

Native vegetation clearing

Assessment guidelines



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DRAFT

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1. Introduction

The Native vegetation clearing – assessment guidelines (Assessment guidelines) are incorporated into the Victoria Planning Provisions and all planning schemes in Victoria. The Assessment guidelines replace the previous incorporated document titled *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013). The Assessment guidelines should be read with the *Assessment handbook – native vegetation clearing*, available on the Department of Environment, Land, Water and Planning (DELWP) website, which includes more details and will be updated as required by ongoing improvements.

For the purpose of these Assessment guidelines, the term ‘remove native vegetation’ includes to destroy and to lop native vegetation.

1.1 Purpose of these Assessment guidelines

The purpose of these Assessment guidelines is to describe how native vegetation removal is managed in planning and decision making under the *Planning and Environment Act 1987* (P&E Act). Where a person has breached or failed to comply with the P&E Act, the planning scheme or a planning permit they may be liable for certain penalties. This could take the form of a planning infringement notice, a VCAT enforcement order¹ or prosecution under the P&E Act.

These Assessment guidelines detail the following:

- Section 2 describes how Victoria’s planning system manages native vegetation
- Section 3 describes how native vegetation is defined and how the value of native vegetation is measured
- Section 4 describes the assessment pathways, application requirements, decision guidelines and how to make a decision on an application under Clauses 52.16 and 52.17
- Section 5 describes how offsets are determined and what is eligible as an offset
- Section 6 describes alternative and transitional arrangements.

1.2 Scope

These Assessment guidelines describe how biodiversity information is used when assessing an application to remove native vegetation under Clauses 52.16 or 52.17. Planning and responsible authorities must take account of and give effect to the decision guidelines in section 4.5, along with all other relevant parts of the planning scheme. This includes the relevant zones, overlays, local controls for removing native vegetation and Clause 65 *Decision guidelines*. Clause 65 requires consideration of the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies that address matters of local biodiversity.

These Assessment guidelines can also be used when assessing impacts of activities that are exempt from requiring a planning permit to remove native vegetation but are assessed under alternative approval processes.

Compliance with, assessment of and granting of a permit under these Assessment guidelines and Clause 52.16 or 52.17 does not ensure compliance with other legislation, particularly the *Flora and Fauna Guarantee Act 1988* or the *Environmental Protection and Biodiversity Conservation Act 1999*.

DELWP proudly acknowledges Victoria’s Aboriginal communities and their rich culture and pays respects to their Elders past and present. DELWP recognises Aboriginal people as the Traditional Owners and custodians of the land. Traditional Owners have an intrinsic connection to Country and contribute to the management of land, water and native vegetation.

¹ Under the *Victorian Civil and Administrative Tribunal Act 1998*.

1.3 Describing the value of native vegetation

The value of native vegetation is described in terms of 'biodiversity value' and 'other values'. These values are listed in Table 1. The way they are used is described in section 3 and section 4.5.

1.3.1 Biodiversity value of native vegetation

Biodiversity includes all components of the living world: the variety of plants, animals and other living things across land, rivers, coasts and oceans. It includes the diversity of their genetic information, the habitats and ecosystems they live in, and their connections with other life forms and the natural world.

Native vegetation is key to maintaining Victoria's biodiversity as it forms the basis of Victoria's ecological communities. Native vegetation provides habitat for a diversity of native flora and fauna species and most of Victoria's rare or threatened species rely on the presence of native vegetation for their survival. It also provides important connections or wildlife corridors that link larger areas of habitat in a fragmented landscape.

1.3.2 Other values of native vegetation

Native vegetation has an important role in land and water protection. It helps control soil erosion and maintain land stability by protecting soil and stream banks. Native vegetation reduces land degradation and salinity and improves water quality and availability.

Aboriginal culture includes relationships to native vegetation and the land. These relationships hold physical, social, spiritual and cultural significance and carry obligations and responsibilities for caring for and sharing of country. These links continue today and Aboriginal people retain an affinity with all landscapes.

Table 1: Describing the value of native vegetation

Biodiversity value of native vegetation	Other values of native vegetation
<p>Values used to determine biodiversity score:</p> <ul style="list-style-type: none"> • Extent of native vegetation • Vegetation condition • Strategic biodiversity value • Habitat for rare or threatened species* <p>Additional values considered when making a decision:</p> <ul style="list-style-type: none"> • Endangered Ecological Vegetation Classes (EVCs) • Sensitive wetlands and coastal areas • Large trees 	<ul style="list-style-type: none"> • Land and water protection • Identified landscape values • Native vegetation protected under the <i>Aboriginal Heritage Act 2006</i>

* 'Rare or threatened species' includes species listed as critically endangered, endangered, vulnerable or rare on Advisory Lists maintained by the Department of Environment, Land, Water and Planning.

2. Native vegetation and Victoria's planning system

The planning system has two key tools for managing native vegetation – strategic planning and the site-based permit process.

Strategic planning is the most effective tool for identifying potential adverse impacts of new uses and developments on biodiversity and for ensuring adverse impacts are avoided and/or minimised.

The site-based permit process for removing native vegetation complements strategic planning by providing rules about:

- avoiding and minimising impacts on biodiversity or other values when removing native vegetation
- offsetting any adverse impact that is permitted to occur.

Clause 12.01 of the State Planning Policy Framework (SPPF) addresses strategic planning and the site-based permit process as follows:

- *Protection of biodiversity* (Clause 12.01-1). Sets the overall direction for how land use planning assists the protection and conservation of Victoria's biodiversity.
- *Native vegetation management* (Clause 12.01-2). Supports the management of native vegetation through the permit process, including the assessment of impacts on the values of native vegetation and provision of offsets to ensure no net loss to biodiversity.

2.1 Strategic planning

Strategic planning can be effective in protecting areas of high biodiversity value and identifying important linkages and revegetation opportunities. Strategic planning usually takes place at a larger scale than the site-based permit process. It sets clear expectations for where use and development can and should occur.

Decisions on avoiding areas with high biodiversity and other values are best made during the strategic planning stage, when planning controls (such as zones or overlays) that identify the long term use or development of the land are established via a planning scheme amendment. During this stage proposed new developments can be designed to protect native vegetation.

In addition to zones and overlays, two planning tools provide for the strategic management of native vegetation:

- Native Vegetation Precinct Plans – for a group of properties
- Property Vegetation Plans – for a single property.

2.1.1 Native Vegetation Precinct Plans

A Native Vegetation Precinct Plan (NVPP) provides for the management of native vegetation in a precinct. It identifies the native vegetation that can be removed and retained, based on the biodiversity and other values of the native vegetation. The NVPP may be a stand-alone document or form part of a Precinct Structure Plan. It is developed within the broader strategic planning objectives for the precinct.

Clause 52.16 applies to land if a NVPP corresponding to the land is incorporated in the planning scheme. There is no need to obtain individual planning permits to remove native vegetation under Clause 52.16 if the removal is in accordance with an incorporated NVPP. Clause 52.17 does not apply to land where a NVPP applies.

For a NVPP to be considered for incorporation under Clause 52.16 it must include the information outlined in Clause 52.16-3 *Native vegetation precinct plans* and should be developed in accordance with these Assessment guidelines.

2.1.2 Property Vegetation Plans

A Property Vegetation Plan (PVP) is defined in Clause 72 of planning schemes as:

A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.

A PVP can form part of a property management plan or whole farm plan, or be a stand-alone document. A PVP should be prepared in accordance with the relevant PVP template.



A PVP provides for the longer term, strategic management of native vegetation within a specific property. It identifies all native vegetation on the property, and can be used to identify areas of existing and future use and development that require the removal of native vegetation. The PVP also identifies actions that the landowner must undertake to offset any permitted clearing of native vegetation.

An application under Clause 52.17 must include a copy of any PVP that applies to the site as part of the application requirements. The permit application and approval process is streamlined because the assessment of impacts and the determination and identification of offsets in the PVP is done in accordance with these Assessment guidelines. Any permit granted when a PVP applies has a ten year validity.

