

Conservation Covenant Rate Rebate Policy

Purpose

The purpose of this policy is to provide clear guidance on how Council will apply an annual rate rebate for properties with a registered Trust for Nature Conservation Covenant, in accordance with the *Local Government Act 2020*.

Objective

The rebate is offered to:

- Support the conservation of significant biodiversity values on private land in the Mitchell Shire, and
- Provide recognition and support to landholders that voluntarily protect private land with a conservation covenant.

Background

A conservation covenant is a voluntary legal agreement made between a private landholder and Trust for Nature to permanently protect and conserve private land with natural, cultural, or scientific values.

Conservation covenants are entered into under the *Victorian Conservation Trust Act 1972* and registered on title, making them legally binding in perpetuity.

The provision of a conservation covenant rebate is supported by the *Local Government Act 2020*, in particular the 2022 amendment, which provides the mechanism for Local Government to apply rates and concession in relation to any charge or rate to preserve places in the municipal district which are of environmental interest, restore or maintain places of environmental or scientific importance in the municipal district and are of 'public benefit'.

Policy Number

MSC 107

Directorate

Economy, Growth, and
Infrastructure

Owner

Environment and Sustainability
Department

Date Endorsed

June 2024

Next Renewal Date

June 2028

Authorised

Council

Application of a conservation covenant provides a public benefit through the provision of ecosystem services, protection of biodiversity assets and provision of wildlife corridors.

Scope

This policy provides guidance and direction for:

- Eligibility of the conservation covenant rebate,
- Calculating the value of the annual conservation covenant rate rebate, and
- Process for applying the conservation covenant rebate

Policy

Implementation of this Policy seeks to encourage and support the protection of biodiversity values on private land within Mitchell Shire.

a. Eligibility

To be eligible for the rate rebate a property must meet the following criteria:

- i. Be a privately owned rateable Mitchell Shire property with a registered Trust for Nature Conservation Covenant as of the 15 June of the preceding financial year.
- ii. The rebate does not apply to non-ratable land such as Council freehold land or land owned by state government authorities.

b. Calculating the value of the annual Rate Rebate

The rebate will be calculated as follows:

- i. The rebate is calculated at \$20 per hectare for an area of covenanted land with a minimum rebate of \$100 and a maximum rebate of \$500 per covenant applied.
- ii. The rebate is provided to eligible properties annually as a rate rebate.

c. Process for applying the conservation covenant rebate

- i. Those properties with registered conservation covenants within Mitchell Shire will be confirmed by the Trust for Nature by 15 June each year.
- ii. The list of properties will be assessed by Council's Environment and Sustainability department for eligibility for receipt of the annual rebate.
- iii. The rebate will be applied to eligible properties and added to the annual rates notice issued at the beginning of each financial year.

Review

This Policy will be reviewed four years from the date of adoption.

Definitions

Word or term	Explanation
Property	Refers to property in the form of land

Related Legislation and Regulation

The following legislation is applicable to this Policy:

- *Local Government Act 2020*
- *Victorian Conservation Trust Act 1972*

Overarching Governance Principles

The development of this Policy considered the *Local Government Act 2020*’s Overarching Governance Principles and the following were applied:

- | | | |
|--|--|--|
| ☒ Lawful | ☐ Community engagement | ☒ Financially viable |
| ☒ Best community outcome | ☒ Innovation and improvement | ☒ Consistent with government plans |
| ☒ Sustainable | ☐ Collaboration with government bodies | ☐ Transparent |

- **Lawful**
 - Supported under the *Local Government Act 2020* and amendment 2022.
- **Best Community Outcome**
 - The conservation covenant rebate is an opportunity for Council to contribute to protecting the native biodiversity in the Shire and recognise the community benefits of biodiversity by acknowledging individuals for taking a role within the community.
- **Sustainable**
 - The conservation covenant rebate will be calculated annually based on the number of properties with a registered covenant on title.
 - The program supports innovative and sustainable land management.
- **Financially Viable**
 - Council has been offering the Conservation covenant grant program since 2005, this policy formalises the program as a rate rebate and will be part of Council Long Term Financial planning processes.

- **Consistent with government plans**
 - The rebate is supported by the *Victorian Biodiversity Strategy 2037* which includes a priority to “increase incentives and explore market opportunities for private landholders to conserve biodiversity”.
- **Innovation and improvement**
 - The adoption of a Conservation Covenant Rebate Policy is an improvement on the current grant program, as it reduces administration, and streamlines the process to direct the rebate payment to the ratepayer.

Climate Change, Gender Equality, Human Rights and Child Safe Compliance

The provision of a Conservation covenant rebate program is supported by the *Local Government Act 2020*, in particular the 2022 amendment, which provides the mechanism for Local Government to apply rate concessions to land which provides ‘public benefit’.

This Policy has considered and complies with the *Climate Change Act 2017*.

In addition, the provision of a funding program for properties with conservation covenants supports the Mitchell Shire Climate Emergency Action Plan 2023 Goal 3 “*Protect and enhance the natural environment and support a climate resilient agricultural sector in Mitchell Shire*”.

The conservation covenant rebate is supported by the *Mitchell Shire Environment Policy 2020* objectives:

- ‘Practice, promote and encourage sustainable, innovative and adaptive land management that responds to climate change’, and
- ‘Protect, restore and connect landscapes by increasing the extent and quality of native habitat’.

Related Documents

The following documents are relevant to this Policy:

- Community Vision Council Plan
- Mitchell Shire Environment Policy 2020 Revenue and Rating Plan 2021/22 to 2024/25
- Mitchell Shire Environment Policy 2020
- Mitchell Shire Climate Emergency Action Plan 2023

Revision History

Version	Authorised by	Authorisation Date	Regulatory Policy
Version 1	Council approved	17 June 2024	No