



Council Policy

ENVIRONMENT LEVY POLICY

Corporate Plan Reference:	<i>Our environment is protected, enhanced and valued by the community</i>
Endorsed by Council:	16 January 2020
Policy Author:	Director Environment and Sustainable Development

POLICY PURPOSE

The purpose of the Environment Levy (“the Levy”) is to raise funds to conserve and/or improve ecosystem health and biodiversity in the Noosa Shire and to support initiatives in partnership with the community that **protect, enhance and increase the resilience of Noosa’s natural environment**. This policy outlines the environmental and administrative principles that will provide direction for the allocation of Environment Levy funds by Council.

The head of power for the Levy comes from Section 94 of the *Local Government Act 2009* that gives Council the ability to impose a separate charge on all rateable land in the shire. In doing so, Council can only use funds raised via a separate charge for the specific purpose identified in the revenue statement adopted each year as part of Council’s annual budget process.

In that context, this policy provides guidance and further details about how the Council will manage the Levy and its implementation.

Key aims of the Levy are to:

- Expand the Noosa conservation estate through;
 - protection of environmentally significant land through acquisition;
 - support for Private Land Conservation Partnerships (such as Land for Wildlife and Voluntary Conservations Agreement programs), where such involvement is in-keeping with the purpose of the Levy;
- Build community capacity by the provision of funding through an Environmental Grants program that supports environmental initiatives in keeping with the purpose of the Levy; and
- Support significant environmental projects and programs related to key Council strategies and plans, that protect, enhance and increase the resilience of Noosa’s natural environment.
- Fund the delivery and implementation of the Noosa River Plan – River Management Program

POLICY SCOPE

This policy applies to all programs, activities or incentives that are directly or indirectly funded or supported, wholly or partly, by the Levy.

Council will review the amount of the Levy each year as part of the preparation of the annual budget and adoption of the annual revenue statement.

POLICY STATEMENT

The allocation of Levy revenue will be subject to the following principles:

1. **Acquisition of Environmentally Significant Land**

The acquisition of environmentally significant land (or an interest in the land) shall be part of a wider strategy for landscape protection and the preservation of biodiversity in the Noosa Shire.

Determining which properties might be purchased shall be guided by the Conservation Land Guideline, which identifies criteria by which properties will be assessed for suitability for purchase, or applicability for other conservation mechanisms. Council has established an Environment Levy Working Group (ELWG) to undertake an initial assessment, based on the Conservation Land Guideline, and to provide recommendations to Council regarding land purchases for environmental purposes.

Funds can be expended on acquisition of environmentally significant lands (or an interest in the land) and can be used for:

- (i) The purchase costs of acquiring parcels of land including any associated consultancy, legal fees, transfer fees and background assessments.
- (ii) Engaging third parties to act on Council's behalf in the negotiation and acquisition of priority properties.
- (iii) The immediate establishment costs associated with acquired parcels of land including, but not limited to, management planning, fencing, weed management and fire management.
- (iv) Recurrent land management operational costs associated with management of land (including an interest in land) acquired through the Environment Levy in accordance with an approved management plan for that land.

Initiatives able to be undertaken after the land is acquired with Levy funds include but are not limited to:

- (i) The excision and sale of portions of acquired land that are deemed unsuitable for the purpose of the Levy where the considered future use of such portions will not adversely impact upon the identified values of the balance area.
- (ii) On-selling an acquired site to a purchaser who undertakes a statutory covenant (or other statutory mechanism) that is registered on the land title (in accordance with the *Land Act 1994* or the *Nature Conservation Act 2014*) and expressly protects and manages the conservation values of the property.
- (iii) The agistment, hiring, leasing, renting or selling any part, portion or product derived from acquired land, including any built structures and any agricultural or natural resources generated within, on or under the property, provided that these activities do not conflict with the ecological and waterway protection and management of the property, and is consistent with other principles contained in this Policy.

Council may seek to maximise opportunities for purchasing lands utilising external funding where appropriate. Any acquisition and disposal of land will be carried out in accordance with the *Local Government Act 2009*. The Levy may not be used to acquire land for parks where the primary purpose is recreation.

Recurrent land management operational costs related to Council-owned land should not be funded from the Levy, apart from land acquired with the Environment Levy.

2. Support for Private Land Conservation Partnerships

The Voluntary Conservation Agreement (VCA) program is a high-level partnership agreement that supports private landholders wishing to conserve their property's environmental values in perpetuity by placing a protective mechanism on title over some or all of the property. Available protective mechanisms are a Nature Refuge under the *Nature Conservation Act 2014*, a Conservation Covenant under the *Land Act 1994*, and Environment Management and Conservation zoning under the planning scheme.

Council may provide incentives to VCA landholders for environmental works as per an agreed Environment Management Plan.

Similar to the acquisition of Environmentally Significant Land program, potential VCA properties will be assessed on their biodiversity attributes, regional ecosystem attributes, connectivity, consolidation, species protection, and rehabilitation opportunities. VCAs that are proposed for land that is identified in Council's Conservation Land Guideline will receive the highest priority. VCAs that contribute to Strategic Biodiversity Corridors will also be considered favourably.

Council has established an Environment Levy Working Group (ELWG) to consider, review and make recommendations on new Voluntary Conservation Agreements.

Land for Wildlife (LfW) is a voluntary environmental partnerships program that supports private landholders in improving environmental values on their land. This may be done through provision of advice, training, networking opportunities and incentives. Land for Wildlife is a nationally recognised program and an important introductory program that can lead to future Voluntary Conservation Agreements and higher levels of protection.

