

POLICY NO EP03

CONSERVATION COVENANT SUPPORT POLICY

DEPARTMENT:	Development Services
RESPONSIBLE OFFICER:	Manager Development Services
LINK TO STRATEGIC PLAN:	Adopt environmental sustainability principles in undertaking Council activities
STATUTORY AUTHORITY:	Local Government Act 1993 Nature Conservation Act 2002
OBJECTIVE:	To assist the conservation of significant flora and fauna and habitat values on private land in the Break O'Day Municipality by providing recognition and support to landholders with land voluntarily protected under conservation covenants on their land through an annual rate relief scheme.
POLICY INFORMATION:	Adopted 25 June 2012 – Minute No 06/12.14.5.162 Amended 16 November 2015 – Minute No 11/15.11.5.299 Amended 12 December 2016 – Minute No 12/16/12.5.275 Amended 16 March 2020 – Minute No 03/20.12.4.34

POLICY

1. RESPONSIBILITIES

- The Corporate Services Manager is responsible for annual implementation of this policy, to call for applications and apply the rate relief to the eligible landholders.
- The relevant officer of the Development Services section is to provide advice to the Corporate Services Manager on eligible properties and review of Policy performance.
- The General Manager, as Council's delegate, is to determine landholder applications outside the Policy guidelines.

2. INTRODUCTION

This policy provides guidance and direction for:

- Eligibility of conservation covenants
- Calculating the amount of rate relief
- Landholder application for conservation covenant support rate relief
- Implementation of the Policy's support scheme.

3. ELIGIBILITY OF CONSERVATION COVENANTS

This Policy applies to private land within the Break O'Day Municipality that is the subject of conservation covenants registered under Part 5 of the Tasmanian *Nature Conservation Act 2002* (or its successor) and to the General Rate (net of any other rebate or remission).

Rate relief only applies to the area of a property under covenant and may include all or part of a title/s and is expected to be undeveloped land with limited use and in its natural state.



Council will not provide rate relief for conservation covenants created on properties to obtain some private or commercial use or development right, including as part of a planning application or permit for a development.

Only when all normal rates due to Council for the year for a property have been paid (including where an approved payment plan is in place) may conservation covenant support rate relief benefit be paid that year.

The potential exists for some covenanted properties to fall outside these criteria yet be deserving of Council's support. Submissions from landholders or Council Officers in such exceptional cases will be considered by Council or its delegate on their merits and on a case by case basis.

4. CALCULATING THE AMOUNT OF RATE RELIEF

The annual amount of rate relief will be calculated from the area of eligible land under a conservation covenant. The rate relief is \$5.00 per hectare.

No eligible property will receive conservation covenant support rate relief of less than \$50 or more than \$500 per annum. The amount of general rates paid each year for a property with a conservation covenant cannot be lower than the minimum rate set by Council for that year, less \$50. The maximum amount payable to all eligible properties, in any financial year is \$10,000 and support will be reduced on a pro-rata basis to all properties accordingly.

5. APPLYING FOR CONSERVATION COVENANT SUPPORT RATE RELIEF

Any request for relief is subject to application by the landholder to Council. Council will provide an application form for this purpose and advise eligible property owners of the conservation covenant support rate relief scheme.

The timing of the call for applications shall be so as that they will be received reasonably promptly after the due date for the final instalment. Applications may be made earlier where normal Rates due to Council for the year for a property have been paid.

Council will work in partnership with the Department of Primary Industries, Parks, Water and Environment (DPIPWE), responsible for registration of covenants under Part 5 of the Nature Conservation Act 2002 to assess eligibility of an application and review conservation management performance. This will include ensuring that conservation covenant areas are in good condition and are being actively managed.

Where it is considered that a property is not being managed in accordance with the requirements of a Conservation Covenant, Council, in consultation with DPIPWE, may refuse an application for rate relief, or withdraw or vary the rate relief granted. On all such occasions, Council will inform the applicant of the decision and the reasoning for the action taken.

6. REVIEW OF THE POLICY'S SUPPORT SCHEME

The effectiveness of this Policy in encouraging conservation of significant flora and fauna and habitat values on private land in the Break O'Day Municipality shall be evaluated every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.



The evaluation shall consider the

- positive encouragement given to private land conservation
- extent of land under conservation covenants
- condition of conservation values in the private land conservation estate
- standard and consistency of management of private land under conservation covenants.