheme was not identified as a viable option due to the difficulty in delivery and significant negotiation required to reach an agreement with property owner.

Again it should be noted that the property is not currently on the market.

## ISSUES

The Low Density Residential Zoning of this property facilitates the development outcome of a dwelling house on each of the 26 vacant lots. The primary objective of the Low Density Residential zone is to provide for residential areas with a high level of amenity, characterised by dwelling houses on a range of lot sizes which achieve a general sense of openness and low density streetscapes.

As any future development would be for domestic housing activity on each allotment, the koala habitat provisions under the *Planning Act 2017* would not apply.

The proposed Redland City Plan 2018 amendments package will not alter the level of protection for vegetation on this property. The Coastal Foreshore Wildlife Habitat Corridors are only mapped in the proposed Wildlife Connection Overlay where corridors intersect with the current Environmental Significance Overlay. This property does not contain any Environmental Significance Overlay as lots less than 1,000m<sup>2</sup> with a Low Density Residential zoning were clipped from the overlay designation.

Preliminary valuation figures (noting not a full valuation) for this property have estimated that the combined value of the 26 blocks to be between [REDACTED] and [REDACTED]. The combined area of the 26 properties is 11,418m<sup>2</sup>, meaning an estimated cost of between [REDACTED]/m<sup>2</sup> and [REDACTED] m<sup>2</sup>.

This figure represents very poor value when compared to recent past Council conservation land acquisitions (the average figure for the 16 significant land purchases since 2007 is \$4/m<sup>2</sup>). The cost remains poor value when compared to Council's recent purchases of conservation land in urban areas, such as 21-29 King Street Thornlands (\$46/m<sup>2</sup>), 193-201 Quarry Road Thorneside (\$66/m<sup>2</sup>) and 61 McMillan Road Alexandra Hills (\$165/m<sup>2</sup>).

Should Council wish to consider acquiring the property, it would be strongly recommended that a detailed plan be developed to further investigate the feasibility of options:

- Purchase 3-53 Cowley Street, Ormiston;
- Determine the developable area based on detailed ecological report and property economic assessment, with consideration to:
  - allow multiple dwelling development on lots with low conservation value
  - draft vegetation protection covenants for lots with medium conservation value and amend the City Plan as necessary
  - retain high conservation value lots in Council ownership
- Sell the developable areas of the property to recoup part of initial purchase costs.

Without a detailed economic assessment of the above approach, it is unknown what the final cost of this option may be. In addition, the use of the land for multiple dwellings is an impact assessable development under the Redland City Plan 2018. Therefore there is considerable uncertainty and risk to Council both economically and in regards the end development outcome.

It is acknowledged that the trees on the property are a significant environmental feature and part of a long established non-developed land parcel (albeit privately owned). The removal of the trees will result in significant community interest and response due to the value these trees have in the local community.

Whilst retaining trees such as these is always preferred, it is not always feasible given the history of certain properties (which in this case there are unfettered development rights) and the implications of any decision to protect.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

These have been discussed in the background to this report above and include the Redland City Plan 2018 and Local Law 6 – Protection of Vegetation.

Any decision to purchase the property would be consistent with provisions contained in the *Local Government Act 2009* which gives Council an ability to purchase the property for Local Government purposes.

### Risk Management

In the event that an acquisition was made with the aim of reselling some of the lots or undertaking a development to offset the purchase cost, there is an unknown financial risk to Council. It would be necessary to undertake a detailed property economic assessment and plan for redevelopment to understand the end financial position.

The timeframe required to complete the detailed plan is unknown, and as the site is under potential development threat, there is a possibility the property could be developed before Council can develop and consider a detailed plan.

### Financial

The estimated cost of purchasing the land is between [REDACTED] and [REDACTED], though formal valuations would be necessary to finalise fair market value.

There are currently insufficient funds available via the Environmental Charge Acquisition Reserve for the purchase of this property. Purchase of the Commonwealth land at Birkdale, currently under contract, will also be using existing reserve funds.

Therefore funding of any acquisition will need to further consider how this could be achieved, which may include borrowing or increases to the environment charge.

An assessment against Council's Guideline 'Land Assessment Guidelines for Proposed Acquisitions using Environmental Charge Acquisition Funds (GL-3128-002)' indicates the purchase to be very poor value in terms of the cost benefit ratio. Partial resale of some portion of the property would reduce the final cost, though at this time this amount cannot be determined.

If purchased, it is recommended that establishment and maintenance of the land would require the area to be mulched out and replanted for conservation value.

Establishment Costs are estimated as:

- Fencing \$17,000
- Mulch \$50,000
- Tree works \$35,000

Total \$102,000

Ongoing Maintenance costs per annum \$30,000 for tree works and weed management.

Additional considerations to this land purchase opportunity should include recent/impending purchases of land parcels in Redlands Coast as well as other significant financial commitments. Council's current cash balances have been utilised for these land purchases and Council is currently compiling its budget for 2019/20, which already has a requirement to apply for new borrowings to ensure Council's long term financial sustainability. Council has other financial commitments including a [REDACTED] loan to its subsidiary Redland Investment Corporation following a Council resolution on 12 December 2018 [REDACTED]

### People

There are no known impacts associated with this report.

### Environmental

Purchase and proposed redevelopment of the property will ensure the environmental values and conservation connections are maintained. Private development of the property is highly likely to result in the loss of most environmental values and conservation connections.

## Social

This property is a well-known location for Ormiston residents with some likely to consider the land a “public park” given its long standing presence as an undeveloped site. There is likely to be considerable community concern and angst if the trees on the land are removed which will include media interest. In the event Council decides not to progress any of the options in regards the property, Council will need to prepare a communication plan in regards managing the issue.

### Alignment with Council's Policy and Plans

The purchase of the property is consistent with Council’s environmental and conservation policies, including being listed on Council’s Environment Levy Strategic Acquisitions List. 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

Consulted	Consultation Date	Comments/Actions
Finance – Chief Financial Officer	April 2019	Current budget considerations advice
Principal Environmental Strategic Planner – Strategic Planning Unit	April 2019	Planning scheme related advice
Senior Property Officer - Office of Manager Environment & Regulation Unit	April 2019	Estimated valuation

## OPTIONS

### Option One

That Council resolves to:

1. not purchase the property; and
2. maintain this report and attachments as confidential, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

### Option Two

That Council resolves to:

1. Prepare a detailed plan for the property to investigate the feasibility of options to:
  - a. Purchase the property
  - b. Determine the developable area based on detailed ecological report and property economic assessment, with consideration to:
    - i. amend City Plan to zone the medium density residential multiple dwelling development on lots with low conservation value
    - ii. draft vegetation protection covenants for lots with medium conservation value and amend the City Plan as necessary
    - iii. retain high conservation value lots in Council ownership



- c. Sell the developable areas of the property to recoup part of initial purchase costs.
2. Bring a further report back to Council in regards the detailed plan and feasibility of a purchase with the intent of retaining high conservation areas and reselling developable areas of the property; and
3. Maintain this report and attachments as confidential, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

### **Option Three**

That Council resolves to:

1. delegate authority to the Chief Executive Officer under section 257(1)(b) of the *Local Government Act 2009*, to make, vary, negotiate and discharge a contract, including signing all relevant documents, to acquire the land at fair market value and execute all associated documentation;
2. authorise the allocation of sufficient funds, potentially through borrowings, to acquire the land and to fund establishment and maintenance costs during the 2019/20 financial year; and
3. maintain this report and attachments as confidential until settlement or as required by any legal or statutory obligation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information; and
4. once acquired, prepare a detailed plan for the property to investigate the feasibility of options to:
  - a. Determine the developable area based on detailed ecological report and property economic assessment, with consideration to:
    - i. amend the Redland City Plan 2018 to zone the medium density residential multiple dwelling development on lots with low conservation value
    - ii. draft vegetation protection covenants for lots with medium conservation value and amend the Redland City Plan 2018 as necessary
    - iii. retain high conservation value lots in Council ownership
  - b. Sell the developable areas of the property to recoup part of initial purchase costs; and
5. maintain this report and attachments as confidential, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

### **OFFICER'S RECOMMENDATION**

That Council resolves to:

1. not purchase the property; and
2. maintain this report and attachments as confidential, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

Attachment one – Site location 3-53 Cowley Street, Ormiston





# ENVIRONMENTAL PLANNING SUBMISSION

## OPTIONS REPORT

Lots 141 – 161 on RP1703,  
Lot 166 on RP1703 &  
Lots 1 – 4 on RP893081

**Cowley Street,  
Ormiston**

Requested By:

**Redland City Council**

*(REF 4975– Options Report(MS) Final Copy*

*June 2008)*



surveyors – town & environmental planners –  
landscape architects – **environmental managers**

 **SAUNDERS HAVILL GROUP**

23 Edgar Street

Bowen Hills QLD 4006

Telephone (07) 3251 9444

Fax: (07) 3251 9455

[www.saundershavill.com](http://www.saundershavill.com)

[mail@saundershavill.com](mailto:mail@saundershavill.com)





