

# Conservation Agreements

## *A voluntary option for landholders with land of very high conservation value*

Landholders can play an important role in formally protecting and conserving Australia's unique natural and cultural heritage on their properties through a Conservation Agreement. They can make an application at any time for agreements that apply to any tenure of land.

As part of a program to convert perpetual Crown leases to freehold title, a select number of landholders who are managing very high conservation value areas on their properties are being offered the option of entering into a Conservation Agreement with the NSW Department of Environment and Climate Change (DECC). This is instead of the standard covenant normally applied to properties which are converted to freehold.

As part of DECC, the National Parks and Wildlife Service works with people and communities to conserve nature and Aboriginal and historic heritage in public reserves and protected areas on private and other public lands across the state. Through Conservation Agreements, landholders are able to make a formal long-term commitment to manage parts of their property for conservation. The DECC Conservation Partners Program provides ongoing monitoring and support to landholders with these conservation commitments.

### Conservation Agreements

Conservation Agreements are legal agreements under section 69 of the *National Parks and Wildlife Act 1974* between landholders and the Minister for Climate Change, Environment and Water covering identified areas of land with significant conservation values.

These agreements are voluntarily entered into and provide permanent protection for the special natural and cultural heritage

features of the land. Once entered into, they are legally binding on both current and future landholders. The land subject to a Conservation Agreement is identified and registered on the land title.

### Areas that a Conservation Agreement can protect

The range of significant conservation values that may be protected under a Conservation Agreement is broad and includes natural and cultural heritage values such as native vegetation, wilderness, wildlife habitat, Aboriginal sites and historic places.

Areas that may be protected under a Conservation Agreement include those that:

- contain natural environments, scenery or phenomena
- are of special scientific interest
- are the sites of buildings, objects, monuments or events of national significance
- include Aboriginal sites or places of Aboriginal significance
- provide for the study, preservation, protection, care or propagation of native fauna and/or flora
- provide for the study, preservation, protection and care of karst and cave environments
- conserve critical habitat or threatened species, populations or ecological communities or their habitats.

## Benefits of a Conservation Agreement

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DECC will provide practical guidance, information and support for landholders in their conservation commitments. This includes:

- assessment and documentation of conservation values
- management and monitoring arrangements in a standard framework
- reasonable legal expenses to assist landholders with independent legal advice
- ongoing monitoring and support for landholders with practical technical advice and information on conservation management strategies and issues
- education and networking opportunities
- newsletters and management notes
- funding and other assistance for on-ground conservation works in line with the agreement.

Landholders with a Conservation Agreement may also access other benefits which recognise their commitment to conservation through:

- land rate exemptions under section 555 of the *Local Government Act 1993*
- land tax concessions under section 10 of the *Land Tax Management Act 1956*
- income tax concessions under section 31 of the *Income Tax Assessment Act 1997*.

## Crown lease conversions and Conservation Agreements

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A select number of landholders managing very high conservation value lands are being offered a Conservation Agreement as an alternative conservation protection mechanism to the standard covenant that is applied to lands on freehold conversion

by the Department of Lands. These agreements are negotiated over those lands assessed on site as having high conservation value. This usually involves part of the property. Other parts of the property not covered by a Conservation Agreement may be subject to the standard covenant arrangements. The Conservation Agreement will need to be in place when the property is converted to freehold title.

The Department of Lands and DECC are working together to provide a range of options suitable for landholders and for conservation. Arrangements are in place to assist landholders entering into a Conservation Agreement as part of the Crown lease conversion process.

Landholders should note that, as with Lands Department covenants, entering into a Conservation Agreement may have implications in relation to offsets under the *Native Vegetation Act 2003*. DECC can provide details on a case-by-case basis and landholders can also seek independent advice.

## More information

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Landholders applying to convert their perpetual Crown lease to freehold title and who are interested in finding out more about a possible Conservation Agreement should contact DECC at:

Conservation Partners Program  
Department of Environment and Climate Change NSW  
PO Box 1967, Hurstville NSW 1481  
Telephone: (02) 9585 6040  
Fax: (02) 9585 6402  
Email: [conservation.partners@environment.nsw.gov.au](mailto:conservation.partners@environment.nsw.gov.au)  
Website: [www.nationalparks.nsw.gov.au/conservationpartners](http://www.nationalparks.nsw.gov.au/conservationpartners)