

Policy Title: CONSERVATION AREAS RATES CONCESSION POLICY
Policy Subject: Environment
Policy No: #2022189 v9 – CP055

Directorate: Development and Community
Department: Open Space and Environment
Section: Environmental Services

Responsible Officer: Executive Manager Open Space and Environment
Authorised by: Director Development and Community

Adopted Date: 01/06/2011
Review Date: 24/04/2020
Amended Date: 24/04/2019
Risk Assessment: High

OBJECTIVE:

In accordance with *the Local Government Regulation 2012* (QLD) s.120(1)(e) this policy aims to provide assistance to responsible land owners who manage a portion or the whole of their land in a manner that preserves, restores, or protects the natural environment through the entering into of a formal conservation agreement.

POLICY:

Council has committed to providing assistance for the conservation of environmentally significant land in private landholdings including:

- conservation of remnant rainforest and ecotone buffer forest;
- conservation of riparian ecosystems including melaleuca wetlands;
- conservation of ecological corridors and wildlife habitats; and
- preservation of natural scenery within the Local Government Area through forestry and conservation

The amount of concession available is reviewed annually as part of Council's budget process and the amount for the current financial year will be detailed in the Schedule of Rates and Charges.

Role

To support these actions, Council has introduced a concession aiming to encourage both the conservation of high value vegetation and wildlife habitat on private land. The concession acknowledges the broader community benefits associated with natural area conservation including:-

- improvements to overall catchment health;
- enhanced landscape qualities;
- the provision of ecosystem services
- retention of critical habitats for flora and fauna;
- improved psychological health of residents

- reduced erosion; and
- improved water quality

The amount of the concession will be proportional to the area of land covered by specific conservation or nature refuge agreement.

Authorities & responsibilities

Council's Natural Areas or Land for Wildlife Officers will be responsible for assessing applications made for concession under this scheme.

Council Revenue Services Officers will be responsible for applying concession for approved applications.

Scope & Activities

Requirements for eligibility for the concession include:

- The subject site meets the definition of Protected Area in the *Nature Conservation Act 1992* (QLD) s.14;
- A Voluntary Conservation Agreement or Nature Refuge Agreement has been entered into, or applied for over the property or that part of the property subject to the concession application, between the owner and the Queensland State Government Agency (Department of Natural Resources, Mines, and Energy (DNRME) or other Authority);
- Concession will commence from the beginning of the financial year during which the Queensland State Government Agency has advised Council that following an initial inspection they have determined that it is appropriate to enter into a Voluntary Conservation Agreement or Nature Refuge Agreement for the subject land and that the procedure to enter into such an agreement has commenced, or an agreement has been finalised;
- Rates concession will apply as follows:

Less than 10% of the landholder's assessment area	10% of general rate
10% to less than 20% of the landholder's assessment area	15% of general rate
20% to less than 40% of the landholder's assessment area	20% of general rate
40% or greater of the landholder's assessment area	25% of general rate

- Concession will continue until the provisions of the Voluntary Conservation Agreement or Nature Refuge Agreement are extinguished, breached or expired;
- Should a Voluntary Conservation Agreement or Nature Refuge Agreement not be finalised within 18 months of advice from the Queensland State Government Agency that procedures to enter into an agreement has commenced, the full amount of any concession granted will be recoverable from the owner of the land by Council.

Application Process

Application for concession must be lodged on the Conservation Area Concession Policy Application Form together with either a Voluntary Conservation Agreement or Nature Refuge Agreement.

The Natural Areas or Land for Wildlife Officers will assess the application against the eligibility criteria, review the Voluntary Conservation Agreement or Nature Refuge Agreement and inspect the property to determine eligibility.

The outcome will be reported to Council to grant or refuse the concession and the applicant/s advised of the outcome.

Financial Services will be advised of approved applications to apply the relevant concession rate for the current financial year.

Renewal Process

The annual review will be conducted in May of approved applications by Natural Areas or Land for Wildlife Officers to determine whether the property is still eligible for the concession rate.

All applicant/s will be advised of the review in writing and Financial Services advised to update the systems accordingly.

HEAD OF POWER:

Local Government Act 2009 (QLD)
Local Government Regulation 2012 (QLD)
Nature Conservation Act 1992

RELATED LEGISLATION:

Nil

RELATED DOCUMENTS (LOCAL LAWS, POLICIES, DELEGATIONS, ETC):

The Policy supports Council's Corporate Plan 2018-2023 objectives:

Natural EnvironmentKey Elements

- Protect Natural Areas
- Preserve Environment

Theme Statement

Minimise our environmental impact by preserving the unique natural environment the Fraser Coast has to offer.

Outcome

4. Protection and enhancement of our natural environment assets

Application Form – Conservation Area Concession Policy - #2022353

ATTACHMENT TO POLICY:

Application for Conservation Area Concession DOCS #2022353

DEFINITIONS:

Environmentally significant land is land that has, or has the capacity to have, one or more of the following values:

- significant remnant rainforest or ecotone buffer forest;
- high ecological, biodiversity, conservation values;
- endangered, vulnerable and/or rare species;
- significant local, regional or state ecosystems, corridors and ecological communities (e.g. wetlands);
- provides ecosystem services such as maintenance of water and air quality and the avoidance or amelioration of land degradation; or
- natural amenity.

Voluntary Conservation Agreement is a legal agreement in accordance with Section 45 or Section 48 of the *Nature Conservation Act 1992* (QLD) between the Queensland State Government and a landowner outlining a proposal to protect an area of land, the intended management of the area and the terms of the proposed conservation of the area. The agreement may contain terms that are binding on the State and the landholder and the owners' successors in title.

Protected Area under the *Nature Conservation Act 1992* (QLD) means –

- a) a nature refuge; or
- b) a coordinated conservation area.

Nature Refuge is an area of land voluntarily protected for conservation, while allowing compatible and sustainable land uses to continue.

Voluntary Nature Refuge Agreement is a legally binding contract negotiated between the Queensland State Government and the landholder outlining those activities that can occur on the nature refuge. It must contain conditions designed to ensure that the values contained within the nature refuge are managed appropriately today and into the future. A Voluntary Nature Refuge Agreement is perpetual on freehold land, attached to the land title and binds successive owners of the land. Voluntary Nature Refuge Agreements over leasehold lands are for the duration of the lease and bind successive leaseholders.

Owners who have voluntarily entered into such an arrangement are eligible. Owners who have been required to enter into conservation covenants or the like to offset the impacts of a development (e.g. under a planning permit) are not eligible for the concession.

HISTORY:

Amended: Ordinary Meeting 24 April 2019