2.2 Site-based permit process

Impacts from the removal of native vegetation are considered principally through Clause 52.16 *Native Vegetation Precinct Plan* and Clause 52.17 *Native Vegetation*. The clauses are supported by these Assessment guidelines that are incorporated in all planning schemes at Clause 81.01.

The objectives for native vegetation management are:

To ensure appropriate consideration of the impacts on biodiversity and other values from the removal, destruction or lopping of native vegetation.

To ensure permitted clearing of native vegetation results in no net loss to biodiversity.

These objectives are achieved by applying the following three step approach:

Avoid the removal, destruction or lopping of native vegetation.

Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

Provide an offset if a permit is granted to remove, destroy or lop native vegetation.

2.3 The three step approach

The three step approach should be applied in a way that supports the objectives for native vegetation management as defined in Clause 12.01-2. Information on how to apply the three step approach is provided below.

1) Avoid

A use or development has successfully avoided the removal, destruction or lopping of native vegetation when there are no impacts on biodiversity or other values. This is achieved by locating or designing a development so that native vegetation is not removed. When the removal of native vegetation is avoided a planning permit is not required under Clause 52.16 or 52.17.

2) Minimise

A use or development can minimise impacts on biodiversity and other values from the removal of native vegetation by designing and locating the proposed use or development to reduce the removal of native vegetation, or managing the proposed use or development to minimise any offsite impacts on biodiversity. If the use or development was subject to a strategic planning process that minimised impacts no further minimisation is required.

Effort to minimise impacts should be commensurate with the biodiversity or other values of the native vegetation and should be targeted to reduce the impacts on areas of native vegetation with greatest value. Further detail on steps to avoid and minimise impacts on biodiversity or other values of native vegetation is provided in section 4.6.1.

3) Offset

An offset is used to compensate the loss to biodiversity from the removal of native vegetation. An offset is an undertaking to protect and manage native vegetation in another location. These protection and management actions improve the condition of the native vegetation, this is called 'gain'. To ensure no net loss, the gain in biodiversity value (the offset) must be equivalent to the loss in biodiversity value from the removal of native vegetation.

The ability to secure an offset does not guarantee a permit will be granted. When deciding whether to grant a permit to remove native vegetation, the impacts on biodiversity and other values must be appropriately considered. If the removal of native vegetation will have an unacceptable impact on biodiversity or other values of the native vegetation, further efforts to avoid or minimise impacts may be required, or a permit may not be granted. This is described in section 4.6.

3. Native vegetation information

3.1 Definition of native vegetation

Native vegetation is defined in the Victoria Planning Provisions as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'².

In these Assessment guidelines, native vegetation is further classified as either a patch or a scattered tree.

Patch

A patch of native vegetation is defined as:

- An area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native³
- Any area with three or more native canopy trees⁴ where the canopy foliage cover⁵ is at least 20 per cent of the area
- Any mapped wetland included in the current wetlands layer in Biodiversity Interactive Map (BIM) (or its successor).

Scattered tree

A scattered tree is defined as:

- A native canopy tree that does not form part of a patch.



An offset as determined by section 5.1 is not required if the native vegetation to be removed is not a patch or a scattered tree. However, the relevant application requirements and decision guidelines must still be applied, as appropriate.

3.2 Measuring the biodiversity value of native vegetation

Measuring the biodiversity value of native vegetation is important to inform decisions about:

- where to focus efforts to avoid and minimise impacts from the removal of native vegetation
- whether a permit should be granted to remove native vegetation
- offset requirements if native vegetation is permitted to be removed.

This section provides an overview of the information used to measure the biodiversity value of native vegetation. *Site-based information* can be measured or observed at a site.

Landscape scale information cannot be measured or observed at the site and is included in maps and models. *The Native vegetation clearing – biodiversity information products* document available on the DELWP website has more detailed information.

DELWP has developed the native vegetation clearing regulations tool in the Native Vegetation Information Management (NVIM) and Environmental Systems Modelling Platform (EnSym) systems. These tools are used by applicants and DELWP to determine the biodiversity value of the native vegetation to be removed and the offset requirements to ensure no net loss to biodiversity.

Mapped products used in the regulations are available in the Map tool in NVIM and in the Biodiversity Interactive Map at <http://delwp.vic.gov.au/>

² Victoria Planning Provision – Definitions – Clause 72.

³ Areas that include non-vascular vegetation (such as mosses and lichens) but otherwise support no native vascular vegetation are not considered to be a patch for the purposes of these Assessment guidelines. However, when non-vascular vegetation is present with vascular vegetation, it does contribute to cover when determining the percentage of perennial understorey plant cover.

⁴ A native canopy tree is a mature tree that is greater than 3 metres in height and is normally found in the upper layer of the relevant vegetation type.

⁵ Foliage cover is the proportion of the ground that is shaded by vegetation foliage when lit from directly above.

3.2.1 Site-based information

Extent

The extent of native vegetation is the area of land covered by a patch and/or a scattered tree, measured in hectares. To determine the extent of a scattered tree it is assigned a standard area based on the size of the tree. Scattered trees are classed into two sizes small and large. A small scattered tree is mapped as a circle with a 10 metre radius and a large scattered tree is mapped as a circle with a 15 metre radius⁶.

The extent of native vegetation to be removed is calculated by adding the extent of patches (including mapped wetlands) and the assigned extent of scattered trees together. This extent must include all areas of native vegetation to be impacted by proposed use and development, including vegetation that is "deemed lost" as described in the *Assessment handbook - native vegetation clearing*. Any area of overlap between the assigned extent of scattered trees is dissolved.

Large trees

A large tree is a native canopy tree with a Diameter at Breast Height (DBH)⁷ greater than or equal to the large tree benchmark for the local Ecological Vegetation Class (EVC). A large tree can be either a large scattered tree or a large tree contained within a patch. To determine the size of a tree, the DBH is converted to a circumference⁸ (in centimetres) and this is used by NVIM and EnSym.

Some Mallee EVCs (Coastal Mallee Scrub, Lowan Sands Mallee, Heathy Mallee, Loamy Sands Mallee and Red Swale Mallee) do not list a large tree benchmark DBH for canopy trees. In these EVCs all Mallee eucalypts identified as canopy tree species are regarded as large trees and assigned the standard extent for a large tree⁹. Any other EVC that does not list a large tree benchmark DBH for canopy trees is assigned a default large tree benchmark DBH of 40cm (equivalent to a circumference of 125.7cm).

Condition score

The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. It shows the current condition of a patch of native vegetation measured against its EVC benchmark and indicates

how well the native vegetation can sustain itself and the species that live in it.

The condition score of a patch is determined by an accredited native vegetation assessor completing a habitat hectare assessment, as described in the *Vegetation Quality Assessment Manual*¹⁰. Scattered trees identified by an accredited native vegetation assessor are assigned a standard condition score of 0.20.

A map of modelled condition scores across Victoria has been developed from site assessed data. This is shown in the *native vegetation condition map*.

Ecological Vegetation Classes

Ecological Vegetation Classes (EVCs) are the standard unit for classifying native vegetation types in Victoria. EVCs are described by a combination of floristics, lifeforms and ecological characteristics. EVCs include a benchmark for the characteristics of the vegetation type in its mature, natural (pre-1750) state. The modelled distribution of EVCs in Victoria is included in EVC maps. An EVC has a bioregional conservation status of endangered, vulnerable, depleted, least concern or rare.

Mapped wetlands

A mapped wetland is any wetland in the *current wetlands* layer in Biodiversity Interactive Map (BIM) (or its successor). Wetlands can be difficult to identify and accurately assess as they respond quite quickly to changes in environmental condition, especially rainfall. After a period of no or low rainfall they can disappear or appear degraded. However, they recover quickly after periods of increased rainfall.

