



*the bushland shire*

*creating a living environment*

# **SUPPLEMENTARY ATTACHMENTS**

## **ORDINARY MEETING**

**Wednesday, 21 September, 2011  
at 6.30pm**

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### SUPPLEMENTARY REPORTS

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**ATTACHMENT/S**  
**REPORT NO. EN24/11**  
**ITEM 23**

**1. ATTACHMENT 1 - AMENDMENTS TO OFFSETS CODE**

**PROPOSED AMENDMENTS TO THE ADOPTED GREEN OFFSETS CODE**

1. Insert in first dot point to section 1.5 the following words in italics:
  - 1.5 When does the Offsets Code apply?
    - Replace: *A development is proposed is expected to result in unavoidable loss of native vegetation* **with:**
    - *A development or a tree application where no development is proposed is expected to result in unavoidable loss of native vegetation*
2. Insert additional dot point in section 2.1.3:
  - 2.1.3 Remnant EEC Trees and Other Vegetation and mapped Remnant Trees
    - *That the offset action include canopy tree replacement where development or in the case where no development is proposed a tree application involves the removal of indigenous canopy trees*
3. Insert new section 10.1.2:

10.1.2 Canopy replacement of significant trees

*Where there is an unavoidable loss of a significant tree or group of trees, the offset action will be the propagation and replacement planting of the same species of a tree or trees on suitable Council managed land. This action will include the establishment and maintenance of the tree.*
4. Insert new section 10.2.2:

10.2.2 *Contributions made into this program will go into the propagation/purchase replacement planting and establishment of indigenous remnant canopy trees on public land.*
5. Insert at in heading to 10.3 the word “bushland”:

10.3 *Calculating the amount of **bushland** vegetation to be offset*
6. Renumber section 10.4 to read 10.3.1:

10.3.1 *How will the area be calculated?*
7. Renumber section 10.5 to read 10.3.2 and insert the word “bushland” in the heading:

10.3.2 *What are the calculated costs of the **bushland** offset?*

8. Insert 10.4:

*10.4 What are the calculated costs of the canopy replacement of a significant tree?*

Two methods will be used to determine the value of a canopy tree.

In the case of a tree application (TA) on private property, where no development is proposed and the replacement tree cannot be planted on the same property, the offset value will be \$1,000 per 20 m<sup>2</sup> of the canopy of the tree proposed to be removed.

Example: A property owner seeks the removal of a Blue Gum with a crown projection of 80 m<sup>2</sup>. The offset is 4 standard trees or **\$4,000**.

In the case of a development application (DA), the offset value is determined by the following formula:

Offset = (A x B) x Discount rate determined by the Council, where

A= Valuer General Land Value

B= Proportion of land (%) that the canopy would occupy if it was all located on the subject property.

Example: A development application is lodged which proposes the removal of a Turpentine with a canopy area of 200 m<sup>2</sup>. The Valuer General has valued the land at \$800,000 and the property is 1000 m<sup>2</sup>.

The offset would be:

= \$800,000 x 20%

= \$160,000 x Discount rate

Assuming a discount rate of 75%

= \$160,000 x 25%

= **\$40,000.**

9. Renumber 10.6 as 10.5 and amend (in italics) the first paragraph under the heading *10.5 High Conservation Lands Acquisition* as follows:

*Any offset contributions will be placed in a restricted asset account, one for the Bushland Restoration Offset Program and one for the Canopy Replacement Program. These funds will be released through time for the restoration and improvement works in the nominated public reserves and for the canopy propagation, growing and planting of trees on public land. This is to ensure....*

10. Amend Process Chart at section 11 to include the option of a common law agreement.

11. Amend the Dictionary to include definitions of:
  - a. Tree Application
  - b. Common Law Agreement

**Summary of process *tree valuation and replacement process***

1. *Is there a proposal by a property owner to remove a tree?*
2. *Is the tree diseased dying or dangerous such that its removal is justified?*
3. *If YES – approve its removal on condition of replacement planting on site, if there is available space. If there is insufficient available space, a **tree planting fee** shall be paid to Council through an agreement, and replacement trees planted on Council land in the vicinity of the subject property. The tree planting fee shall be the \$1,000 per 20 m<sup>2</sup> (equivalent to the standard cost of purchasing and planting Council's choice of a specimen of large nursery stock and its care for a minimum of 24 months).*
4. *If NO – Is it feasible to retain the tree (in the case of a development proposal) through changes to the proposal?*
5. *If YES-tree to be retained.*
6. *If NO-does a landscape plan submitted with the development application show satisfactory replacement planting on the subject property (or, if not, can it be amended satisfactorily)?*
7. *If YES – no objection raised to tree removal*
8. *If NO –enter into an agreement whereby the applicant agrees to pay a fee to council to undertake tree planting offset on public land. The offset fee will be calculated according to the formula*