## TABLE OF CONTENTS

<b>1.0</b>	<b>EXECUTIVE SUMMARY.....</b>	<b>4</b>
	1.1 The Proposal	
	1.2 Site Details	
<b>2.0</b>	<b>SITE ANALYSIS.....</b>	<b>5</b>
	2.1 Property Description	
	2.2 Environment	
	2.3 Access	
	2.4 Services	
<b>3.0</b>	<b>PROPOSAL.....</b>	<b>15</b>
	3.1 Rationale	
	3.2 Existing Level of Protection / Likely Development Outcomes	
	3.3 Planning Scheme Provisions	
	3.4 Impact of Habitat Protection Overlay Code	
	3.5 Local Law No. 6 – Protection of Vegetation	
	3.6 Summary of Current Controls	
<b>4.0</b>	<b>SUMMARY OF APPLICABLE PLANNING CONTROLS.....</b>	<b>19</b>
	4.1 State Planning Policies	
	4.2 SEQ Regional Plan	
	4.3 Redlands Planning Scheme	
<b>5.0</b>	<b>OPTIONS FOR PROTECTION / RETENTION OF VEGETATION.....</b>	<b>20</b>
	5.1 Local Law No. 6	
	5.2 Voluntary Conservation Agreements	
	5.3 Statutory Covenants on Property Title	
	5.4 Reconfiguration of the Lots (Standard format that incorporates a Community Management Statement)	
	5.5 Other Development Option – Multiple Dwelling	
	5.6 Use of Building Envelopes / Conditions of Development Approval	
	5.7 Land Exchange (with Council land)	
	5.8 State Funding	
	5.9 Purchase / Acquisition	



5.10	Transferable Development Rights	
5.11	Development Concessions / Bonus Development Opportunities	
5.12	Revolving Funds	
5.13	Conservation Tax Incentives	
5.14	Land for Wildlife	
5.15	Rate Rebates	
5.16	Federal Government Funding	
<b>6.0</b>	<b>PREFERRED OPTIONS / KEY ISSUES</b> .....	<b>32</b>
<b>7.0</b>	<b>CONCLUSION</b> .....	<b>34</b>
<b>8.0</b>	<b>ATTACHMENTS</b> .....	<b>37</b>



## 1.0 EXECUTIVE SUMMARY

### 1.1 The Proposal

The purpose of this options report is to consider the current level of protection that applies to the vegetation on the lots, have regard to likely development outcomes for the land pursuant to the Redlands Planning Scheme and present options that may assist in the protection of the major vegetation stands that occur on the lots.

### 1.2 Site Details

<b>ADDRESS:</b>	3- 53 Cowley St, Ormiston
<b>RPD:</b>	Lots 141-161 and Lot 166 on RP 1703 and Lots 1 – 4 on RP 893081
<b>EASEMENTS:</b>	Nil
<b>OWNER:</b>	
<b>AREA:</b>	Total Area approximately 11412.01m <sup>2</sup> (26 lots) Lots 141 – 161 on RP1703 (21 lots) approximately 404.7m <sup>2</sup> per lot; Lot 166 on RP1703 (1 lot) approximately 809.4m <sup>2</sup> ; and Lots 1 – 4 on RP893081 (4 lots) approximately 526m <sup>2</sup> per lot.
<b>ROAD FRONTAGE:</b>	Total Street Frontage approximately 283.94 metres to Cowley Street. Lots 141 – 161 on RP1703 (21 lots) approximately 10.1 metres per lot; Lot 166 on RP1703 (1 lot) approximately 20 metres; and Lots 1 – 4 on RP893081 (4 lots) approximately 13 metres per lot.
<b>ZONE:</b>	Urban Residential
<b>OVERLAYS:</b>	Bushland Habitat; and Acid Sulphate Soils

## 2.0 SITE ANALYSIS

### 2.1 Property Description

The land subject to this assessment is shown in **Figure 1**. It consists of 26 allotments of which 21 are approximately 404m<sup>2</sup> in area with the remaining lots above 500m<sup>2</sup>. All of the lots are currently in private ownership. All of the lots have access to Cowley St and are vacant with the majority containing stands of significant trees. Land to the north, south and west is developed for predominately detached housing. Immediately to the east; there is small linear park with detached housing further to the east.

The land is relatively level and drains predominantly to the east.

The following aerial photograph provides some context:



Figure 1 – Aerial Photograph of the subject site (Courtesy of Google Earth Images)

## 2.2 Environment

No formal flora or fauna surveys were completed as part of this options report and as the tenure of the land is freehold no approval for site access was obtained. The following basic observations were made from the road reserves from the adjoining Cowley Street and Hansen Court and Council parkland to the east:

The existing appearance of the site reflects a single large unmaintained vacant allotment with areas of large individuals and clusters of Eucalyptus occurring on overgrown weed grasses and exposed soil. During the brief site inspection sections of the allotments were regularly used by locals in gaining access to the parklands to the east.

Broadly site vegetation values were observed in three (3) spatial categories:

### **Western Stand of Trees**

The western third of the site covering the most elevated allotments contained a consistent dense coverage of approximately 15 large Eucalyptus tereticornis (Forest Red Gum) specimens. Nearly all trees appeared to have an observed trunk girth of greater than 400mm (Some closer to 900mm) when measured at 1.5m above the existing ground level. The trees appeared visually healthy forming an ecological dominant layer (EDL) of approximately 35 to 40m in height. The total western area is too small (> 1ha) to be shown as remnant within Regional Ecosystem mapping but all species observed in this area were of a maturity and structure of typical remnant trees. No mid layer vegetation was observed and the ground layer contained a mix of overgrown weed grass thickets and exposed soil.







### **Central Open Precinct**

An area through the central third of the site was observed as containing the lowest density of existing trees and large expanses of open grass and exposed soils. A smaller number of native tree specimens were observed in this area but generally they were smaller and visually less healthy than trees included within the western stand.





### **Eastern Edge Vegetation**

The eastern third of the allotments generally occurring where the site flattens out and adjoins the parkland contained the greatest diversity of native tree, shrub and ground cover specimens. This was particularly evident in the strands of vegetation along a localized drainage gully which adjoined the park boundary. In areas this patch of vegetation also included a number of native shrub and ground cover species which are absent across the balance of the allotments.





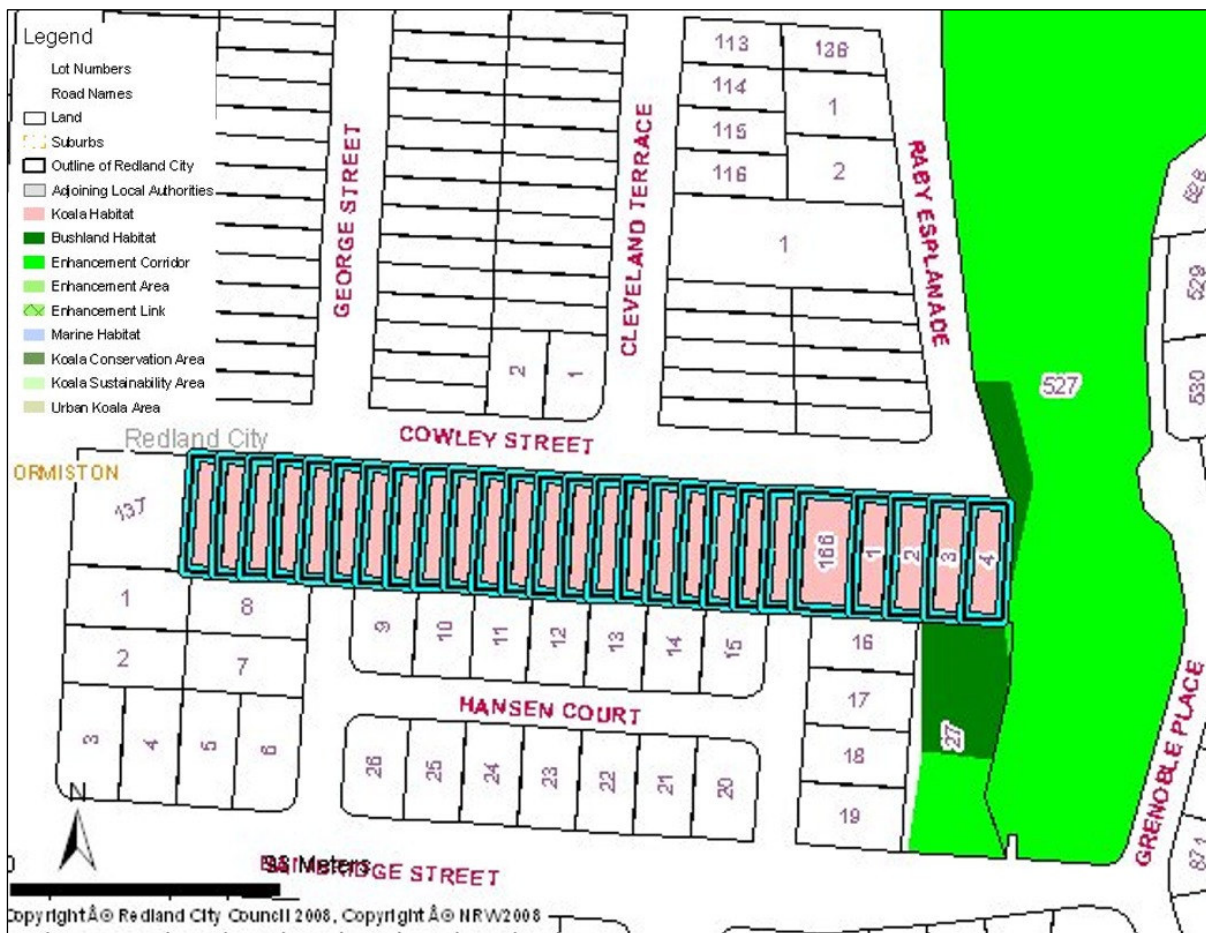
The adjoining council parklands are predominantly devoid of vegetation primarily maintained as large expanses of open turf. Some tree species are included in a section of park immediately south of the eastern allotments. Vegetation in this area appears to be dominated by Slash Pine trees species which is recognized as an environmental weed.



