

Voluntary Nature Conservation Covenants

- Your Land, Its Future -



**Department of Conservation and Land Management
National Trust of Australia (WA)**

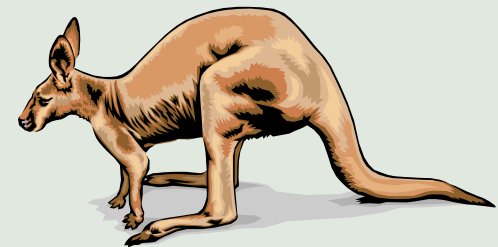
Summary

□ Protecting our natural heritage

- South-western Australia is one of 35 international biodiversity “hotspots”
- Covers an area of 356,717 hectares (an area similar to the size of Germany)

□ Objectives of this presentation

- Advantages of entering into conservation covenants
- Provision of nature conservation covenants in Western Australia
- Future directions, and case studies



Background

□ In Western Australia ...

- The Department of Conservation and Land Management, the National Trust of Australia (WA), and the Department of Agriculture and Food (WA) are working cooperatively together to offer landowners a choice of covenant.
- Each program has characteristics which will appeal to different people and suit different sites.

This presentation will focus on nature conservation covenants offered by CALM and NTWA



Why covenant bushland?

□ Advantages ...

- Provides long-term security for the land, and provides satisfaction from contribution to nature conservation
- Ensures that future purchasers are aware of the conservation values of the land, and attracts sympathetic purchasers
- Provides an interested third party for long-term advocacy if the land is threatened, and provides ongoing stewardship for the land (CALM & NTWA)
- Financial assistance may be available to assist management
- Landowners may be eligible for other incentives, such as tax concessions and rate adjustment

Nature Conservation Covenants

☐ Two components ...

- ☐ The restrictive covenant
- ☐ The Management Guidelines (CALM); Management Plan and Deed (NTWA)

Both CALM and NTWA offer ongoing stewardship



Nature Conservation Covenants

□ The covenant ...

- Restrictive in nature
- Registered on the title of the land
- Normally permanent, but can be for a specified period
- Voluntary, but may be required to meet a condition of land development or funding
- Flexible through negotiation with the landowner ahead of registration

Nature Conservation Covenants

□ Management ...

- Management Guidelines (CALM): non-binding but landowner commitment where specific allowance is made in the covenant
- Management Plan and Deed (NTWA): binding on landowner, annexed to covenant, offers flexibility in land's management
- Practical document negotiated with landowner to address immediate and long-term threats identified on the land

□ Stewardship ...

- Ongoing contact with owners of covenanted land through regular phone calls, newsletters, follow-up visits, re-negotiation of management activities, monitoring of management successes, advocacy for the covenanted land

Current Status

Program	Number of properties with covenants	Number of hectares protected
CALM (started 2000)	70	5898
NTWA (launched 1999)	92	9340
TOTAL	162	15238

Cooperative approach

□ Working together ...

- Offers landowners a choice of programs (government / NGO)
- Joint CALM / NTWA submission seeking long-term funding, including submission of four joint NHT applications
- Cooperation with other nature conservation programs, including WWF, Land for Wildlife and Greening Australia (WA)

□ Program differences ...

- *Transfer of Land Act 1893 s129b)a) (CALM); National Trust of Australia (WA) Act 1964 s21a) (NTWA)*
- Nature conservation and biodiversity (CALM); nature conservation and cultural and aesthetic values (NTWA)

Issues

□ Future concerns ...

- Long-term funding for administration of covenant programs
- Covenants may be removed or amended by mutual agreement or through legal process, or by the provisions of a Town Planning Scheme
- Covenants required to meet a condition of development (eg. mining offset or subdivision) or funding grant (eg. Envirofund, regional strategies)
- Education of next-generation landowners
- Management of threats affecting wetlands



Case studies

□ CALM covenant in negotiation (Town of Kwinana)

- Background

- Wetland protected under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992*
- Fair to good quality terrestrial and wetland habitats
- Southern Brown Bandicoot (*Isoodon obesulus fusciventer*, Priority 5)
- Threats include impacts caused by stock, competition with weed species, surrounding land uses and development
- Landowner keen to ensure conservation in perpetuity



Case studies

□ CALM covenant in negotiation (*cont'*)



□ Main issue - development

- The land is zoned “Urban”; the Town of Kwinana expects the area to be developed in 1-2 years - the provisions of a Town Planning Scheme can extinguish or vary a restrictive covenant
- A restrictive covenant is “not a relevant planning consideration unless it arises from a planning decision”

□ Action

- Entered into discussion with the Town of Kwinana and the Department of Environment regarding the proposed covenant
- Added a 50 metre wetland buffer (with landowner permission) within the proposed covenant site to improve long-term viability
- Sought legal advice, currently seeking support for the covenant from the Town of Kwinana (will go before Council)

Case studies

□ CALM covenant registered (City of Mandurah)

- Background

- Moderate to good quality Tuart (*Eucalyptus gomphocephala*) and Peppermint (*Agonis flexuosa*) woodlands
- Western Ringtail Possum (*Pseudocheirus occidentalis*, Endangered)
- A corridor linking terrestrial areas of Yalgorup National Park (listed on the *Register of the National Estate*, and listed under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992*)
- A buffer to Lake Clifton (classified as a “Wetland of International Importance” under the Ramsar convention, and which contains Threatened Ecological Community “Clifton microbialite”)
- Covenant required as a condition of subdivision, threats include impacts caused by competition with weed species, and development

Case studies

□ CALM covenant registered (cont')



□ Main issues

- Clearing for fire protection is likely to impact on the covenant site if a dwelling is constructed adjacent to the site, adjacent land is being considered a potential limestone resource by prospective purchasers
- Presence of environmental weeds Apple of Sodom (*Solanum linnaeanum*) and Narrowleaf Cottonbush (*Gomphocarpus fruticosus*)
- Uncontrolled access by third parties via adjacent Crown lands

□ Action

- Prospective purchasers – awareness raising of environmental values of the area, including specific values protected under the covenant
- Current landowner – best-practice management advice for weed control
- Current landowner – recommendation for signage on boundary at access points advising of covenant site and private property

Case studies

□ CALM covenant registered (Shire of Waroona)

□ Background

- Quality jarrah and marri forest situated high in the landscape and located adjacent to State Forest
- Contribution to surface water quality control in the catchment of Waroona Dam
- Threatened and Priority listed fauna
- Covenant sought voluntarily



Case studies

□ CALM covenant registered (*cont'*)

□ Specific allowances requested

- large building envelope around the perimeter of the bushland, for the dwelling, outbuildings and grazing
- dogs and livestock in the building envelope
- collection of seed and plant propagation material for revegetation
- collection and storage of water



NATURE CONSERVATION COVENANTS

- ❑ Free (voluntary)
- ❑ Long-term protection
- ❑ Management advice
- ❑ Incentives
- ❑ ... and a cool sign!



Thank you!