Mapped wetlands are thus treated as a patch of native vegetation, and if they will be impacted they must be included in the mapped extent of native vegetation to be removed. The modelled condition score is used for mapped wetlands. A mapped wetland may be excluded from consideration if it is covered by a hardened, man-made surface, for example, a roadway. The mapped extent of a wetland may be refined if supported by the outcome of a hydrological assessment, and approved by the DELWP Secretary.

Summary of site-based information

A summary of site-based information and their application is presented in Table 2.

⁶ A circle with a 10 metre radius is approximately 0.0314 hectares in size (rounded to 4 decimal places) and a circle with a 15 metre radius is approximately 0.0707 hectares in size (rounded to 4 decimal places).

⁷ Diameter at Breast Height over bark (DBH). Defined as the diameter of the main trunk of a tree measured over bark at 1.3 metres above ground level.

⁸ Circumference of the main trunk of a tree measured over bark at 1.3 metres above ground level. Tree circumference = DBH x pi.

⁹ For Basic and Intermediate assessment pathway applications processed using NVIM, all canopy tree species in these Mallee EVCs are regarded as large trees and assigned the standard extent for a large tree.

¹⁰ Or its successor. The Condition score is equivalent to the 'Habitat score' described in the *Vegetation Quality Assessment Manual*.

Table 2: Summary of native vegetation categories, extent and condition score

Categories	Tree class	Extent	Condition score
Patch	Large tree: ≥ large tree benchmark for the local EVC	Area of patch in hectares Area of mapped wetlands in hectares	Habitat hectare assessment or modelled score*
Scattered tree	Large scattered tree: ≥ large tree benchmark for the local EVC	A circle with 15m radius	0.2 or modelled score*
	Small scattered tree: < large tree benchmark for the local EVC	A circle with 10m radius	0.2 or modelled score*

* Patches and scattered trees identified without an accredited native vegetation assessor are assigned the modelled condition score shown in the *native vegetation condition map* (refer section 4.2).

3.2.2 Landscape scale information

Landscape scale biodiversity values cannot be measured at a site but represent the relative importance (or biodiversity value) of one location relative to all other locations in Victoria. This landscape scale biodiversity information includes:

- strategic biodiversity value score
- habitat importance score for rare or threatened species.

Strategic biodiversity value score

The strategic biodiversity value score of native vegetation at a site is a rank of a location's complementary contribution to Victoria's biodiversity, relative to other locations across the state. The score is derived using a spatial prioritisation tool that ranks locations in Victoria for their conservation priority on the basis of level of depletion of species habitats and vegetation type and condition.

The strategic biodiversity value score of native vegetation is shown in the *strategic biodiversity value map*.

Habitat importance score

The habitat importance score is a measure of the importance of a location in the landscape as habitat for a particular rare or threatened species in relation to other suitable habitat for that species. Only native vegetation that is habitat for rare or threatened species has a habitat importance score. If native vegetation is habitat for multiple rare or threatened species it will have habitat importance scores for each species.

The *habitat importance map* for a rare or threatened species shows the habitat importance scores across its habitat.

Habitats for rare or threatened species are divided into two groups depending on their area of occupancy – *highly localised habitat* or *dispersed habitat*. The habitat importance score is calculated differently for each of these groups.

Highly localised habitats for rare or threatened species

Highly localised habitats for rare or threatened species are limited in extent (less than 2000 hectares) and are typically geographically restricted.

All locations within a highly localised habitat for a particular species are considered equally important. All highly localised habitat has a score of 1, locations are not ranked.

Dispersed habitats for rare or threatened species

Dispersed habitats for rare or threatened species are less limited in extent (more than 2000 hectares) and usually less geographically restricted than highly localised habitats.

Dispersed habitats for fauna species have primarily been ranked for context and connectivity, i.e. the ability for the population to survive, breed and move within and beyond a habitat area, with condition playing a lesser role. Dispersed habitats for flora have primarily been ranked for condition score, with size and connectivity playing a lesser role. The ranking or relative importance of a location for a species in relation to other locations is represented by the habitat importance score.

Some dispersed habitats are considered equally important or ranking within species habitat is not possible. The habitats for these species have a score of 1 across their habitat.

For the remaining species with dispersed habitats, locations where vegetation removal could have a more significant impact than other locations have

been determined and included in additional maps. These areas have been determined using the habitat importance scores and data from the Victorian Biodiversity Atlas including roosting sites and large populations. These maps will be updated as new information becomes available. They are treated in the same way as highly localised and dispersed species maps.

3.2.3 Representing biodiversity value

Habitat hectare

A 'habitat hectare' is a site-based metric that combines the extent and condition score of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score of the vegetation.

$$\text{Habitat hectares} = \text{extent} \times \text{condition score}$$

Biodiversity score

The biodiversity score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native

vegetation. The landscape scores are weighted so that site-based information has a greater influence when calculating the biodiversity score. There are two types of biodiversity scores:

- general biodiversity score – measures the overall biodiversity value of native vegetation at a site
- specific biodiversity score – measures the biodiversity value of native vegetation at a site for a particular species. This score is calculated for each rare or threatened species for which the site provides habitat.

The biodiversity score is calculated as follows.

$$\text{General biodiversity score} = \text{habitat hectares} \times \text{strategic biodiversity value score}^*$$

$$\text{Specific biodiversity score} = \text{habitat hectares} \times \text{habitat importance score}^*$$

* The landscape scores (strategic biodiversity value and habitat importance) are weighted to have half the influence of site-based information (habitat hectares) within the formula to calculate the biodiversity score.





4. Applications

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation¹¹.

4.1 Assessment pathway

There are three assessment pathways for assessing an application¹² to remove native vegetation:

- Basic
- Intermediate
- Detailed

The assessment pathway is determined by the potential impact on biodiversity values from removing native vegetation. The assessment pathway determines the information that must accompany an application under Clause 52.16 or 52.17, and the decision guidelines the responsible or referral authority must consider before deciding on an application.

The assessment pathway is determined from the extent of native vegetation to be removed (section 3.2.1) and the location category of the native vegetation to be removed, as shown in the *location map*.

4.1.1 Location map

There are three location categories that indicate potential risk to biodiversity from removing native vegetation. These location categories are shown in the *location map* as Location 3, Location 2 and Location 1.

Mapped biodiversity values included in each location category are:

- Location 3 – Locations where the removal of less than 0.5 hectare of native vegetation could have a significant impact on habitat for a rare or threatened species
- Location 2 – Locations that are mapped as endangered EVCs and/or sensitive wetlands and coastal areas¹³ and not included in Location 3
- Location 1 – All remaining locations in Victoria.

The location category of the native vegetation is determined from the mapped extent of the native vegetation to be removed, not the property boundary. The higher category is used if the native vegetation to be removed includes more than one location category.

¹¹ This does not apply: if the table to Clause 52.17-7 specifically states that a permit is not required; if the native vegetation is specified in the schedule to Clause 52.17 or if the native vegetation is specified for removal in an incorporated Native Vegetation Precinct Plan.

¹² An application for a permit or an application to amend a permit.

¹³ Sensitive wetlands and coastal areas include wetlands designated under the Convention on Wetlands of International Importance (the Ramsar Convention); wetlands listed in the Directory of Important Wetlands of Australia; and internationally important sites for Migratory Shorebirds of the East Asian-Australasian Flyway.

Figure 1. Location map



4.1.2 Determining the assessment pathway of an application

The assessment pathway of an application is determined in accordance with Table 3.

The following are applicable:

- Location category of the native vegetation: determined by the *location map*.
- Extent: the hectares of native vegetation to be removed. This includes the combined extent of patches and scattered trees as described in section 3.2.1.

- Large trees: if any large trees are proposed to be removed, either a large scattered tree or within a patch.

When determining the assessment pathway of an application to remove native vegetation, the extent must include the extent of other native vegetation that was permitted to be removed on the same property with the same ownership, in the five year period before an application to remove native vegetation is lodged.

