

## 5.9. RATES INCENTIVE FOR CONSERVATION POLICY

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<b>DEPARTMENT</b>	Finance and Corporate Services

### RECOMMENDATION

**That Council adopts the Rates Incentive for Conservation Policy**

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### EXECUTIVE SUMMARY

Pursuant to Section 120-122, *Local Government Regulation 2012*, Council may grant concessions to ratepayers who satisfy eligibility criteria. The Rates Incentive for Conservation Policy establishes the guidelines and level of assistance Council will grant to eligible ratepayers.

### BACKGROUND

Council offers a rates incentive for conservation as outlined in Council's Revenue Statement.

A formal policy has been drafted to outline the guidelines and levels of assistance of this rates incentive. Several other types of rate rebates/incentives are offered by Council. It is proposed to adopt a formal policy for each of these commencing from 1 July 2021.

### PROPOSAL

The Rates Incentive for Conservation Policy is presented to Council for adoption.

### FINANCIAL/RESOURCE IMPLICATIONS

There are no budgetary implications identified from the adoption of this policy.

### RISK MANAGEMENT IMPLICATIONS

Complying with legislative requirements ensures Council mitigates any regulatory or reputational risk.

### SUSTAINABILITY IMPLICATIONS

<b>Economic:</b>	The policies are reviewed to ensure they appropriately support the economic sustainability of Council as well as maintaining legislative compliance.
<b>Environmental:</b>	Nil
<b>Social:</b>	Nil

## CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

### Corporate Plan 2019-2024 Initiatives:

#### Theme 5 - Robust Governance and Efficient Service Delivery

Strong governance and financial management are the foundations of the way in which Council will conduct its business and implement the initiatives of the Corporate Plan.

*Goal 1 - We will conduct Council business in an open and transparent manner with strong oversight and open reporting.*

*Goal 3 - We will make sound financial decisions by ensuring robust strategic planning, financial management and reporting.*

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

**Regulator** Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes-based approach that balances the needs of the community with social and natural justice.

## CONSULTATION

**Internal:** Rates team

**External:** Nil

## COMMUNITY ENGAGEMENT

Nil

## ATTACHMENTS

1. Rates Incentive for Conservation Policy [5.9.1 - 2 pages]

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### Intent

The purpose of this Policy is to establish the process for affording rates incentives to landholders that enter into a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992* or a Voluntary Declaration (VDec) under the *Vegetation Management Act 1999*.

### Scope

This policy applies to all land within the Douglas Shire Council boundaries.

### Definitions

TERM	DEFINITION
<b>Critical Habitat</b>	as per the meaning under the <i>Nature Conservation Act 1992</i>
<b>High nature conservation values</b>	as per meaning under the <i>Vegetation Management Act 1999</i>

### Provisions

Under the provision of the *Local Government Regulation 2012*, Council may resolve to grant a ratepayer a concession for rates and charges provided the specified criteria is met by the ratepayer. To be eligible for financial assistance, the following conditions must be met:

- i. The owner enters into an agreement preserving/conserving flora and fauna on a rateable property within the boundaries of the Council. This agreement must be bound to the property title, in perpetuity, by a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992* or a Voluntary Declaration under the *Vegetation Management Act 1999*.
- ii. The rates incentive is proportionately attributed to that area of land included in an agreement.
- iii. The rates incentive will be credited to the recipient's rates notice prior to being issued.

Council will provide the following financial assistance:

- Properties where more than 50% of the total area of the property is covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* or the Voluntary Declarations under the *Vegetation Management Act 1999* are entitled to 50% of the general rate.
- Properties where less than 50% of the total area of the property is covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* or the Voluntary Declarations under the *Vegetation Management Act 1999* are entitled to 35% of the general rate.

Any benefit provided to a landholder through the Rates Incentive for Conservation Program must be repaid to Council from the date of revocation or cancellation of the agreement, if the declaration of the Nature Refuge to which it relates is revoked in accordance with Section 50 of the *Nature Conservation Act 1992* or if the Voluntary Declaration has ended under section 19 of the *Vegetation Management Act 1999*.

## Related Legislation and Guidelines

*Nature Conservation Act 1992*

*Vegetation Management Act 1999*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Douglas Shire Council Revenue General Policy*

*Douglas Shire Council Revenue Statement*

*Douglas Shire Council Utility Charges and Associated Rating matters*

## Policy Review

This policy is to be reviewed every four years/whenever legislation changes, or at the direction of the Chief Executive Officer.

## Policy Details

<b>Policy Name</b>	<b>Rates Incentive for Conservation Policy</b>
<b>Policy Number</b>	77
<b>Policy Version</b>	1
<b>Document Number</b>	995591
<b>Endorsed by</b>	Chief Executive Officer
<b>Policy Type</b>	Council
<b>Approval Authority</b>	Council
<b>Date Adopted</b>	
<b>Time Period</b>	Four years
<b>Review Date</b>	1/12/2024
<b>Policy Department</b>	Finance and Corporate Services
<b>Link to Corporate Plan</b>	Robust Governance and Efficient Service Delivery
<b>Revoked/Superseded</b>	

**This policy is to remain in force until otherwise determined by Council.**