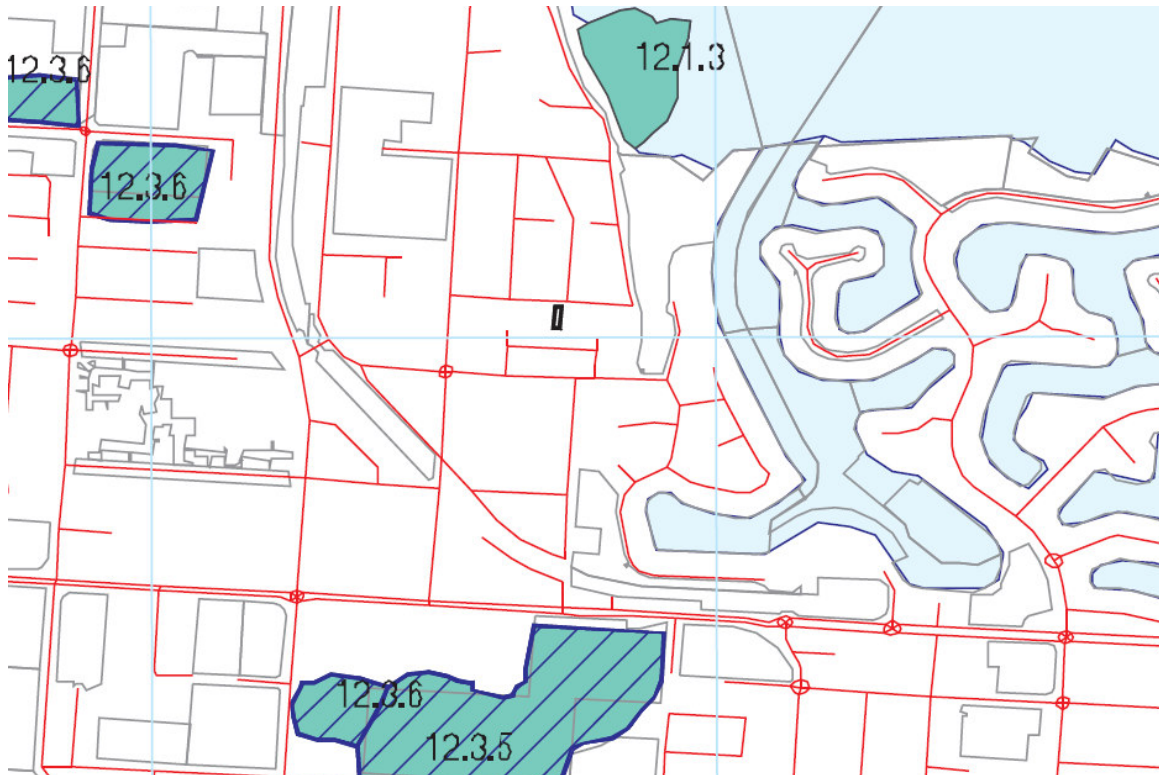


The lots are contained within the Bushland Habitat Overlay - Koala Habitat, within the planning scheme as shown below in Figure 2. A search of Version 5.0 of the Regional Ecosystem (RE) Mapping shows non of the vegetation is mapped as remnant (Figure 3). Pre clear mapping shows prior to wholesale clearing of the Ormiston / Cleveland area the western – elevated portions of the site contained an Endangered RE described as 12.5.2. Worth noting is that the dominant species within this RE type is the Eucalyptus tereticornis (Forest Red Gum)

The lots are contained within the Bushland Habitat Overlay - Koala Habitat, within the planning scheme as shown below in **Figure 2**.



**Figure 2 – Bushland Habitat Overlay (Courtesy of Redland City Council)**



**Figure 3 – Version 5.0 Regional Ecosystem Map**



**Figure 4 – EPA Pre Clear Mapping**



### **2.3 Access**

Cowley St is a local access street. There is no kerb and channel along the frontage of the lots. There is no constructed footpath along the frontage of the lots.

### **2.4 Services**

All lots are capable of being serviced with water, sewerage, electricity and telephone.



INSERT VEG PLAN 1







## **3.0 PROPOSAL**

### **3.1 Rationale**

The purpose of this options report is to consider the current level of protection that applies to the vegetation on the lots, have regard to likely development outcomes for the land pursuant to the Redlands Planning Scheme and present options that may assist in the protection of the major vegetation stands that occur on the lots.

### **3.2 Existing Level of Protection / Likely Development Outcomes**

It is considered that without intervention, and having regard to the existing pattern of development in the surrounding area, the most likely form of development to occur on the lots is for dwelling houses. The assessment that follows considers the implications of the development of the lots for dwelling houses.

### **3.3 Planning Scheme Provisions**

The development of dwelling houses on lots greater than 500m<sup>2</sup> in size ( 5 at eastern end of Cowley St) is generally self assessable (subject to compliance with the relevant dwelling codes). However, as the lots are identified within the Bushland Habitat Overlay, the level of assessment is elevated to Code assessment involving assessment against the Habitat Protection Overlay Code.

The development of dwelling houses on the remaining lots (21 lots which are below 500m<sup>2</sup> in size) is defined as small lot housing and is subject to code assessment against the relevant dwelling codes as well as against the Habitat Protection Overlay Code as these lots are also identified within the Bushland Habitat Overlay.

In this instance, the highest level of protection afforded to the lots under the planning scheme is by their inclusion within the Bushland Habitat Overlay and the subsequent assessment against the Habitat Protection Overlay Code.



### **3.4 Impact of Habitat Protection Overlay Code**

A copy of the current Habitat Protection Overlay Code is provided at **Attachment C**.

*(Whilst amendments to the Code are proposed by Council, they do not increase the level of protection afforded to any of the lots subject to this report.)*

All of the lots are contained within area H2 which applies where development is proposed on a lot shown on the Bushland Habitat Overlay Map (in this case Koala habitat)

Specific outcome S2 reads-

**Uses and other development identify, protect, enhance and secure the long-term management of environmental values in H2 areas of the lot or premises by -**

- (a) *incorporating the outcomes detailed in S1.1 and S1.2;*
- (b) *locating and designing the development to minimise adverse impacts to H2 areas;*
- (c) *ensuring only fauna friendly fencing is used where it extended into H2 areas;*
- (d) *where an Enhancement Area occurs on the lot or premises -*
  - (i) *contain all development within this area;*
  - (ii) *re-establish native vegetation at the rate of 1 tree per 400m<sup>2</sup> in this area to -*
    - a. *consolidate existing patches or stands of native vegetation to form links between them;*
    - b. *minimise edge effects on other H2 areas;*
- (e) *where an Enhancement Link occurs on the lot or premises provide for wildlife movement by -*
  - (i) *identifying the most suitable location for the link;*
  - (ii) *locating development outside the area identified as the link;*
  - (iii) *identifying habitat trees within the link and maximise their retention;*
  - (iv) *identifying areas for re-vegetation to enhance the link;*
  - (v) *maximising opportunities for wildlife movement along the link;*
- (f) *where an Enhancement Corridor occurs on the lot or premises -*
  - (i) *re-vegetate with native plants at a minimum rate of one plant for every 1m<sup>2</sup> of corridor;*
  - (ii) *in the instance that the corridor is less than 100 metres in width, re-establish native plants to expand the corridor to 100 metres in width;*
- (g) **where locating development on that part of the lot or premises shown as Koala Habitat -**
  - (i) **identify and maximise retention of koala habitat trees;**
  - (ii) **establish a buffer between development and koala habitat trees to ensure their on-going viability throughout the life of the development;**
  - (iii) **if development will result in the loss of koala habitat trees, they are replanted at a rate of 1 tree for every 1 metre height of tree lost, with replanting occurring -**
    - a. **on-site; or**
    - b. **where a. is not possible - off-site in the local area at a location determined in conjunction with the local government;**
- (h) *where locating development on that part of the lot or premises shown as Enhancement Corridor, Bushland Habitat or Marine Habitat -*
  - (i) *explore all alternatives to locate the development outside these areas;*
  - (ii) *where (i) is not achievable -*



- a. *ecological assessment, and development envelope areas determine the most appropriate location and extent of development in these areas;*
- b. *secure the long-term conservation of these areas through covenant or other private or public ownership arrangements;*
- c. *maximise opportunities for re-vegetation using native plants outside development areas to enhance the habitat and movement of native animals through the entire lot or premises;*

There are no probable solutions identified within the code to achieve the specific outcome although reference is made to Planning Scheme Policy 4 - Ecological impacts.

Planning Scheme Policy 4 states –

#### **4.8.7 Koala Habitat**

- (1) *The Koala Habitat category of the Habitat Protection Overlay mainly covers private land with zones that allow for urban development that is likely to remove koala habitat.*
- (2) *In particular, the Koala Habitat outcomes focus on koala habitat trees and aim to achieve three main outcomes where a development is proposed -*
  - (a) *retention of koala habitat trees to the extent practicable;*
  - (b) *ensuring that adequate buffers are in place between retained koala habitat trees and development;*
  - (c) *ensuring that where koala habitat trees are removed, they are replaced such that there is no net loss of koala habitat trees.*

Having regard to the zoning of the land and the existing lot sizes ,the application of the Habitat Protection Overlay Code will not have the effect of restricting development but more so act to -

1. Require the submission of a limited Level One ecological assessment
2. Retain some of the trees where practicable (within the limitations of tree retention possible on small lots).
3. Introduce some controls that ensure the eventual development of the land incorporates some design measures to help mitigate impact e.g. fauna friendly fencing.
4. Require that the koala habitat trees that are to be removed are replaced such that there is no net loss of koala habitat trees.