Table 3: Determining the assessment pathway

Extent of native vegetation	Location 1	Location 2	Location 3
< 0.5 hectares and no large trees	Basic [^]	Intermediate*	Detailed
< 0.5 hectares and ≥ one large tree	Intermediate [^]	Intermediate	Detailed
≥ 0.5 hectares	Detailed	Detailed	Detailed

[^] If a site assessment conducted by an accredited native vegetation assessor determines that an endangered EVC is present (but is not shown in the *location map*) the decision guideline about impacts to endangered EVCs can be applied. A Basic Assessment Pathway application would move to the Intermediate Assessment Pathway. The responsible authority cannot require the applicant to engage an accredited native vegetation assessor.

* If a site assessment conducted by an accredited native vegetation assessor determines that an endangered EVC is not present, then the decision guideline about impacts to endangered EVCs included in the Intermediate Assessment Pathway shall not be applied.

4.2 Site assessment

Applications in the Basic Assessment Pathway and Intermediate Assessment Pathway do not require an assessment by an accredited native vegetation assessor. The condition score of all native vegetation to be removed is determined from the *native vegetation condition map*. The applicant may appoint an accredited native vegetation assessor to complete a habitat hectare assessment and use the assessed condition score in place of the mapped condition score.

Applications in the Detailed Assessment Pathway must be accompanied by a site assessment report completed by an accredited native vegetation assessor. This includes a condition score of all patches to be removed determined by a habitat hectare assessment. Accredited assessors must be listed on DELWP's Vegetation Quality Assessment Competency Register and have current accreditation (less than two years old at the time the site assessment is completed).

4.3 Referral of applications

Under Clause 66 *Referral and Notice Provisions* of planning schemes, the following kinds of applications must be referred to the DELWP Secretary (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*):

- To remove, destroy or lop native vegetation if the extent to be cleared is 0.5 hectares or more. This extent includes the extent of other native vegetation that was permitted to be removed on the same property with the same ownership, in the five year period before an application to remove native vegetation is lodged.
- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway.
- To remove, destroy or lop native vegetation if a Property Vegetation Plan applies to the site.
- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.

4.4 Application requirements

Applications in the Basic Assessment Pathway and Intermediate Assessment Pathway must include the requirements listed in section 4.4.1. Applications in the Detailed Assessment Pathway must include the requirements listed in section 4.4.1 and 4.4.2. Reports generated by NVIM or EnSym include sufficient information to comply with some of the application requirements – refer to the applicants guide for more details.

4.4.1 All applications

All applications to remove native vegetation must include the information set out in Table 4 below.

A statement that steps were not taken to avoid and minimise impacts on the *biodiversity value* of native vegetation would be an acceptable avoid and minimisation statement for a Basic Assessment Pathway application. However, steps to avoid and minimise impacts on *other values* of native vegetation may be required.

Effort to avoid and minimise impacts should be commensurate with the value of the native vegetation and should be targeted to reduce the impacts on areas of native vegetation with greatest value.

Table 4: Application requirements for all applications for a permit to remove native vegetation

Number	Application requirement
1	The assessment pathway and location category of the application, including the reason for the location category.
2	The site address where the native vegetation is to be removed.
3	Maps or plans containing: <ul style="list-style-type: none"> • scale, north point and property boundaries • location of any patches of native vegetation and number of large trees within the patch proposed to be removed • location of scattered trees proposed to be removed.
4	Topographic and land information, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.
5	A description of the native vegetation to be removed, including: <ul style="list-style-type: none"> • whether the native vegetation is a patch or a scattered tree (or both) • the extent (in hectares) of all native vegetation to be removed • the number and circumference (in centimetres measured at 1.3 metres above ground level) of large trees within a patch • the number and circumference (in centimetres measured at 1.3 metres above ground level) of scattered trees • the strategic biodiversity value score • the condition score.
6	Recent photographs of the native vegetation to be removed and the date the photographs were taken.
7	Details of any other native vegetation that was permitted to be removed on the same property with the same ownership in the five year period before the application for a permit to remove native vegetation is lodged.
8	An avoid and minimisation statement explaining why the native vegetation removal cannot be avoided and how impacts on biodiversity and other values of native vegetation have been minimised. The statement should include, as appropriate: <ul style="list-style-type: none"> • A description of any strategic planning process the site has been subject to that has minimised impacts on biodiversity. • A description of how the design and location of the proposed use or development has minimised impacts on biodiversity. • A description of how the proposed use or development will be managed to minimise any offsite impacts on biodiversity.
9	A copy of any Property Vegetation Plan that applies to the site.
10	Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This requirement does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.
11	The offset requirement, determined in accordance with section 5, that will apply if the native vegetation is permitted to be removed.
12	An offset statement that explains how the offset will be secured. A suitable statement includes evidence that the required offsets: <ul style="list-style-type: none"> • are available to purchase from a third party • will be established at a new offset site, agreed to by a third party • can be met at a proposed first party offset site.

4.4.2 Additional requirements for applications in the Detailed Assessment Pathway

In addition to the requirements specified in section 4.4.1, an application in the Detailed Assessment Pathway must be accompanied by the information set out in Table 5 below.

Table 5: Additional application requirements for applications in the Detailed Assessment Pathway

Number	Application requirement
13	<p>A site assessment report of the native vegetation to be removed completed by an accredited native vegetation assessor. The report must include:</p> <ul style="list-style-type: none"> • A habitat hectare assessment of any patches of native vegetation, including the condition, extent (in hectares), EVC and bioregional conservation status. • The number, circumference (in centimetres measured at 1.3 metres above ground level) and species of scattered trees. • The number, circumference (in centimetres measured at 1.3 metres above ground level) and species of large trees within patches.
14	<p>Information about impacts on rare or threatened species habitat including:</p> <ul style="list-style-type: none"> • A list and maps of rare or threatened species requiring a specific offset and habitat importance scores for each of these species. • A list of all rare or threatened species mapped on the site, with their conservation status and the proportional impact on each species.

4.5 Decision guidelines

4.5.1 Decision guidelines for all applications

In addition to the decision guidelines at Clause 65, the responsible or referral authority must consider the following before deciding on an application:

- Impacts on other values of the native vegetation to be removed, including:
 - The role the native vegetation to be removed plays in land and water protection, including:
 - > protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway and in special water supply catchment areas listed in the *Catchment and Land Protection Act 1994*
 - > preventing land degradation, including soil erosion, salination, acidity, instability and water logging, particularly: where ground slopes are more than 20 per cent; on land which is subject to soil erosion or slippage; and in harsh environments, such as coastal or alpine areas
 - > preventing adverse effects on groundwater quality, particularly on land: where groundwater recharge to saline water tables occurs, that is in proximity to a discharge area or that is a known recharge area.
 - The role of the native vegetation in preserving identified landscape values.

– If the native vegetation is protected under the *Aboriginal Heritage Act 2006*.

- Whether reasonable steps have been taken to avoid and minimise impacts from the removal of native vegetation. Effort to avoid and minimise impacts should be commensurate with the value of the native vegetation and should be targeted to reduce the impact on areas of native vegetation with greatest value. Steps to avoid and minimise impacts are further described in section 4.6.1.
- Whether other bushfire risk mitigation measures have been used to minimise the removal of native vegetation, if the native vegetation removal is to create defensible space to reduce the risk of bushfire to life and property.
- Whether the proposed removal of native vegetation is in accordance with any Property Vegetation Plan that applies to the site.
- Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with section 5.

An applicant is not required to avoid or minimise impacts from the removal of native vegetation on biodiversity values in the Basic Assessment Pathway.



4.5.2 Decision guidelines for applications in the Intermediate Assessment Pathway

In addition to the decision guidelines at Clause 65, the responsible or referral authority must consider:

- The decision guidelines for all applications, described in section 4.5.1.
- Impacts on the biodiversity value of the native vegetation to be removed, as appropriate:
 - extent of native vegetation
 - the number and circumference of large trees
 - condition score
 - strategic biodiversity value score
 - whether the native vegetation to be removed is an endangered EVC
 - whether the native vegetation to be removed is within a sensitive wetland or coastal area.

