



CONSERVATION COVENANTS

Conservation Covenants, also known as statutory covenants, are legally-binding written agreements entered into to protect, preserve and often enhance environmental features on private property. These agreements are registered on the Survey Plan and Certificate of Title. Covenants are used to plan for and conserve natural or other features on land. Covenants registered against a Title are designed to last in perpetuity and are binding on subsequent landowners, ensuring that important natural features are not diminished over time.

Parties to a Covenant

Parties to a Covenant are usually the Covenantee (Council or State Government) and Covenantor (The Landowner).

Benefits of a Covenant?

Landowners can benefit through:

- long term commitment to retaining important natural features on the property
- potential for financial or 'in kind' assistance in regard to longer term maintenance of the covenant area
- security for good management
- pride and civic responsibility.

Council benefits through:

- long term security of stewardship of land
- certainty of recognition and commitment by subsequent landowners
- long term commitment to rehabilitation of land in certain circumstances
- protection of open space and natural areas
- performance obligations and requirements.

Obligations of a Covenant?

Covenant terms are unique and usually specific to the feature for which the Covenant is entered into. Covenant terms may include:

- restrictions on clearing vegetation within the Covenant Area, which will usually be surveyed

- restrictions or prohibitions on the capacity to build structures within the Covenant Area
- restrictions on planting certain species of vegetation within the Covenant Area
- requirements to install and maintain a fence between the Covenant Area and the rest of your property.

It is important to check the terms of the Covenant affecting your property to ensure you understand your responsibilities.

For more information

To obtain a copy of the Conservation Covenant affecting your property, purchase a property search from Titles Queensland or seek legal advice.

If your property includes a Conservation Covenant or protected area, you should seek legal advice to confirm the extent of the area and your responsibilities under the terms of the Covenant.

For queries about management of the Covenant, including species selection, your capacity to build structures in the Covenant Area or other requirements, contact Council's Environmental Officers on 1300 692247.

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