### **3.5 Local Law No 6-Protection of Vegetation**

The lots are not subject to an order pursuant to Local Law no 6.



### 3.6 Summary of Current Controls

In conclusion, having regard to the existing pattern of land development in the surrounding area, the most likely form of development to occur on the lots is detached residential dwellings.

For those lots greater than 500m<sup>2</sup> in area ( 5 lots at the eastern end of Cowley St), under the Urban Residential zone the development of a Dwelling House on each lot is self assessable, however the impact of the Bushland habitat overlay is to elevate the level of assessment to code assessable. The habitat protection overlay code will apply in the assessment of any such application.

For those lots less than 500m<sup>2</sup> ( 21 lots ) the development of a house on these lots is defined as a small lot house and is subject to code assessment within the Urban Residential zone. These lots being also contained within the Bushland habitat overlay will also be subject to assessment under the habitat protection overlay code.

Assessment of such development against this code would need to have regard to the overall outcomes and the specific outcomes stated within the code. Review of the relevant document indicates that the code could not preclude such development occurring on the lots but has the capacity to introduce limited controls to address impacts.



Images of surrounding house types (Old and New) which are likely to be proposed on the subject allotments





## **4.0 SUMMARY OF APPLICABLE PLANNING CONTROLS**

### **4.1 State Planning Policies**

There are currently four State Planning Policies (SPP) that must be considered as part of any development application under the Integrated Planning Act 1997. These pertain to the consideration of the impact of development on good quality agricultural land (SPP 1/92), aeronautical facilities (SPP 2/92), acid sulphate soils and flood (SPP 2/02), bushfire & landslide hazard areas (SPP 1/03). None of these policies have application to the lots.

### **4.2 SEQ Regional Plan**

The subject lots are within the Urban Footprint under the SEQ Regional Plan and are not affected by the Regulatory Provisions of the Plan.

### **4.3 Redlands Planning Scheme**

All of the subject lots are included within the Urban Residential Zone.

The subject lots are also contained within area H2 of the Bushland Habitat Overlay and the Acid Sulphate Overlay. The five eastern lots are contained within that area below 5m AHD with the remaining lots to the east contained within that area between 5m and 20 m AHD.



## 5.0 OPTIONS FOR PROTECTION / RETENTION OF VEGETATION

### 5.1 Local Law No. 6

#### Overview

Local Law No.6 states that, “unless permitted, a person must not damage protected vegetation” and details the maximum penalties, which may include replanting/regeneration of the native vegetation.

Vegetation is protected under Local Law No 6 on freehold land by means of a Vegetation Protection Order (VPO) made by resolution by the Council. In order for a (VPO) to be applied, an expert report must be prepared identifying the vegetation to be protected and the criteria for its protection. Notification to the affected landowner is required together with the opportunity for the landowner to make submissions about the placement of a VPO. The Local Law also makes provision for an affected landowner to appeal to the Court against the placement of a VPO.

Once applied to the land, allowance is made for vegetation to be cleared by obtaining a permit permitting damage to protected vegetation.

#### **Analysis**

The placement of a VPO declared in accordance with Local Law 6 does not extinguish development rights and would not prevent the land owner from applying for planning and building approval for a dwelling house on each lot. Given the size of the existing lots the resultant development would result in substantial loss of trees. This measure presents an interim measure to prevent the indiscriminate clearing of trees but does not afford protection of trees under a development scenario.



## 5.2 Voluntary Conservation Agreements

### Overview

A conservation covenant is a voluntary agreement made between a landholder and an authorized body (such as a Covenant Scheme Provider) that aims to protect and enhance the natural, cultural and/or scientific values of certain land. The owner continues to own, use and live on the land whilst the natural values of an area are conserved by the landholder in partnership with the Covenant Scheme Provider.

A local government can be a Covenant Scheme Provider.

In some cases the Federal Government offers tax incentives to landowners entering into a perpetual conservation covenant. These concessions include;

1. An income tax deduction for any decrease in land value as a result of entering into a conservation covenant.\*
2. Special treatment of capital gains tax where a conservation covenant is entered into.\*

\* Conditions apply.

### **Analysis**

Voluntary Conservation agreements when included as a covenant on title can provide permanent environmental protection for those parts of the site that have conservation value. They have been historically applied on larger rural or rural residential properties generally over that part of the site identified not to be developed due to environmental considerations. VCA'S are unlikely to be a workable option whilst the lots remain fragmented under the current lot sizes. Subject to the options outlined further in this report, a VCA (registered as a covenant on title) may have application as a subsidiary control in combination with a preferred option.



### **5.3 Statutory Covenants on Property Title**

#### **Overview**

A covenant is a voluntary agreement that creates an obligation by a deed entered into by the parties. Covenants may be restrictive in nature, that is, they can restrict the clearing of vegetation on lots or parts of a lot. A “Preservation Covenant” may be aimed directly at preserving a native animal or plant; or a natural or physical feature of the lot that is of cultural or scientific significance;

The *Land Act 1994* and the *Land Title Act 1994* allow covenants to be registered in favor of a local government for the purposes specified in the legislation.

An instrument of covenant must be validly executed and include a description sufficient to positively identify the subject lots. It must also fully set out the agreed terms and conditions.

On registration, a covenant complying with the legislation attaches to the land and binds the owner and all successors in title until it is released.

#### **Analysis**

Covenants of this nature have been increasingly used of recent times to place a binding restriction on land. Covenants of this nature are similar to those aligned with VCA’S (in essence the covenant stands alone without the need for an underlying VCA)

They can have application on lots of any size and for purposes outlined within the legislation. A covenant for “the protection of trees within the nominated area” could be utilised as a subsidiary control in combination with a preferred option. As the introduction of a covenant is voluntary on the part of the landowner, it is unlikely to be achieved without some benefit (in the form of a desirable development outcome) being achieved elsewhere on the site.

### **5.4 Reconfiguration of the Lots (Standard format that incorporates a Community Management Statement)**

#### **Overview**





This form of reconfiguration represents an alternate reconfiguration of a lot and titling system that provides opportunity for the protection of the areas on the site that contain vegetation stands considered necessary for protection. By a process of reconfiguring the existing lots, development can be concentrated on those parts of the site which are identified as being more appropriate for development. The areas containing vegetation stands considered appropriate for protection will generally form part of the communal open space (managed under the community management scheme) with additional protection of trees within these areas possible by means of a covenant on title. This approach may be suitable also in combination with an acquisition program of the highest valued vegetation stands.

### **Analysis**

This option provides a strong opportunity to focus development on parts of the site with a lower tree protection status whilst protecting those parts of the site with significant trees. The planning scheme envisages the use of this form of reconfiguration and titling for the creation of lots - "in lands with identified environmental values provides opportunities for reconfiguration in a manner that achieves enhanced environmental outcomes". In order for such a scheme to be effective in limiting impact on vegetation, the resultant community title lot sizes would be required to be below 400m<sup>2</sup>. Provision exists within the planning scheme for the Council to accept lot sizes below 400m<sup>2</sup> subject to achievement of the relevant specific outcomes (refer particularly specific outcomes 1.1(1), 2.1(3) and 5(1),(2),(3) within Part 7, Division 11 and also 7.11.3(m)-Overall Outcome). In conjunction with the reconfiguration application an application for material change of use (small lot house) would be required. Such an application would be subject to impact assessment.

An indicative option for the use of this mechanism is provided below. The option demonstrates how houses can be positioned to take account of vegetation whilst providing a similar streetscape to that which exists in Cowley St (more detailed design would be required to provide a scheme specific to the number of lots identified to be included in the Community Management Scheme). With such an option lot yield can be maintained to that able to be achieved should the existing lots be developed, however, some small increase in yield may be required in order to promote the development to the current owner. With this form of development and associated titling system, scope exists to set aside parts of the site within "common property" which can contain significant trees and which can then be further secured by inclusion within a covenant applying to the land. The design can also provide for communal open space



along the road frontage to Cowley St where the replacement of koala habitat trees can occur to supplement trees lost elsewhere on the land. This planting would also assist to provide a vegetated corridor between the most significant vegetation on the lots at the western end of Cowley St to the linear park at the eastern end of Cowley St.

This form of development would therefore have as principal design outcomes-

- a) houses located such that impacts on vegetation is minimized
- b) the use of communal open space within the development to contain those significant trees that are able to be preserved and to provide opportunity for plantings of replacement koala habitat trees along the Cowley St frontage of the development.
- c) the use of covenants on title to secure the protection of trees within common property areas in perpetuity.
- d) the inclusion within the body corporate rules applying to the development ,provision for protection of trees within private open space areas, requirements for koala friendly fencing, restrictions on the keeping of cats and dogs, requirement for regular arborists reports on the management of trees within the site, etc.

## **5.5 Other Development option- multiple dwelling**

### **Overview**

Opportunity may exist for some intensification of land use on that part of the site identified as being more suitable for development. Within this area development in the form of a multiple dwelling or series of multiple dwelling buildings could occur to achieve an increased net yield as opposed to if the lots were independently developed for dwelling houses. The balance area (containing the significant vegetation stands) could be included within a covenant area that has the effect of restricting any further development ,or, those lots containing the vegetation could be ceded to the Council.

### **Analysis**

Within the Urban Development zone, such development is subject to impact assessment. The immediate surrounding area does not contain any form of multiple dwelling developments; the closest zoned land which is developed for multiple dwellings is located to the south of Bainbridge St (included



within the medium density zone) and land similarly zoned to the north in Dundas St.

Having regard to the existing pattern of development and existing zonings, the development of the site for multiple dwellings may not have strong planning grounds for support.