4.5.3 Decision guidelines for applications in the Detailed Assessment Pathway

In addition to the decision guidelines at Clause 65, the responsible or referral authority must consider:

- The decision guidelines for all applications, described in section 4.5.1.
- The decision guidelines for Intermediate Assessment Pathway applications, described in section 4.5.2.
- Impacts on the biodiversity value of the native vegetation to be removed as habitat for rare or threatened species:
 - The number of rare or threatened species requiring a specific offset, the conservation status of these species, and if this requirement relates to the more important habitat for dispersed species.
 - The proportional impact on species habitat and the habitat importance score for rare or threatened species requiring a specific offset.
 - The number of rare or threatened species habitats impacted, without requiring specific offsets, including the proportional impact on these species habitat and their conservation status.



4.6 Assessment guidance

This section describes how an application for a permit to remove native vegetation should be assessed. The assessment includes consideration, in accordance with the relevant assessment pathway, of:

- the impacts on biodiversity and other values of native vegetation
- the steps taken to avoid and minimise impacts
- the proposed offset and whether it can be secured.

For some applications further consideration is given to:

- bushfire risk mitigation measures that reduce the need to remove native vegetation to create defensible space
- whether the proposed removal of native vegetation is in accordance with a Property Vegetation Plan.

A summary of how to assess an application for a permit to remove native vegetation in each assessment pathway is shown in Table 6. Further detail is provided in the *Assessment handbook - native vegetation clearing*.

4.6.1 Steps to avoid and minimise impacts

An applicant is not required to avoid or minimise impacts from the removal of native vegetation on biodiversity values in the Basic Assessment Pathway. However, reasonable steps to avoid and minimise impacts on other values of native vegetation may be required, if such values are present.

Reasonable steps to avoid and minimise impacts from the removal of native vegetation should have

regard to the value of native vegetation to be removed and the native vegetation to be retained. Areas of native vegetation to be retained should be able to maintain the same values in the future – that is, they should not be degraded over time by the proposed use or development.

Reasonable steps to avoid and minimise impacts from the removal of native vegetation can include:

- The site has been subject to a comprehensive regional or landscape scale strategic planning process, supported by DELWP, that minimised adverse impacts on biodiversity or other values from the removal of native vegetation.
- Opportunities have been taken to design and locate the proposed use or development to minimise the removal of native vegetation.
- Opportunities have been taken to manage the proposed use or development to minimise any offsite impacts on biodiversity or other values.

In considering whether reasonable steps have been undertaken, evidence may be provided by the applicant that any further action to avoid or minimise impacts on biodiversity value from the removal of native vegetation will:

- undermine the key objectives of the proposal, or
- materially increase the cost of the proposal.

If it is determined that the removal of native vegetation will have an unacceptable impact on biodiversity or other values of the native vegetation, further efforts to avoid or minimise impacts may be required.

Table 6: Summary of decision guidelines

Assessment considerations	Assessment pathway		
	Basic	Intermediate	Detailed
Assess impacts on the other values of the native vegetation: <ul style="list-style-type: none"> • What role does it play in protecting land and water, e.g. is it close to a waterway? Is it on steep land? • Has the vegetation been identified in the planning scheme as a landscape feature? • Is the vegetation protected under the <i>Aboriginal Heritage Act 2006</i>? Decide if reasonable steps have been taken to avoid and minimise impacts, as per section 4.6.1.	X	X	X
Assess impacts on biodiversity value (excluding habitat for rare or threatened species): <ul style="list-style-type: none"> • How much native vegetation is being removed? • What is the condition of the native vegetation? • What is the strategic biodiversity value score of the native vegetation? This represents the statewide strategic value of the native vegetation. • Are any large trees being removed? If yes, how many? • Is an endangered EVC affected by the proposed removal? • Is a sensitive wetland or coastal area affected by the proposed removal? Decide if reasonable steps have been taken to avoid and minimise impacts, as per section 4.6.1.		X	X
Assess impacts on habitat for rare or threatened species: <ul style="list-style-type: none"> • How many rare or threatened species will be affected? • What is the proportional impact on these species? • Is the species' habitat highly localised or dispersed? • How important is the native vegetation for these species? • What is the conservation status of these species? • Is the native vegetation known habitat for a rare or threatened species without a habitat importance model? Decide if reasonable steps have been taken to avoid and minimise impacts, as per section 4.6.1.			X

Table 6: Summary of decision guidelines (cont.)

Assessment considerations	Assessment pathway		
	Basic	Intermediate	Detailed
<p>Decide if the required general offset has been identified and can be secured:</p> <ul style="list-style-type: none"> • Has the correct number of general biodiversity units been identified? • Does the strategic biodiversity value score of the offset meet the requirement? If not does it meet the exchange criteria provided in section 5.1.3? • Is the offset in the right location (Catchment Management Authority or municipal district)? • Does the proposed removal include large trees? If yes, does the offset meet the large tree offset attribute requirement? <p>Decide if the proposed offset can be secured as set out in section 5.1.5.</p>	X	X	X
<p>Decide if the required specific offset has been identified and can be secured:</p> <ul style="list-style-type: none"> • Has a specific offset been identified for all species with a specific offset requirement? • Has the correct number of specific biodiversity units been identified for all species? <p>Decide if the proposed offset can be secured as set out in section 5.1.5.</p>			X
<p>If the application is not under a Bushfire Management Overlay and the proposed removal is to create defendable space, decide if other bushfire risk mitigation measures could be applied and if these would reduce the amount of vegetation proposed to be removed.</p>	When applicable		
<p>If the application includes a Property Vegetation Plan (PVP), decide if the removal is in accordance with the PVP. If so, offsets should be secured as stated in the PVP and the permit must be valid for 10 years.</p>	When applicable		



5. Native vegetation offsets

An offset to compensate for impacts on biodiversity from the removal of native vegetation is provided by an undertaking to protect and manage native vegetation. The protection and management activities improve the condition and security of the native vegetation at an offset site. This improvement increases the biodiversity value of the native vegetation at the site, and is called 'gain'. Section 5.2 explains gain in more detail.

The no net loss objective for permitted clearing requires that an offset be secured when native vegetation is permitted to be removed. The offset must deliver a gain in biodiversity value that is equivalent to the loss in biodiversity value from the removal of native vegetation.

There are two types of offsets that may be required:

- A **specific offset** is required when the removal of native vegetation has a significant impact on habitat for a rare or threatened species. Specific offsets must compensate for the removal of that particular species' habitat.

- A **general offset** is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species.