Participants in the Land for Wildlife Program must have a genuine commitment to improving the values of their property. They must also meet the criteria established for inclusion in the Land for Wildlife program. The Conservation Land Guideline will be used to prioritise the properties added to the Land for Wildlife program.

The Private Land Conservation Partnerships Guideline will guide the implementation of the VCA and LfW programs, including the types and quantity of financial support available.

3. Environmental Grants Program

Council may make provision of funding via an Environment Grants Program administered by Council. Grants will be for collaborative community-based initiatives, capacity building and/or research projects. Environmental Levy funds may be allocated to these purposes where grant projects are in keeping with the purpose of the Levy.

The Levy amount to be allocated to an Environment Grants program will be determined by Council as part of the annual budget process.

It is expected that projects and initiatives awarded grant funding will be for projects that align with existing Noosa Council strategies, policies and plans and will have tangible and measurable outcomes.

The Environment Grants Policy and relevant guidelines will outline the details of the program, such as eligibility, how funds are allocated and how applications will be assessed.

4. Environmental Projects

The Levy may fund significant environmental projects or programs that are aligned with key Council strategies and plans. Projects will be closely aligned with the Noosa Environment Strategy, and contribute toward achieving the strategic outcomes and/or targets identified in the strategy. Examples of projects funded could include significant, high-priority environmental restoration projects, environmental partnerships with other organisations (such as research), or implementation of programs from key Council strategies (such as the River Plan).

Projects will have significant positive environmental outcomes, and be in-keeping with the purpose of the levy. Community partnership projects and projects that are able to leverage further funding will be prioritised.

Significant environmental projects to be funded from the Environment Levy will be approved by Council, either as part of the annual budget process, or with a decision of a Council meeting.

5. Noosa Biosphere Reserve Foundation

Council may choose to allocate a proportion of the Levy funds to the Noosa Biosphere Reserve Foundation to support its management and administrative arrangements.,

The Funding Deed between Noosa Council and the NBRF will guide the parameters under which Council may consider this funding.

USE OF REVENUE

- The apportionment of Environment Levy funds will be subject to Council’s annual budget review and program priorities.
- The Levy can be used for leveraging grants and partnership opportunities from the state and federal governments, other agencies and trusts, provided there is no impediment to achieving the agreed purpose of the Levy.
- Financial management of Levy revenue must be in accordance with relevant legislation and Council policies.

ENVIRONMENT LEVY GUIDELINES

Specific provisions for implementing Acquisition of Environmentally Significant Land and Support for Private Land Conservation Partnerships is detailed in the *Conservation Land Guideline* and the *Private Landholder Conservation Partnerships Guideline*.

With regard to Acquisition of Environmentally Significant Land, the Conservation Land Guideline includes details about identification of high biodiverse value parcels, mapped biodiversity corridors, and preferred tenure for conservation purposes, and also provides a decision tool to support decision-making.

With regard to support for Private Land Conservation Agreements, the Guidelines will include eligibility criteria, minimum and maximum financial incentives based on the size and suitability of the land under Covenant/Nature Refuge/Environmental Management and Conservation zoning, components of the Environmental Management Plan including fire management planning, and processes for developing a VCA with a landholder.

With regard to the Environmental Grants Program, the Environment Grants Policy and related guidelines will specify grant eligibility, process and assessment criteria.

ENVIRONMENT LEVY WORKING GROUP

The **Environment Levy Working Group** (ELWG) will make recommendations to Council on the spending of Environment Levy funds. The Committee will consist of:

Manager Environmental Services
Principal Environment Officer
Senior Environment Officer (Planning)
Property Adviser
Principal Strategic Planner (Land Use)
Community Partnerships Officer
Coordinator Financial Services (as required)
One Councillor appointed by Council

Activities of the ELWG will include;

- Making assessments of properties for potential purchase based on the Conservation Land Guideline. Properties identified as high priority may be presented to Council for a decision on purchase and options available for purchase.
- Assessing applicants for Voluntary Conservation Agreements and making recommendations for agreements to proceed, based on annual budget allocation for the program.
- Developing and annually reviewing guidelines for the Environmental Grants Program.
- Provision of advice to Council on other matters consistent with the purpose of the Environment Levy Policy that require technical advice and assessment as required.

DEFINITIONS

Biodiversity Corridors are broad tracts of vegetated, cleared and partly cleared land, extending across the Noosa landscape that can help consolidate or connect core habitat, and can occur across private and/or public land. Biodiversity Corridors within Noosa Shire are identified in the Conservation Land Guideline.

Core Protected Areas are large biodiverse areas that consist collectively of public land already under conservation protection such as National Park, Bushland Reserves and Nature Refuges. Core Protected Areas within Noosa Shire are identified in the Conservation Land Guideline.

Regional Ecosystem refers to distinct vegetation communities associated with specific landforms and soil types, as identified by the Queensland Herbarium.

RELATED POLICIES AND LEGISLATION

- *Land Act 1994*
- *Local Government Act 2009.*
- *Nature Conservation Act 1992*
- Noosa Council Conservation Land Guideline 2018
- Noosa Council Private Landholder Conservation Partnerships Guideline 2018
- Noosa Council Revolving Fund Guideline 2018
- Noosa Council Environment Grants Policy 2019
- *Planning Act 2016* Qld Environmental Offsets Policy 2014
- *Vegetation Management Act 1999*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	New Policy		Council	15/01/2015
2.0	Review	Y	Council	19/07/2018
3.0	Review	Y	Craig Doolan/Kim Rawlings	03/04/2019
3.1	Review	Y		23/04/2019
3.2	Review	Y	Council	16/1/2020