## **5.6 Use of building envelopes /conditions of development approval**

### **Overview**

With the development of houses on the existing lots requiring a code assessed application, scope exists to incorporate conditions on any approval which requires the building of houses to be within a building envelope that attempts to locate the building clear of significant vegetation.

### **Analysis**

Given the small size of the allotments, it is probable that reliance on this approach alone will not result in the protection of a large number of the trees nor necessarily the protection of trees that are considered significant. This approach may also be applicable should a Community Management Scheme be proposed.

## **5.7 Land Exchange (with Council land)**

### **Overview**

Seek an agreement with the owner for an exchange of those lots containing the significant stands of vegetation with Council owned lots elsewhere within the City which may offer increased development opportunity.

### **Analysis**

It is understood that there are no suitable lots on the mainland that provide an opportunity for a land exchange but that some Council owned lots on the bay islands offer potential. Given the disparity in value between the subject lots and the Council owned island lots, it is likely a large number of the island lots would be consumed to fund this option.



## **5.8 State funding**

### **Overview**

No relevant State government funding source was identified.

**Analysis- Nil**



## **5.9 Purchase / Acquisition**

### **Overview**

Utilise funds available from the “Environment Separate Charge” to purchase all of the lots or those lots that contain the most significant stands of vegetation. If the latter approach is taken, opportunity may exist to undertake supplementary planting of koala habitat trees within the road reserve to foster movement of wildlife from the preserved tree stands to adjacent habitat areas to the east of the lots to be developed.

The acquisition of any or all of the lots would be subject to acquisition prioritization under the Environmental Acquisition Strategy.

### **Analysis**

Clearly this option provides a strong opportunity to protect all or some of the significant vegetation stands through acquisition. The Environment Charge Acquisition and Management Policy of the Council provides direction with regards to the implementation of such a strategy.

The efficacy of the Acquisition scheme in this instance is determined by the prioritization placed on the vegetation by Council and fundamentally the amount of funds available.

This option may also have considerable net benefit when undertaken in conjunction with an option which delivers development potential on part of the land (thereby reducing the extent of acquisition required)

## **5.10 Transferable Development Rights**

### **Overview**

Under this approach, the development rights from the parcels of land containing the significant vegetation are detached from the land and can be applied to other lands owned by the same owner of the Cowley St lots or alternately sold to any other party, just as if the land itself was being sold.



### **Analysis**

TDR requires the establishment of a complex administration system and whilst the concept has been in existence for many years, few examples exist of its use in Australia. It is unlikely to have application in this instance.

## **5.11 Development concessions/bonus development opportunities**

### **Overview**

This approach seeks to apply concessions with regards to planning controls or provide development bonus opportunities as part of the determination of a development application applying to the land. In considering the merits of an application, weight is given to improved environmental outcomes that may be offered in exchange for increased development potential or alternately concessions on development restrictions.

### **Analysis**

This approach is often used during the consideration of a development application. The extent of concession offered/bonus granted must be considered having regard to precedence set for future development applications elsewhere within the City. Nonetheless, it provides a practical approach to balancing development outcomes with increased environmental outcomes. The planning scheme is structured to allow for such an approach.

## **5.12 Revolving Funds**

### **Overview**

A revolving fund allows for the purchase of land of high conservation value, its protection by rezoning or placing of a covenant on the land and resale to be managed for conservation purposes. Council can offer rate rebates on such properties.

### **Analysis**

This approach is better suited to larger parcels of land generally rural in nature where some value is still maintained in the property after the rezoning process. It is unlikely to have application in this instance.



## **5.13 Conservation Tax Incentives**

### **Overview**

Tax incentives are available to support the establishment of conservation covenants on land. The granting of concessions for income tax deductions and capital gains tax is subject to conditions.

### **Analysis**

In its self, this option is unlikely to result in the long term protection of vegetation. It may however offer potential as a supporting mechanism to other options.

## **5.14 Land for Wildlife**

### **Overview**

Land for wildlife is a voluntary non-binding agreement to manage land for nature conservation purposes. The programme is useful for larger tracts of land to provide incentives for landowners.

### **Analysis**

Due to its lack of permanency and voluntary nature of the scheme it is unlikely to have application in this instance.

## **5.15 Rate Rebates**

### **Overview**

Rate rebates (or discounts) provide on-going financial recognition of the conservation efforts of landholders on behalf of the wider community. In return for a reduction in rates, the landholder agrees to maintain the land, conserve remnant vegetation or take other agreed conservation measures. A differential rate can also be used to achieve similar objectives for vegetation conservation.

### **Analysis**

In its self, this option is unlikely to result in the long term protection of vegetation. It may however offer potential as a supporting mechanism to other options.



## **5.16 Federal Government Funding**

### **A) “Caring for Our Country**

#### **Overview**

“Caring for Our Country” (incorporates the previous National Heritage Trust and National Land care Programme) will come into effect from 1<sup>st</sup> July 2008

The program will focus on achieving strategic results and invest in six national priority areas:

- a national reserve system,
- biodiversity and natural icons,
- coastal environments and critical aquatic habitats,
- sustainable farm practices,
- natural resource management in remote and northern Australia, and
- community skills, knowledge and engagement.

Caring for Our Country provides \$2.25 billion in funding over five years from 1 July 2008 to June 2013. It will integrate a number of existing natural resource management measures into a consolidated program. These include the Natural Heritage Trust, the National Landcare Program, the Environmental Stewardship Program, and elements of the Working on Country program.

It will release a business plan each year inviting proposals from relevant organisations and partnerships to undertake activities that will achieve outcomes against the priority areas. The Australian Government will release the first Caring for our Country Business Plan, covering the 2009-10 financial years, in September 2008. This will:

- identify outcomes for the five years of the Program against each of the national priority areas for investment;
- outline the first series of short-term targets to achieve these outcomes; and
- invite proposals for activities to deliver investments against these priorities and targets.

Until the release of the Business Plan in September the detail of funding opportunities is not clear. It is unlikely though that Federal Government funding for this type of local level initiative will be available.





### **Analysis**

Given the higher level strategic direction that this funding programme appears to be targeting it is considered unlikely that it represents a viable funding source to assist in the protection of vegetation in this instance. It is however it is suggested that the Business Plan (due for release in September) be reviewed at that time to determine its possible application.

## **B) Maintaining Australia's Biodiversity Hotspots Programme**

### **Overview**

The programme offers payments for direct financial support to land-holders to help them protect existing natural habitats with high conservation values. The payments provide support to those land mangers that have already made a commitment to maintaining the biodiversity values of their properties. Investments are determined on the basis of a competitive tender process, where the 'best value for money' conservation services to deliver the specified biodiversity outcomes are intended to be purchased.

Large properties with outstanding biodiversity values are those most likely to be targeted for voluntary acquisitions. Funding is provided to registered charitable organisations on condition they manage the properties for conservation in perpetuity and can demonstrate organisational capacity and prior extensive property acquisition and management experience.

### **Analysis**

The programme is unlikely to be applicable to the Cowley St lots.



## 6.0 PREFERRED OPTIONS / KEY ISSUES

<i>Options for protection of vegetation</i>	<i>Effective Independent of Other Options</i>	
5.1 Local Law No. 6		
5.2 Voluntary Conservation Agreements		
5.3 Statutory Covenants on Property Title		
5.4 Reconfiguration of the lots – (Standard Format that incorporates a Community Management Statement)		
5.5 Other Development option-multiple dwelling		
5.6 Use of building envelopes /conditions of development approval		
5.7 Land exchange- (with Council land)		
5.8 State funding		
5.9 Purchase/acquisition		
5.10 Transferable Development Rights		
5.11 Development concessions/bonus development opportunities		
5.12 Revolving funds		
5.13 Conservation tax incentives		
5.14 Land for wildlife		
5.15 Rate rebates		
5.16 Federal Government Funding		

It is considered that the **primary options** most likely to deliver protection of vegetation in this case are;

1. **5.9 Purchase/acquisition** -the purchase of some or all of the lots through the “Environment Separate Charge”
2. **5.4 Reconfiguration of the lots – (Standard Format that incorporates a Community Management Statement)** - the development of all or some of the lots under a community titles scheme with common property areas containing significant trees .
3. **5.5 Other Development option-multiple dwelling** -allowance for multiple dwelling development on some of the lots with the remaining lots containing significant trees to be ceded to Council or restricted from future development by way of covenant.



It is considered the following **secondary options** may assist in the achievement of tree protection in conjunction with a primary option;

1. **5.3 Statutory Covenants on Property Title**- impose as a condition of any development approval that parts of the developable area are to be contained within a covenant restricting the clearing of vegetation.

2. **5.6 Use of building envelopes /conditions of development approval**-the imposition of building envelopes and the setting of conditions which assist in the protection of trees and specify restrictions on future use i.e. restriction of cats and dogs permitted within the development through a community management statement.

3. **5.11 Development concessions/bonus development opportunities**- apply legitimate provisions contained within the planning scheme to facilitate a form of development that achieves tree protection e.g. to enable lots sizes appropriate for dwellings under a community management scheme.

Importantly scope exists to consider the above primary options in conjunction with each other or in conjunction with other secondary options identified above.

As an example, the lots at the western end of Cowley St which contain the most significant stands of vegetation may be considered for purchase (option 5.9) with the remaining lots developed under a community management scheme (option 5.4) which provides for some protection of trees on those lots by their inclusion in common property areas and secured by covenant (option 5.3). Further the use of this form of titling provides scope for dwellings to be located such that impact on vegetation is minimized as far as practicable and that replacement koala habitat trees are located within strategically located communal open space areas. Conditions of approval (option 5.6) can further assist in improving development outcomes for protection of trees.