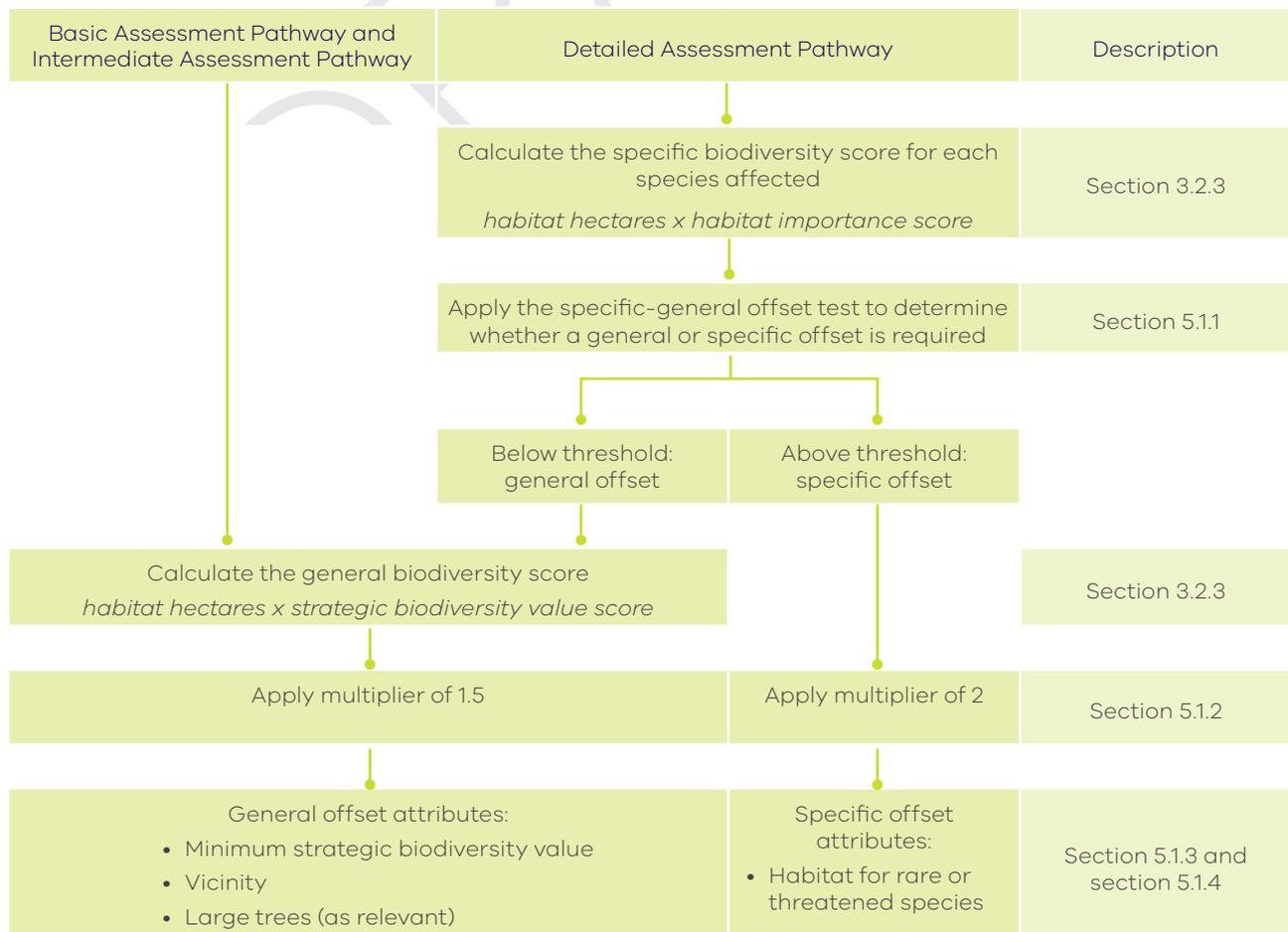
5.1 Determining offset requirements

There are three components to offset requirements:

1. the type of offset that must be secured (specific or general)
2. the amount of gain required to offset the removal of native vegetation (measured in biodiversity units)
3. the required attributes of the native vegetation located on the offset site.

The process to determine offset requirements for the proposed removal of native vegetation is summarised in Figure 2. Offset requirements are determined by NVIM or EnSym using data provided by applicants.

Figure 2. Process for determining offset requirements



5.1.1 Type of offset that must be secured

The specific-general offset test is done to determine if a specific or general offset is required. The specific-general offset test measures the proportional impact on a species habitat if the removal of native vegetation is permitted.

The specific-general offset test is done for each relevant species based on the habitat importance maps described in section 3.2.2, as follows:

1. Calculate the specific biodiversity score for each rare or threatened species habitat¹⁴.
2. Divide this by the sum of the specific biodiversity scores across the mapped habitat for that species. This gives the proportion of the habitat for the species that is to be removed.
3. When this result is above the specific offset threshold a specific offset is required for that species.

A specific offset is required for a rare or threatened species when:



A general offset is required for areas of native vegetation removal that don't require a specific offset.

Multiple species

Native vegetation can provide habitat for multiple rare or threatened species. The specific-general offset test is done for each rare or threatened species that the native vegetation is habitat for. When a specific offset is required for multiple species, the offset(s) secured must satisfy the specific offset requirements for each of these species.

5.1.2 Amount of gain required to offset the removal of native vegetation

To ensure no net loss from permitted clearing the amount of gain required to offset the removal of native vegetation (the biodiversity units required) is determined using the biodiversity score and a multiplier. Applying the precautionary principle, a multiplier is used to balance the risk of net loss due to some of the predicted gain not being realised at the offset site. It also considers that the impact (or loss) is immediate while the gain is expected to be realised at a time in the future once security and management actions have resulted in improved vegetation condition.

A multiplier of 1.5 is applied to all general offsets.

A multiplier of 2 is applied to all specific offsets. A higher multiplier is applied to specific offsets to account for the greater loss in biodiversity value (where there is a significant impact to rare or threatened species), and the increased risk to biodiversity if the gains are not achieved.

The formulas to calculate the biodiversity score and determine the amount of gain (expressed in biodiversity units) that is required to offset the removal of native vegetation are summarised below.

To calculate the biodiversity score of the native vegetation to be removed:

$$\text{General biodiversity score} = \text{habitat hectares} \times \text{strategic biodiversity value score}^{15}$$

$$\text{Specific biodiversity score} = \text{habitat hectares} \times \text{habitat importance score}^{15}$$

To calculate the amount of gain (expressed in biodiversity units) that is required to offset the removal of native vegetation:

$$\text{General biodiversity units required} = \text{general biodiversity score} \times 1.5$$

$$\text{Specific biodiversity units required} = \text{specific biodiversity score} \times 2$$

¹⁴ Any other native vegetation that was permitted to be removed on the same property with the same ownership, in the five year period before an application to remove native vegetation is lodged is included when applying the specific-general offset test.

¹⁵ The landscape scores (strategic biodiversity value and habitat importance) are weighted to have half the influence of site-based information (habitat hectares) within the formula to calculate the biodiversity score.

5.1.3 General offset attributes

General offsets are required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. The following offset attributes are required to maintain higher strategic biodiversity values within catchment regions.

Vicinity

The offset must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed. This maintains a link between the location of the offset and the site of the native vegetation to be removed.

Minimum strategic biodiversity value score

The strategic biodiversity value score of the offset site must be at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This ensures offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.

Large trees

Large trees are frequently the oldest component within an ecological system and cannot be replaced. An additional large tree offset attribute is required to ensure the protection of large trees in the landscape when their removal is permitted at a clearing site.

When an application includes the removal of large trees the offset secured must include protection of at least one large tree for every large tree to be removed. This requirement is in addition to the number of general biodiversity units required and the vicinity and minimum strategic biodiversity value score requirements. If the proposed offset site does not contain the required number of large trees additional trees can be secured. These trees must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed. However, the minimum strategic biodiversity value score requirement does not apply.

Offset attribute exchange

It is acknowledged that in some circumstances areas with biodiversity value are represented in fragmented or poorly connected landscapes that may have lower strategic biodiversity value scores.

The minimum strategic biodiversity value score of the offset site may be reduced by a maximum of 10 per cent (i.e. to no less than 70 per cent of the strategic biodiversity value score of the native vegetation to be removed) if the offset secured includes protection of any (or all) of the following:

- Ten per cent more general biodiversity units than is required.
- At least two large trees for every large tree to be removed.

5.1.4 Specific offset attributes

Habitat for species

Specific offsets are required when the removal of native vegetation has a significant impact on habitat for a rare or threatened species. The offset must provide habitat for all species that require a specific offset. The location of habitat is determined by the *habitat importance map* for that species. This requirement is to ensure offsets are located in areas that provide habitat for the species impacted by the removal of native vegetation.

If specific offsets are required for multiple species, an offset, or multiple offsets, must provide habitat for each species. It is acceptable for one offset site to be used to secure all specific offset requirements contained in a single permit. An area of native vegetation can provide habitat for multiple species.

Attributes for vicinity and strategic biodiversity value are not applicable to specific offsets.

Large trees

When an application includes the removal of large trees the offset secured must include protection of at least one large tree for every large tree to be removed. This requirement is in addition to the number of specific biodiversity units required. If the proposed offset site does not contain the required number of large trees additional trees can be secured.

General and specific offset requirements are summarised in Table 7.

