

Program:	Financial Services
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Scope

This policy applies to all applications for rate relief for nature conservation or nature refuge areas.

Objective

The objective of this policy is to encourage and increase the amount of land set aside for nature conservation through the provision of rate relief.

Policy Statement

This policy provides a rates rebate scheme to encourage both the conservation of high value vegetation and wildlife habitats on private land. It allows Council to consider applications for a rate rebate of general rates where a landholder enters into a Conservation Agreement for a Nature Refuge under the Nature Conservation Act. The rebate is proportionately attributed to that area of land included in an agreement. The owner enters into an agreement preserving/conserving flora and fauna on a rateable property within the boundaries of the Council.

This process to remain in force until otherwise determined
by Mackay Regional Council

Contents

1.0	Principles	3
1.1	Rates Rebate Scheme	3
1.2	Nature Conservation Areas	3
1.3	Human Rights Complaints.....	4
2.0	Definitions	4
3.0	Review of Policy	5
4.0	Reference	5

1.0 Principles

Environmental problems in the form of land degradation and loss of natural habitats continue to be an issue faced by residents of the Mackay region. To encourage proactive conservation practices, Council consulted with a number of agencies in order to explore possible solutions. This consultation highlighted that there would be significant benefit gained by the community if Council provided assistance to private landholders that encouraged the preservation and conservation of land.

Human Rights have been considered when preparing this Policy.

1.1 Rates Rebate Scheme

MRC's rates rebate scheme aims to encourage both the conservation of high value vegetation and wildlife habitats on private land. The scheme acknowledges the broader community benefits associated with natural area conservation including:

- improvements to overall catchment health
- enhanced landscape qualities
- retention of critical habitats
- reduced erosion
- improved water quality.

A range of areas have been identified as suitable for conservation including:

- conservation of remnant rainforest and ecotonal forest
- conservation of riparian ecosystems including melaleuca wetlands
- conservation of ecological linkages and wildlife habitats
- preservation of natural scenery of the city through forestry and conservation.

All applications will be assessed against specific criteria established in association with relevant State Government Departments and industry groups. The amount of rebate will be proportional to the area of land covered by specific conservation or farm forestry agreement and initial applications to Council should be made on the approved form available on the MRC website.

Any changes made to the provisions of this policy will only apply to remissions granted after the date that the amendment has been adopted by Council.

1.2 Nature Conservation Areas

General requirements for attracting the rebate include:

- (a) The subject site is to meet the selection criteria identified for nature conservation areas
- (b) A Conservation Agreement or Nature Refuge Agreement will be entered into, over the property or that part of the property subject to the rates reduction application, between the owner and the Department of Environment and Heritage Protection (Queensland)
- (c) Rates relief will commence from the beginning of the financial half year during which the Department of Environment and Heritage Protection

(Queensland) has advised Council that following an initial inspection they have determined that it is appropriate to enter into a Conservation Agreement or Nature Refuge Agreement for the subject land and that the procedure to enter into such an agreement has commenced

- (d) Rates remission will apply as follows:

Less than 10% of the assessment area	10% of overall general rates to a maximum of \$537 per annum.
10% to less than 20% of rate assessment area	15% of overall general rates to a maximum of \$887 per annum.
20% to less than 40% of rate assessment area	20% of overall general rates to a maximum of \$1,336 per annum.
40% or greater of assessment area	25% of overall general rates to a maximum of \$1,777 per annum.

- (d) Rates relief will continue for at least a minimum of a three-year trial period or until the provisions of the Conservation or Nature Refuge Agreement are breached
- (e) Should a Conservation Agreement or Nature Refuge Agreement not be finalised within 18 months of advice from the Department of Environment and Heritage Protection (Queensland), that procedures to enter into an agreement has commenced, the full amount of any relief granted will be recoverable from the owner of the land. In addition, a schedule of repayment ratios for failure to honour the agreement will be negotiated through the preparation of the Conservation Agreement or Nature Refuge Agreement.

1.3 Human Rights Complaints

When an individual feels that they are the subject of MRC's failure to act compatibly with human rights, they can make a complaint directly to MRC. These complaints will be assessed against the *Human Rights Act 2019*.

2.0 Definitions

To assist in interpretation the following definitions shall apply:

Council shall mean the Mayor and Councillors of Mackay Regional Council

Human Rights Complaint shall mean a complaint about an alleged contravention of section 58-1 by a public entity in relation to an act or decision of the public entity

MRC shall mean Mackay Regional Council

The Act shall mean the *Local Government Act 2009*

The Regulation shall mean the *Local Government Regulation 2012*

3.0 Review of Policy

This policy will be reviewed when any of the following occur:

- The related documents are amended or replaced.
- Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

4.0 Reference

- *Local Government Act 2009*
- *Local Government Regulation 2012*