## 7.0 CONCLUSION

Site tree species are not protected by any form of State or Commonwealth Government legislation or policy but are assessed as locally significant providing for urban fauna refuge and ridgeline landscape values. A basic observational survey of site vegetation showed trees occur predominantly in an western and eastern patch with a larger more degraded cleared areas through the central allotments.

It is considered that without intervention, and having regard to the existing pattern of development in the surrounding area, the most likely form of development to occur on the lots is for dwelling houses.

The development of houses on individual lots of this size is likely to result in substantial loss of trees.

Assessment of such development against the relevant codes indicates that the codes could not preclude such development occurring on the lots but have the capacity to introduce limited controls to address impacts.

A range of primary options for protection /retention of vegetation on the lots have been considered within this report. A number of secondary options to supplement the primary options have also been identified.

It is considered that the options that are most likely to deliver protection/retention of vegetation in this case are;

1. the purchase of some or all of the lots through the “Environment Separate Charge”
2. the development of all or some of the lots under a community titles scheme with common property areas containing significant trees and protected by way of covenant ; and to a lesser degree
3. allowance for multiple dwelling development on some of the lots with the remaining lots containing trees to be ceded to Council or restricted from future development by way of covenant

A combination of some of the above options with other secondary options identified is likely to be the most effective.



**The preferred outcome considered worthy of further investigation is:**

1. The use of the 'Environment Separate Charge' funds to purchase selected lots at the western end of Cowley St containing the highest valued vegetation stands and,
2. The facilitation on the balance lots of a Community Title Scheme which delivers through the approved plan –
  - a) houses located such that the impacts on vegetation is minimized
  - b) the use of communal open space within the development to contain those significant trees that are able to be preserved and to provide opportunity for plantings of replacement koala habitat trees along the Cowley St frontage of the development.
  - c) the use of covenants on title to secure the protection of trees within common property areas in perpetuity.
  - d) the inclusion within the body corporate rules applying to the development ,provision for protection of trees within private open space areas, requirements for koala friendly fencing, restrictions on the keeping of cats and dogs, requirement for regular arborists reports on the management of trees within the site, etc.

In order to promote this form of development to the current owner, a small increase in development yield may need to be considered. Additionally, the application of legitimate provisions contained within the planning scheme will be required to facilitate a form of development that achieves tree protection e.g. to enable lots sizes appropriate for dwellings under a community management scheme.

**Refer Plan 3 for indicative layout example.**





## **8.0 ATTACHMENTS**

---

**ATTACHMENT A**

LOCALITY PLAN – SMART MAP

**ATTACHMENT B**

TITLE DETAILS

**ATTACHMENT C**

HABITAT PROTECTION OVERLAY CODE



# **ATTACHMENT A**

## **Locality Plan – Smart Map**





# Locality Plan – Smart Map Extract





# **ATTACHMENT B**

## **Registered Plan & Title Details**



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157149

Search Date: 06/06/2008 10:43

14203044

Title Reference:

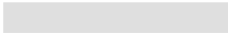
Date Created:

16/08/1968

Previous Title: 14129143

14129144

REGISTERED OWNER



ESTATE AND LAND

Estate in Fee Simple

LOT 141	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 142	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 143	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 144	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 145	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 146	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 147	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 148	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 149	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 150	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 151	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 152	REGISTERED PLAN 1703 County of STANLEY	Parish of CLEVELAND



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157060

Search Date: 06/06/2008 10:40

10629137

Title Reference:

Date Created:

22/10/1886

Creating Dealing: 602273063

REGISTERED OWNER



ESTATE AND LAND

Estate in Fee Simple

LOT 153	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 154	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 155	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 156	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 157	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 158	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 159	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 160	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 161	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND
LOT 166	REGISTERED PLAN 1703 County of STANLEY Local Government: REDLAND	Parish of CLEVELAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10061022 (ALLOT 2 SEC 87)
2. STATUTORY CHARGE No 710508883 18/04/2007 at 10:25  
The Commissioner of Land Tax Section 37 Land Tax Act 1915



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157194

Search Date: 06/06/2008 10:46  
50083313

Title Reference:

Date Created:

03/08/1995

Previous Title: 10629137

REGISTERED OWNER

Dealing No: 700742556 10/07/1995

ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 893081  
County of STANLEY Parish of CLEVELAND  
Local Government: REDLAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10061022 (ALLOT 2 SEC 87)
2. STATUTORY CHARGE No 710508883 18/04/2007 at 10:25  
The Commissioner of Land Tax Section 37 Land Tax Act 1915

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES AND WATER) [2008]  
Requested By: D APPLICATIONS GLOBAL X



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157218

Search Date: 06/06/2008 10:47

50083314

Title Reference:

Date Created:

03/08/1995

Previous Title: 10629137

REGISTERED OWNER

Dealing No: 700742556 10/07/1995

ESTATE AND LAND

Estate in Fee Simple

LOT 2

REGISTERED PLAN 893081

County of STANLEY

Parish of CLEVELAND

Local Government: REDLAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10061022 (ALLOT 2 SEC 87)
2. STATUTORY CHARGE No 710508883 18/04/2007 at 10:25  
The Commissioner of Land Tax Section 37 Land Tax Act 1915

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES AND WATER) [2008]

Requested By: D APPLICATIONS GLOBAL X



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157278

Search Date: 06/06/2008 10:49  
50083315

Title Reference:

Date Created:

03/08/1995

Previous Title: 10629137

REGISTERED OWNER

Dealing No: 700742556 10/07/1995

ESTATE AND LAND

Estate in Fee Simple

LOT 3 REGISTERED PLAN 893081  
County of STANLEY Parish of CLEVELAND  
Local Government: REDLAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10061022 (ALLOT 2 SEC 87)
2. STATUTORY CHARGE No 710508883 18/04/2007 at 10:25  
The Commissioner of Land Tax Section 37 Land Tax Act 1915

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 4157301

Search Date: 06/06/2008 10:50

50083316

Title Reference:

Date Created:

03/08/1995

Previous Title: 10629137

REGISTERED OWNER

Dealing No: 700742556 10/07/1995

ESTATE AND LAND

Estate in Fee Simple

LOT 4

REGISTERED PLAN 893081

County of STANLEY

Parish of CLEVELAND

Local Government: REDLAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10061022 (ALLOT 2 SEC 87)
2. STATUTORY CHARGE No 710508883 18/04/2007 at 10:25  
The Commissioner of Land Tax Section 37 Land Tax Act 1915

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES AND WATER) [2008]

Requested By: D APPLICATIONS GLOBAL X





# **ATTACHMENT C**

## **Habitat Protection Overlay Code**



## ***Division 7 - Habitat Protection Overlay***

### **5.7.6 Compliance with the Habitat Protection Overlay Code**

- (1) Development that is consistent with the following, complies with the Habitat Protection Overlay Code -
  - (a) acceptable solutions in section 5.7.8 where self-assessable development; or
  - (b) specific outcomes in section 5.7.9 where assessable development.

#### **Note -**

- Planning Scheme Policy 4 - Ecological Impacts will assist in achieving the specific outcomes in the Habitat Protection Overlay Code.
- The planning scheme area is affected by *SEQ Regional Plan 2005 - 2026 - Interim Guideline: Koalas and Development*.

### **5.7.7 Overall Outcomes of the Habitat Protection Overlay Code**

- (1) The overall outcomes are the purpose of the Habitat Protection Overlay Code.
- (2) The overall outcomes sought for the Habitat Protection Overlay Code are the following -
  - (a) to ensure uses and other development identify, protect and provide for the long-term management and enhancement of environmental values being -
    - (i) habitats necessary for the long-term viability of native plants, native animals and ecosystems, whether significant for biodiversity or ecological reasons at the federal, state, regional or local level;
    - (ii) wetland, coastal, bushland and koala habitats;
    - (iii) corridors, networks, patches and mosaics of native plants, and all areas where native animals have relatively unimpeded movement when compared to urban areas;
    - (iv) native animals, native plants and ecosystems, any of which are common (least concern), vulnerable, rare or endangered as defined in the *Nature Conservation Act 1992*;
    - (v) areas where the re-growth of native plants will support the role of remnant native plants;
    - (vi) areas where there are opportunities for enhancement of environmental values to occur through re-vegetation.