Table 7: Summary of offset requirements

Offset requirements		General offsets	Specific offsets
Biodiversity score		Habitat hectares x strategic biodiversity value score	Habitat hectares x habitat importance score
Multiplier		General biodiversity score x 1.5	Specific biodiversity score x 2
Offset attributes	Vicinity	In the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed	No restriction
	Strategic biodiversity value	At least 80% of the strategic biodiversity value score of native vegetation to be removed	No restriction
	Large trees	The offset secured must include protection of at least 1 large tree for every large tree to be removed	The offset secured must include protection of at least 1 large tree for every large tree to be removed
	Habitat for species	No restrictions	Suitable habitat for each rare or threatened species for which a specific offset is required
Offset attribute exchange		<p>The minimum strategic biodiversity value score of the offset site may be reduced by 10% (to at least 70% of the score of the clearing site) if the offset secured includes protection of at least one of the following:</p> <ul style="list-style-type: none"> • 10% more general biodiversity units • At least 2 large trees for every large tree to be removed 	Alternative arrangements for specific offsets are available in limited and exceptional circumstances when offset requirements for major strategic projects with complex requirements cannot be secured. These must be approved by the DELWP Secretary, see section 6.2



5.1.5 Timing for securing an offset

An offset must be secured before the native vegetation is removed, to the satisfaction of the responsible or referral authority. The condition on the permit to remove native vegetation must specify this requirement. Standard conditions are provided in the *Assessment handbook - native vegetation clearing*.

A secured offset must be either:

- A signed security agreement for a new offset site that includes a management plan to the satisfaction of the responsible authority (and referral authority when relevant).
- Evidence of a secured third party offset, such as an allocated credit extract from the native vegetation credit register.

5.2 Gain

5.2.1 What is gain?

Gain is the predicted improvement in biodiversity value of native vegetation at a site due to active management and increased security of the native vegetation.

Gain is generated by landowners agreeing to:

- increase the protection of native vegetation on their land
- forgo allowable land uses that would result in a decline in the condition of native vegetation if they continued
- manage the site to maintain and improve the current condition of native vegetation on a specific site.

5.2.2 How can gain be generated?

For an offset site to deliver gain, it must be secured in perpetuity and management commitments done to maintain and improve the condition of native vegetation. Gain can only be generated by management commitments that are in addition to existing obligations under legislation, existing agreements or contracts. This is referred to as additionality.

Gain can be generated with one of, or a combination of, existing native vegetation and revegetation.

Existing native vegetation

Improving existing native vegetation by increasing management and providing appropriate security arrangements to generate a gain.

Revegetation

Revegetation of a site with ongoing management and protection using an appropriate security arrangement to generate a gain. Eligible revegetation offsets must be carried out according to DELWP's revegetation standards. These standards outline site suitability criteria and the actions and outcomes required to achieve the offset.

General offsets may be generated through revegetation of a site, in accordance with the *Native vegetation gain scoring manual*.

Revegetation must:

- be at least 1 hectare in size
- have an average width of at least 20 metres
- have a perimeter to area ratio of 1:20. Perimeter to area ratio can be calculated by dividing the area (metres²) by the perimeter (metres).

5.2.3 How is gain measured?

Gain is determined by combining site-based and landscape scale information to get an overall measure of predicted improvement in a site's biodiversity value. Landscape scale information (*the strategic biodiversity value map and habitat importance maps*) is used to determine the relative importance of a site in terms of its biodiversity value. Sites that have higher landscape values should generate more gain.

Gain is measured in biodiversity units. The loss in biodiversity value from the removal of native vegetation at a clearing site is also measured in biodiversity units. This enables a comparison and trading of losses and gains to achieve the no net loss objective.

The process of calculating the gain an offset site can generate is called gain scoring. Details on how to calculate gain are set out in the *Native vegetation gain scoring manual*.



5.3 Offset site eligibility

A native vegetation offset can be:

- First party offset – on the same property as the proposed removal of native vegetation, or on another property owned by the same person as the person who requires the offset.
- Third party offset – on another person’s property.

A site must comply with the following criteria to be eligible as an offset site. Refer to the *Native vegetation gain scoring manual* for more details.

- Current and future land use(s) must be compatible with managing the native vegetation for conservation.
- The site is not already being used to offset other clearance of native vegetation or species habitat required under Victorian or federal legislation, i.e. it is not an existing offset site.
- The site is not subject to a current agreement under an incentive or grant program.
- The landowner can control significant threats to the condition of the native vegetation.

5.3.1 Security requirements

The offset site must provide permanent gain, and therefore be secured in perpetuity. Security is achieved by one, or a combination, of the following:

- Enter into a security agreement with a relevant statutory body that meets the following security standards:
 - contains a legally enforceable provision
 - has no termination date
 - is registered on title.
- Transferring freehold land to a Crown land conservation reserve.
- Implement security measures included in the *Crown land offset policy*.

6. Alternative and transitional arrangements

6.1 Use of site-based information to supplement mapped information

Site-based information may be used to supplement the *habitat importance map* for a species in certain circumstances, with the approval of the DELWP Secretary. All applications supported by a site assessment must be completed by an accredited site assessor. Details are included in the *Assessment handbook – native vegetation clearing*. The circumstances where this applies include:

- Removing specific offset requirements from clearing sites when it is clearly demonstrated that the vegetation cannot be habitat for that species.
- Providing for the consideration of rare or threatened species that have been observed on site when a habitat importance model has not been developed. This allows for consideration of this information where it is presented or is available but cannot be used to impose additional requirements on applicants.
- Adding specific credits to offset sites when it is clearly demonstrated that the vegetation is habitat for that species.
- Verifying that native vegetation at offset sites is suitable habitat for the species listed. This applies for third party offset sites that are to be registered on the Native Vegetation Credit Register.

6.2 Alternative arrangements for specific offset requirements

Specific offsets are required to compensate for the removal of native vegetation when there is a significant impact on a rare or threatened species. An inability to secure a specific offset may indicate that the proposed action will have an unacceptable impact on habitat for that species and a responsible authority may decide not to grant the permit. As a first priority, further steps to avoid or minimise impacts should be considered.

An alternative arrangement when specific offsets cannot be sourced is available in limited and exceptional circumstances when offset requirements for major strategic projects with complex requirements cannot be secured.

An alternative arrangement for specific offsets must ensure adequate (albeit alternative) compensation for biodiversity and transparent decision making.

An alternative arrangement can only be enacted by agreement with the DELWP Secretary. Further details are included in the *Assessment handbook – native vegetation clearing*.

6.3 Offsets for native forest timber harvesting

Listed applications for native forest timber harvesting that include an approved PVP and demonstrate compliance with specified steps to avoid and minimise impacts to biodiversity are eligible to meet all offset requirements via regeneration to the specified standard. Any timber harvesting proposal that does not include a PVP must comply fully with these Assessment guidelines. Listed applications are:

- Clear fall harvesting with a coupe size of 20 hectares or less.
- Retention harvesting with a coupe size of 40 hectares or less.
- Selective harvesting or thinning with a coupe size of 120 hectares or less.

The PVP, as defined in Clause 72 of planning schemes, can also act as a Timber Harvesting Plan under the *Code of Practice for Timber Production 2014*¹⁶ and must be developed using the Timber harvesting PVP template available on the DELWP website.

Coupe is the name given to an area of forest of variable size, shape and orientation from which timber is harvested in one operation. Coupe size is measured as the net harvested area of the coupe i.e. it does not include the area excluded from harvesting.

6.4 Transitional arrangements

Transitional arrangements have been included in Clauses 52.16 and 52.17 to clarify circumstances where the new regulations do not apply. The transitional arrangements, which preserve the regulations that were in place immediately before the changes made by Amendment VC [INSERT NUMBER], are available to applications lodged with council but not decided before [INSERT DATE].

¹⁶ The Code is an incorporated document under Clause 52.18 of planning schemes. References to the Code apply to its successors.

