

COUNCIL POLICY

Conservation Covenant Incentive	Adopted By Council:	15/08/2006	
	Date/s Revised:	18/10/2011; 23/09/2015; 24/01/2019, 24/11/2021; 11/2025	
	Next Review Date:	11/2029	
	Document No:	CP019	
	Directorate:	Finance and ICT Services	
	Responsible Officer:	Manager, Finance and ICT Services	

CONTEXT

This policy demonstrates Council’s commitment to protecting and preserving remnant flora and fauna and promotes the use of sustainable land management practices within the Borough of Queenscliffe through the provision of a conservation and land management rate rebate.

Section 169(1)(b) of the *Local Government Act 1989** enables Council to grant a rebate or concession in relation to any rate or charge to preserve buildings or places in the municipal district which are of historical or environmental interest. There are residential areas within the Borough where substantial vegetation cover, rather than built form, is the dominant visual and environmental feature. This policy relates exclusively to preservation of places in the municipality which are of environmental interest.

This rebate is not recovered by other ratepayers, in terms of making an adjustment to the general rate, although the reduction in income does result in less funds being available for Council to allocate to priority projects and new initiatives. However, any impact is expected to be very minimal.

PURPOSE

The purpose of this policy is to determine circumstances when Council will offer a rate incentive via a Conservation and Land Management Rebate. The aim of this rate incentive is not to compensate landholders for lost land use opportunities; but rather, to provide a contribution to the costs of managing and protecting the conservation values of their land, including:

- offset the costs of sustainable land management, complement land use provisions and manage land for conservation,
- encourage and empower local communities and landholders to manage land for conservation; and
- reduce unsuitable land practices that result in severe degradation and permanent loss of biodiversity.

(*This remains the relevant legislation notwithstanding the introduction of the *Local Government Act 2020*.)

DEFINITIONS

Conservation Covenant	A voluntary, legally binding agreement between a private landowner and a provider of a Conservation Covenant Program approved by the Minister for Environment. Its purpose is to permanently conserve and protect the natural, cultural or scientific values of the land.
Covenant Scheme Provider	An organisation approved by the Minister for Environment to provide a Conservation Covenant Program for the purposes of the <i>Income Tax Assessment Act 1997</i> .
Rate Rebate	A reduction in the general rate on the land area covered by the covenant, which does not include a reduction in other charges such as the Emergency Services and Volunteers Fund (ESVF) and waste management charges.
Stewardship Program	A program of ongoing support to the landowner to ensure that all significant land areas covenanted by the Covenant Scheme Provider are managed to maintain and enhance (where possible) the conservation values.

POLICY

1. To be eligible, property owners must enter into an agreement with an approved Covenant Scheme Provider, such as Trust for Nature, for a Conservation Covenant which will be negotiated privately between the property owner and the Covenant Scheme Provider. The agreement will take into account individual circumstances and property management objectives.

The Conservation Covenant must be registered on title and binds all future owners of the land to manage the protected land in accordance with the covenant.

Satisfying this requirement is a prerequisite for Council to consider any application under this policy.

2. (i) Council will offer an incentive, equivalent to 100% of the general rate, for rateable land areas of 1 hectare or greater which are protected by the Conservation Covenant.

(ii) Property owners with smaller areas of land protected by the Conservation Covenant will be considered on a case by case basis, based on the properties unique environmental value.

(iii) All other property area(s) will be separately assessed for rating purposes and the applicable rates and charges will be applied.

3. Property owners must actively continue ongoing native vegetation management, weed and vermin control and fire prevention in accordance with the Covenant Scheme Provider Stewardship Program and Council policies and regulations. A written report must be provided by the property owner, to Council, with respect to the work that has been undertaken and in demonstration of having met the conditions of the Covenant Program. This report is to be provided to Council by the end of December each year, so that Council can consider this information as part of its annual budget setting process.

4. The Covenant Scheme Provider undertakes regular monitoring of all covenanted properties to ensure compliance with the terms of the covenant. Upon receipt of a written report from the property owner, Council officers and/or Councillors will arrange a visit to the property to view the work which has been undertaken during the year, before providing a written response to the property owner to confirm (or deny) eligibility for a general rate rebate to be applied in the next financial year.

CONTINUOUS IMPROVEMENT

This policy will be reviewed on a continuous basis, but as a minimum every four years.

OTHER REFERENCES

www.trustfornature.org.au

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