### 5.7.8 Acceptable Solutions applicable to Self-Assessable Development

Self-Assessable Development	
Acceptable Solutions	
<b>A1.</b>	<p>(1) Uses and other development -</p> <p>(a) in H1 are located a -</p> <p style="margin-left: 20px;">(i) minimum of 100 metres from the Marine Habitat shown on the Bushland Habitat Overlay Map;</p> <p style="margin-left: 20px;">(ii) a minimum of 60 metres from -</p> <p style="margin-left: 40px;">a. the Bushland Habitat shown on the Bushland Habitat Overlay Map;</p> <p style="margin-left: 40px;">b. the Koala Conservation Area or Koala Sustainability Area shown on the State Koala Policy Overlay Map; or</p> <p>(b) in H2 -</p> <p style="margin-left: 20px;">(i) are only located in the Enhancement Area shown on the Bushland Habitat Overlay Map;</p> <p style="margin-left: 20px;">(ii) do not result in the removal of native plants from within the lot or premises;</p> <p>(c) are not located in H3.</p>

### 5.7.9 Specific Outcomes and Probable Solutions applicable to Assessable Development

Assessable Development			
Specific Outcomes		Probable Solutions	
	<p><u>Where proposed on that part of the lot or premises that is H1 -</u></p> <p><b>Note -</b></p> <p>H1 applies where development is proposed on that part of the lot or premises <b>not</b> shown on the Bushland Habitat Overlay Map or State Koala Policy Overlay Map.</p>		
<b>S1.1</b>	<p>(1) Uses and other development in H1 -</p> <p style="margin-left: 20px;">(a) use only native plants for re-vegetation and landscaping;</p> <p style="margin-left: 20px;">(b) control and reduce the impact of weed species on the lot or premises;</p> <p style="margin-left: 20px;">(c) maximise the use of fauna friendly fencing and removes barriers to wildlife movement across the landscape.</p> <p><b>Note -</b></p>	<b>P1.1</b>	<p>(1) Uses and other development -</p> <p style="margin-left: 20px;">(a) utilise native plants, suitable to the location, that are selected from <u>Schedule 10 - Vegetation Species List</u> for re-vegetation and landscaping;</p> <p style="margin-left: 20px;">(b) control and remove weed species identified in <u>Schedule 12 - Weed Species list</u> from the lot or premises;</p> <p style="margin-left: 20px;">(c) no probable solution identified.</p> <p><b>Note -</b></p>



	S1.1(1) applies as a minimum level of requirement over the whole lot or premises.		Refer to Planning Scheme <u>Policy 4 - Ecological Impacts</u> for further information on fauna friendly fencing.
<b>S1.2</b>	<p>(1) Uses and other development protect, enhance and manage environmental values in H2 areas by -</p> <p>(a) maximising retention of existing native plants, particularly -</p> <p>(i) koala habitat trees;</p> <p>(ii) native plants that form corridors for movement of native animals;</p> <p>(iii) native plants that are located along fence lines or in stands or small groups;</p> <p>(b) incorporating accessways between roads and the development or roads that -</p> <p>(i) are located and designed to minimise the need for vegetation clearance;</p> <p>(ii) limit vehicle speed to 30kmph;</p> <p>(iii) provide for integrated infrastructure provision;</p> <p>(c) ensuring stormwater run-off is treated and dispersed on-site without adverse impacts to H2 areas;</p> <p>(d) directs noise and artificial light, and access by non-native animals away from Enhancement Link, Enhancement Corridor, Bushland Habitat or Marine Habitat areas as shown on the Bushland Habitat Map within or adjoining the lot or premises;</p> <p>(e) for reconfiguration - including development envelope areas that -</p> <p>(i) do not extend into H2 areas;</p> <p>(ii) are of a sufficient size to contain all aspects of anticipated uses and activities, including building, structures, infrastructure and open space and recreational areas, such as proposed swimming pools and tennis courts.</p>	<b>P1.2</b>	<p>(1) No probable solution identified.</p> <p><b>Note -</b></p> <p>Refer to Planning Scheme <u>Policy 4 - Ecological Impacts</u> for further information.</p>
	<p><u>Where proposed on that part of the lot or premises that is partly or wholly within H2</u></p> <p>-</p> <p>-</p> <p><b>Note -</b></p>		



	<ul style="list-style-type: none"> <li>■ H2 applies where development is proposed on that part of the lot or premises shown on the Bushland Habitat Overlay Map.</li> <li>■ The outcomes sought by S1.2 and S2.1 relating to the protection of H2 areas or development within a H2 area also apply to development in H3 areas.</li> </ul>		
<p><b>S2.</b></p>	<p>(1) Uses and other development identify, protect, enhance and secure the long-term management of environmental values in H2 areas of the lot or premises by -</p> <ul style="list-style-type: none"> <li>(a) incorporating the outcomes detailed in S1.1 and S1.2;</li> <li>(b) locating and designing the development to minimise adverse impacts to H2 areas;</li> <li>(c) ensuring only fauna friendly fencing is used where it extended into H2 areas;</li> <li>(d) where an Enhancement Area occurs on the lot or premises -             <ul style="list-style-type: none"> <li>(i) contain all development within this area;</li> <li>(ii) re-establish native vegetation at the rate of 1 tree per 400m<sup>2</sup> in this area to -                 <ul style="list-style-type: none"> <li>a. consolidate existing patches or stands of native vegetation to form links between them;</li> <li>b. minimise edge effects on other H2 areas;</li> </ul> </li> </ul> </li> <li>(e) where an Enhancement Link occurs on the lot or premises provide for wildlife movement by -             <ul style="list-style-type: none"> <li>(i) identifying the most suitable location for the link;</li> <li>(ii) locating development outside the area identified as the link;</li> <li>(iii) identifying habitat trees within the link and maximise their retention;</li> <li>(iv) identifying areas for re-vegetation to enhance the link;</li> <li>(v) maximising opportunities for wildlife movement along the link;</li> </ul> </li> <li>(f) where an Enhancement Corridor occurs on the lot or premises -             <ul style="list-style-type: none"> <li>(i) re-vegetate with native plants at a minimum rate of one plant for every 1m<sup>2</sup> of corridor;</li> </ul> </li> </ul>	<p><b>P2.</b></p>	<p>(1) No probable solution identified.</p> <p><b>Note -</b></p> <p>Refer to Planning Scheme <u>Policy 4 - Ecological Impacts</u> for further information.</p>



	<ul style="list-style-type: none"><li>(ii) in the instance that the corridor is less than 100 metres in width, re-establish native plants to expand the corridor to 100 metres in width;</li><li>(g) where locating development on that part of the lot or premises shown as Koala Habitat -<ul style="list-style-type: none"><li>(i) identify and maximise retention of koala habitat trees;</li><li>(ii) establish a buffer between development and koala habitat trees to ensure their on-going viability throughout the life of the development;</li><li>(iii) if development will result in the loss of koala habitat trees, they are replanted at a rate of 1 tree for every 1 metre height of tree lost, with replanting occurring -<ul style="list-style-type: none"><li>a. on-site; or</li><li>b. where a. is not possible - off-site in the local area at a location determined in conjunction with the local government;</li></ul></li></ul></li><li>(h) where locating development on that part of the lot or premises shown as Enhancement Corridor, Bushland Habitat or Marine Habitat -<ul style="list-style-type: none"><li>(i) explore all alternatives to locate the development outside these areas;</li><li>(ii) where (i) is not achievable -<ul style="list-style-type: none"><li>a. ecological assessment, and development envelope areas determine the most appropriate location and extent of development in these areas;</li><li>b. secure the long-term conservation of these areas through covenant or other private or public ownership arrangements;</li><li>c. maximise opportunities for re-vegetation using native plants outside development areas to enhance the habitat and movement of native animals through the entire lot or premises;</li></ul></li></ul></li></ul>		
--	--	--	--



	<p>Where proposed on that part of the lot or premises that is partly or wholly within H3</p> <p>=</p> <p><b>Note -</b></p> <p>H3 applies where development is proposed on that part of the lot or premises shown on the State Koala Policy Overlay Map.</p>		
<b>S3.</b>	<p>(1) Protect, manage and enhance the habitat of koalas.</p>	<b>P3.</b>	<p>(1) No probable solution identified.</p> <p><b>Note -</b></p> <p>It is envisaged that the State Government requirements for achieving koala compatible development will be fully integrated into this planning scheme when the <i>SEQ Regional Plan 2005 - 2026 - Interim Guideline: Koalas and Development</i> is superseded by the <i>Nature Conservation (Koala) Conservation Plan 2005</i>, once finalised.</p> <p>Until that time the <i>SEQ Regional Plan 2005 - 2026 - Interim Guideline: Koalas and Development</i> or its successor, sets the criteria for uses or other development to achieve compliance with this planning scheme.</p> <p>Within the Emerging Urban Community Zone at Kinross Road, Thornlands, the local government, in collaboration with Environmental Protection Agency, will seek to further refine areas currently mapped as Koala Sustainability Areas under the <i>SEQ Regional Plan 2005 - 2026 - Interim Guidelines: Koalas and Development</i>.</p>



Contemporary smaller lot style house construction – very limited retained private open space resulting in limited ability to retain existing trees

Site tree species include significant trees within the unformed verge of the existing road reserve providing a west to east link with parklands

Existing style standard allotment housing

Existing Parkland to the south – vegetation includes a high number of Slash Pine Specimens – possible offset replacement planting location

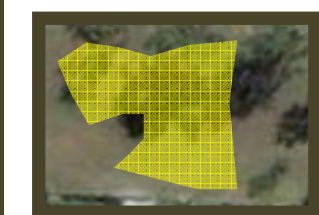
## LEGEND



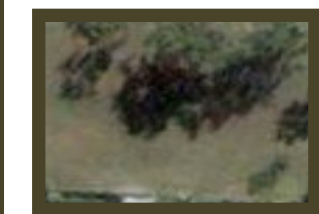
**Western Stand of Vegetation** – area at the top end of Cowley Road containing the largest and most consistent native tree specimens



**Central Cleared Precinct** – Central third of allotments containing smaller native trees sporadically spaced amongst open grassed areas



**Eastern Edge Vegetation** - Mix of Eucalypts and She Oaks – area contains localise drainage gully and immediately adjoins parkland to the south and east.