Glossary

Accredited native vegetation assessor

A native vegetation assessor listed on DELWP's Vegetation Quality Assessment Competency Register. An accredited native vegetation assessor must have current accreditation (less than two years old at the time the site assessment is completed).

Avoid

A use or development has successfully avoided the removal, destruction or lopping of native vegetation when there are no impacts on biodiversity or other values.

Biodiversity value of native vegetation

Extent of native vegetation, large trees, vegetation condition, strategic landscape value, habitat for rare or threatened species, endangered EVCs and sensitive wetlands and coastal areas. See 'other values of native vegetation'.

Bioregion

A landscape scale approach to classifying the environment using a range of attributes such as climate, geomorphology, geology, soils and vegetation. There are 28 bioregions identified within Victoria.

Canopy tree

A mature tree that is greater than 3 metres in height and is normally found in the upper layer of the relevant vegetation type.

Circumference

Circumference of the main trunk of a tree measured over bark at 1.3 metres above ground level, measured in centimetres. Tree circumference = DBH x pi.

Condition score

Describes how close native vegetation is to its mature natural state. Equivalent to the 'Habitat score' described in the *Vegetation Quality Assessment Manual* (or its successor).

Credit

Gain in biodiversity value of native vegetation at a site that is registered on the native vegetation credit register. Native vegetation credits are offered for sale to parties who are required to offset the removal of native vegetation.

Credit register

A state-wide register of native vegetation credits that meet minimum standards for security and management of sites. The register is administered by the Department of Environment, Land, Water and Planning, and records the creation, trade and allocation of credits to meet specific offset requirements.

Diameter at Breast Height over bark (DBH)

The diameter of the main trunk of a tree measured over bark at 1.3 metres above ground level.

Dispersed habitat

Habitat for a rare or threatened species whose habitat is spread over a relatively broad geographic area.

Ecological Vegetation Class (EVC)

A native vegetation type classified on the basis of a combination of its floristic, life form, environmental and ecological characteristics. An EVC has a Bioregional Conservation Status of endangered, vulnerable, depleted, least concern or rare.

Extent

The area of land covered by a patch and/or a scattered tree, measured in hectares.

Foliage cover

Proportion of the ground that is shaded by vegetation foliage when lit from directly above.

Gain

Gain is the predicted improvement in biodiversity value of native vegetation at a site due to active management and increased security of the native vegetation. Gain is measured with biodiversity units.

General biodiversity score

A measure of the overall biodiversity value of native vegetation.

General offset

An offset that is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species.

Habitat hectare assessment

A site assessment of native vegetation to determine its condition score. The assessment must be completed by an accredited native vegetation assessor following methodology described in the *Vegetation Quality Assessment Manual*.

Habitat hectares

A site-based metric that is calculated by multiplying the extent of native vegetation by the condition score of the vegetation. Habitat hectares = extent x condition score.

Habitat importance score

A measure of the importance of a location in the landscape as habitat for a particular rare or threatened species in relation to other suitable habitat for that species. The habitat importance map for a rare or threatened species shows the habitat importance scores across its habitat.

Highly localised habitat

Habitat for rare or threatened species whose habitat is spread over a very restricted area (i.e. less than 2,000 ha). This can also be applied to a similarly limited sub-habitat that is more important for a wide-ranging rare or threatened species.

Large tree

A native canopy tree with a Diameter at Breast Height (DBH) greater than or equal to the Large Tree benchmark for the local EVC. A large tree can be either a large scattered tree or a large canopy tree contained within a patch.

Local Planning Policy Framework

Framework outlining a Municipal Strategic Statement and the Local Planning Policies that apply to the local government area.

Location category

There are three location categories that indicate potential risk to biodiversity from removing native vegetation. These locations are shown in the *location map* as Location 3, Location 2 and Location 1.

The location category of the native vegetation is determined from the mapped extent of the native vegetation to be removed, not the property boundary. The higher category is used if the native vegetation to be removed includes more than one location category.

Loss

Loss in the biodiversity when native vegetation is fully or partially removed, as measured in biodiversity scores or units.

Mapped wetland

A mapped wetland is any wetland included in the *current wetlands* layer in Biodiversity Interactive Map (BIM). A mapped wetland may be excluded from consideration if it is covered by a hardened, man-made surface, for example, a roadway.

If covered by any vegetation including crops, or bare soil, a mapped wetland is treated as a patch.

Minimise

Locating, designing or managing a use or development to reduce the impacts on biodiversity and other values from the removal of native vegetation.

Native vegetation

Native vegetation is defined in the Victoria Planning Provisions as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'.

NVIM

Native vegetation information management system <https://nvim.delwp.vic.gov.au/Map>

No net loss

An outcome where the gain in biodiversity value (the offset) is equivalent to the loss in biodiversity value from the removal of native vegetation.

Offset

An undertaking to protect and manage native vegetation to compensate for impacts on biodiversity from the removal of native vegetation, generating a 'gain'. See General offset and Specific offset.

Other values of native vegetation

Land or water protection, identified landscape values and native vegetation protected under the *Aboriginal Heritage Act 2006*. See 'biodiversity value of native vegetation'.

Perennial

A plant that lives for more than two years. Perennials include species that are always visible e.g. shrubs and trees, but also include species that are not always visible above ground.

Permit

A legal document that gives permission for a use or development on a particular piece of land.

Planning provisions

See Victoria Planning Provisions.

Planning scheme

Policies and provisions for the use, development and protection of land in a local government area.

Planning system

Victoria's land-use planning system that includes the Victoria Planning Provisions and each local government's planning scheme.

Property

Land under common occupation particularly for the purpose of rating, billing or habitation. Property is typically described by street addresses or a rate assessment number. A property can consist of one parcel, many parcels, or part of a parcel, where a parcel is the smallest unit of land able to be transferred within Victoria's cadastral system.

Rare or threatened species

A species that is listed in:

- DEPI's Advisory List of Rare or Threatened Plants in Victoria as 'endangered', 'vulnerable', or 'rare', but does not include the 'poorly known' category
- DEPI's Advisory List of Threatened Vertebrate Fauna in Victoria as 'critically endangered', 'endangered' or 'vulnerable', but does not include 'near threatened' or 'data deficient' categories
- DEPI's Advisory List of Threatened Invertebrate Fauna in Victoria as 'critically endangered', 'endangered' or 'vulnerable', but does not include 'near threatened' or 'data deficient' categories.

Referral authority

An authority that a permit application is referred to for decision under Section 55 of the *Planning and Environment Act 1987*. All referral requirements are specified in Clause 66 of planning schemes.

Responsible authority

The authority charged with the responsibility for administering and enforcing particular aspects of a planning scheme.

Sensitive wetlands and coastal areas

Wetlands designated under the Convention on Wetlands of International Importance (the Ramsar Convention); wetlands listed in the Directory of Important Wetlands of Australia; and internationally important sites for Migratory Shorebirds of the East Asian-Australasian Flyway. These locations are shown in the *location map* as Location 2.

Site

An area of land that contains contiguous patches of native vegetation or scattered trees, within the same ownership.

Specific biodiversity score

Measures the biodiversity value of native vegetation at a site for a particular species. This score is calculated for each rare or threatened species that the site provides habitat for.

Specific offset

An offset that is required when the removal of native vegetation has a significant impact on habitat for a rare or threatened species. Specific offsets must compensate for the removal of that particular species' habitat.

Specific-general offset test

A test used to determine whether a general or specific offset is required based on the impact of native vegetation removal on the habitat for rare or threatened species.

State Planning Policy Framework

A collection of clauses in the Victoria Planning Provisions that inform planning authorities and responsible or referral authorities of those aspects of state planning policy which they are to take into account and give effect to in planning and administering their respective areas.

Strategic biodiversity value score

A rank of a location's complementary contribution to Victoria's biodiversity, relative to other locations across the state. The strategic biodiversity value score of native vegetation is shown in the *strategic biodiversity value map*.

Victoria Planning Provisions

A list of planning provisions that provides a standard template for individual planning schemes.

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