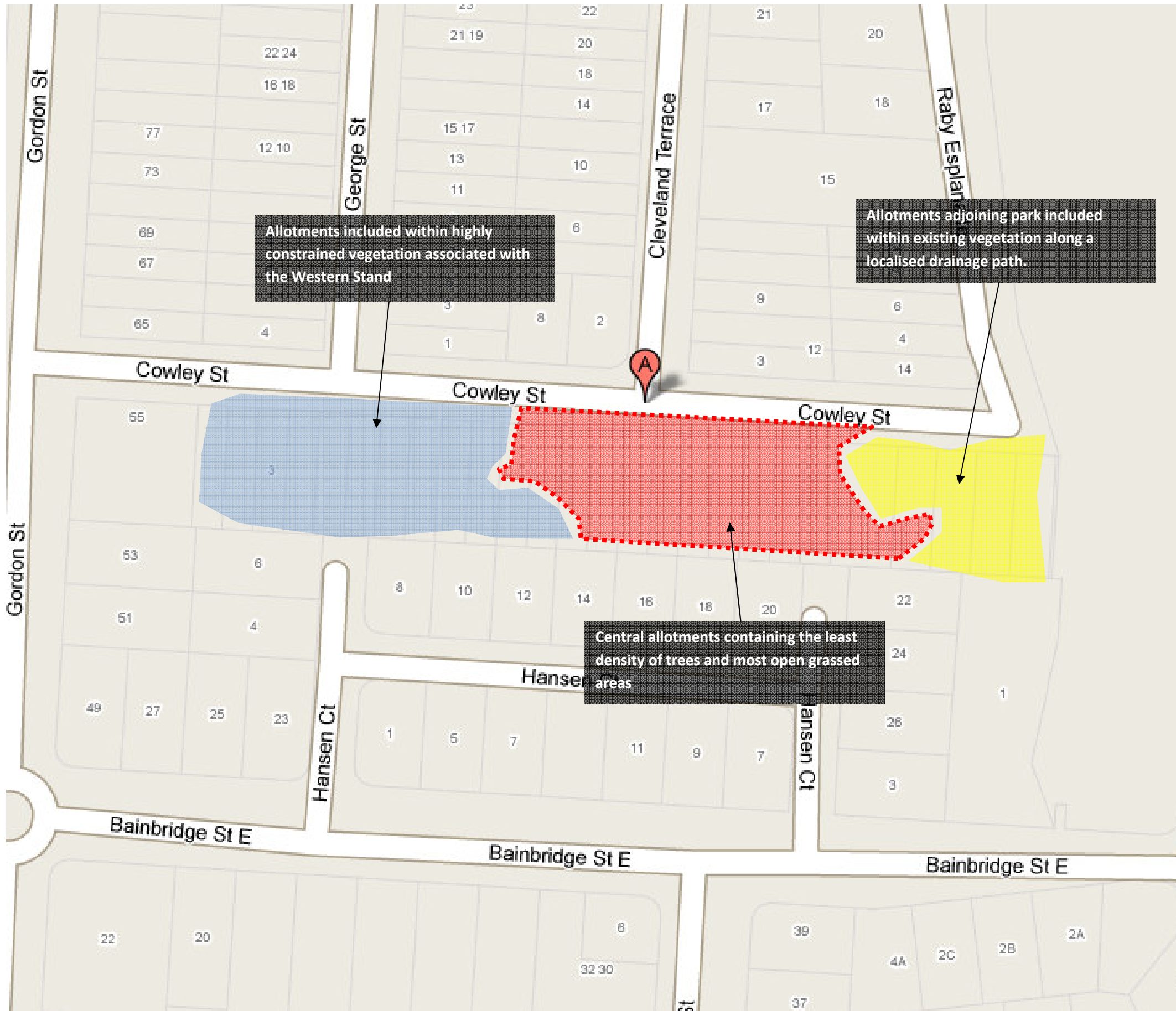
Aerial Imagery

# AERIAL IMAGERY

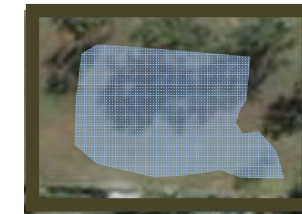
Cowley Road, Ormiston  
(Options Report)



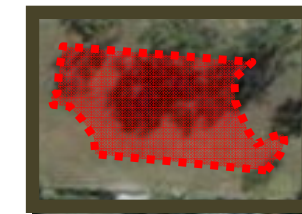




## LEGEND



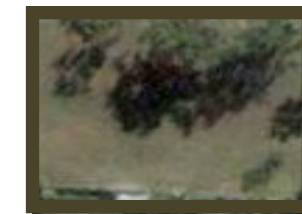
**Western Stand of Vegetation** – area at the top end of Cowley Road containing the largest and most consistent native tree specimens



**Central Cleared Precinct** – Central third of allotments containing smaller native trees sporadically spaced amongst open grassed areas



**Eastern Edge Vegetation** - Mix of Eucalypts and She Oaks – area contains localise drainage gully and immediately adjoins parkland to the south and east.



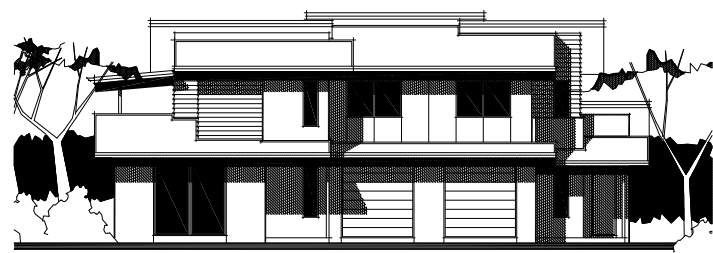
Aerial Imagery

**CADASTRAL BDY**

Cowley Road, Ormiston

(Options Report)

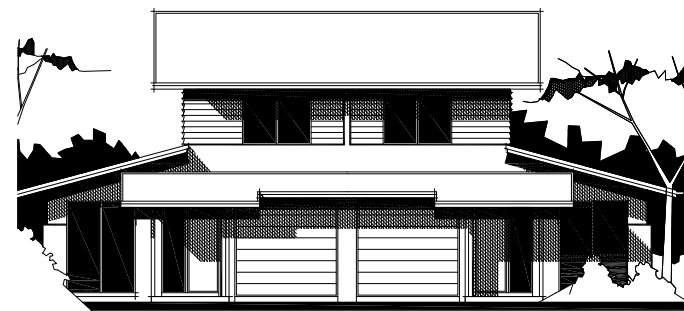




Type 2 Alt - South East



Type 2 Alt - North East

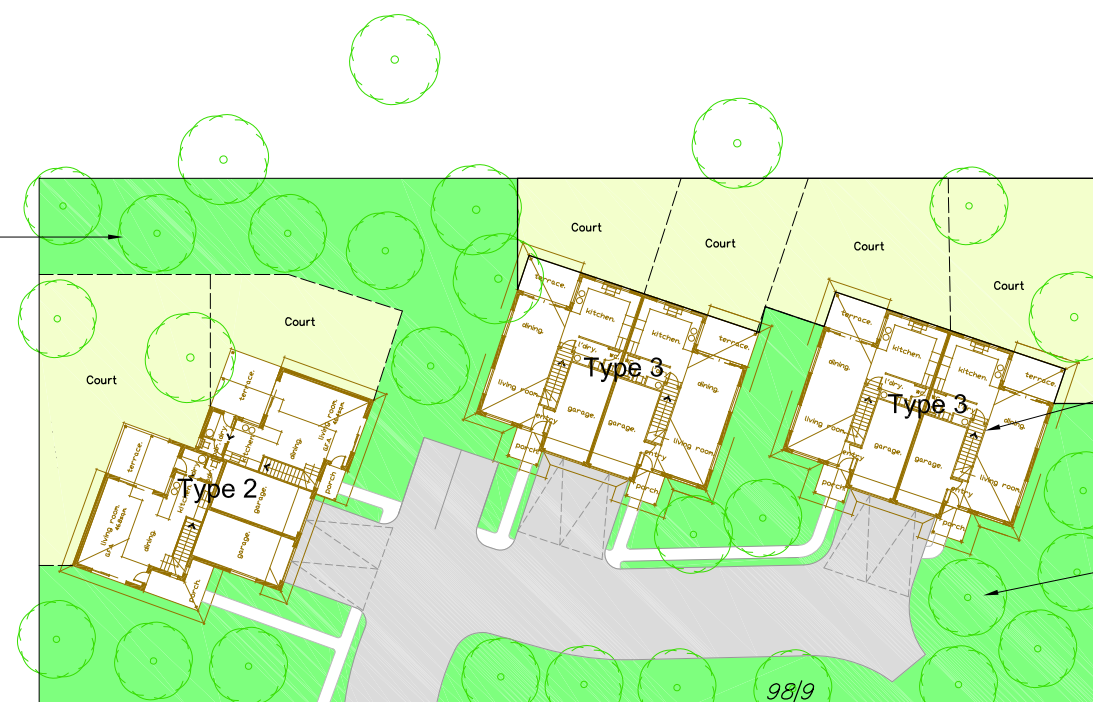


Type 3



## LEGEND

Significant trees located within Communal Open Spaces and secured by covenant



Houses sited to protect Koala habitat trees

"Plantings of replacement koala habitat trees"

COWLEY STREET

## NOTES

This plan was prepared as a provisional layout to accompany an options report. The information on this plan is not suitable for any other purpose.

Property dimensions, areas, numbers of lots and contours and other physical features shown have been compiled from existing information and may not have been verified by field survey. These may need verification if the development application is approved and development proceeds, and may change when a full survey is undertaken or in order to comply with development approval conditions.

No reliance should be placed on the information on this plan for detailed subdivision design or for any financial dealings involving the land.

The Saunders Havill Group therefore disclaims any liability for any loss or damage whatsoever or howsoever incurred, arising from any party using or relying upon this plan for any purpose other than as a document prepared for the sole purpose of accompanying an options report and which may be subject to alteration beyond the control of the Saunders Havill Group. Unless a development approval states otherwise, this is not an approved plan.

\* This note is an integral part of this plan/data. Reproduction of this plan or any part of it without this note being included in full will render the information shown on such reproduction invalid and not suitable for use.