

# Monitoring, evaluation and reporting plan

Removal, destruction or lopping of native vegetation



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# Contents

<b>1</b>	<b>Introduction.....</b>	<b>2</b>
<b>2</b>	<b>Strategy and planning.....</b>	<b>4</b>
	2.1 Native vegetation and Victoria’s planning system .....	4
	2.2 Key evaluation questions .....	4
<b>3</b>	<b>Implementation and monitoring.....</b>	<b>5</b>
	3.1 Implementation of regulations .....	5
	3.2 Monitoring of regulatory performance .....	5
<b>4</b>	<b>Evaluation and reporting .....</b>	<b>7</b>
	4.1 Annual report .....	7
	4.2 3 yearly report.....	7
	4.3 6 yearly report.....	7

# 1 Introduction

Native vegetation provides a valuable contribution to Victoria’s biodiversity, land and water protection and landscape values and plays a role in Aboriginal culture. Managing native vegetation effectively and sustainably is important.

Impacts from the removal of native vegetation are considered principally through Clause 52.16 *Native vegetation precinct plan* and Clause 52.17 *Native vegetation* of the Victoria Planning Provisions. The clauses are supported by the *Guidelines for the removal, destruction or lopping of native vegetation* (Guidelines) that are incorporated in all planning schemes at Clause 72.04.

For the purpose of the MER plan, the term ‘remove native vegetation’ includes to destroy and/or to lop native vegetation.

The *Monitoring, Evaluation and Reporting Framework* (MER Framework) (DSE 2012) aims to improve the capacity of the Victorian Natural Resource Management (NRM) sector to communicate the outcomes of programs and policy that contribute to the management of Victoria’s land, water and biodiversity.

The MER Framework identifies an adaptive management cycle which includes three key components: strategy and planning, implementation and monitoring and evaluation and reporting. Figure 1 demonstrates the adaptive management cycle.

The Biodiversity2037 Monitoring, Evaluation and Reporting Framework (DELWP, 2018) describes how regulatory reporting (the subject of this plan) contributes to broader reporting on Biodiversity 2037 and ‘state of’ reports.

Reporting on the implementation of the native vegetation removal regulations will contribute information for reporting on net gain in the overall extent and condition of habitats.

Figure 1. Adaptive management cycle – MER Framework

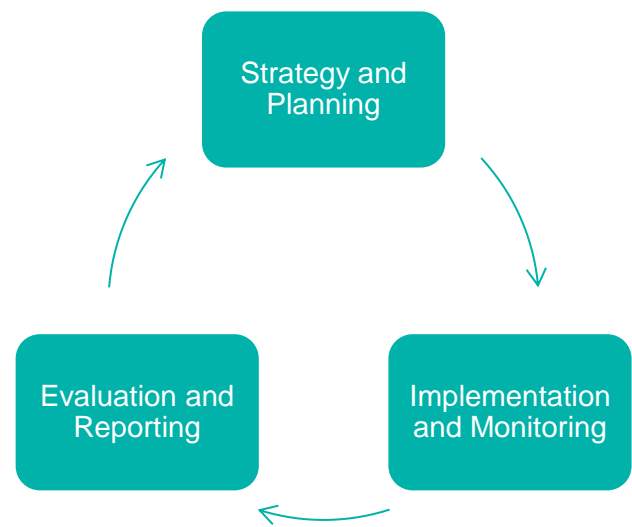
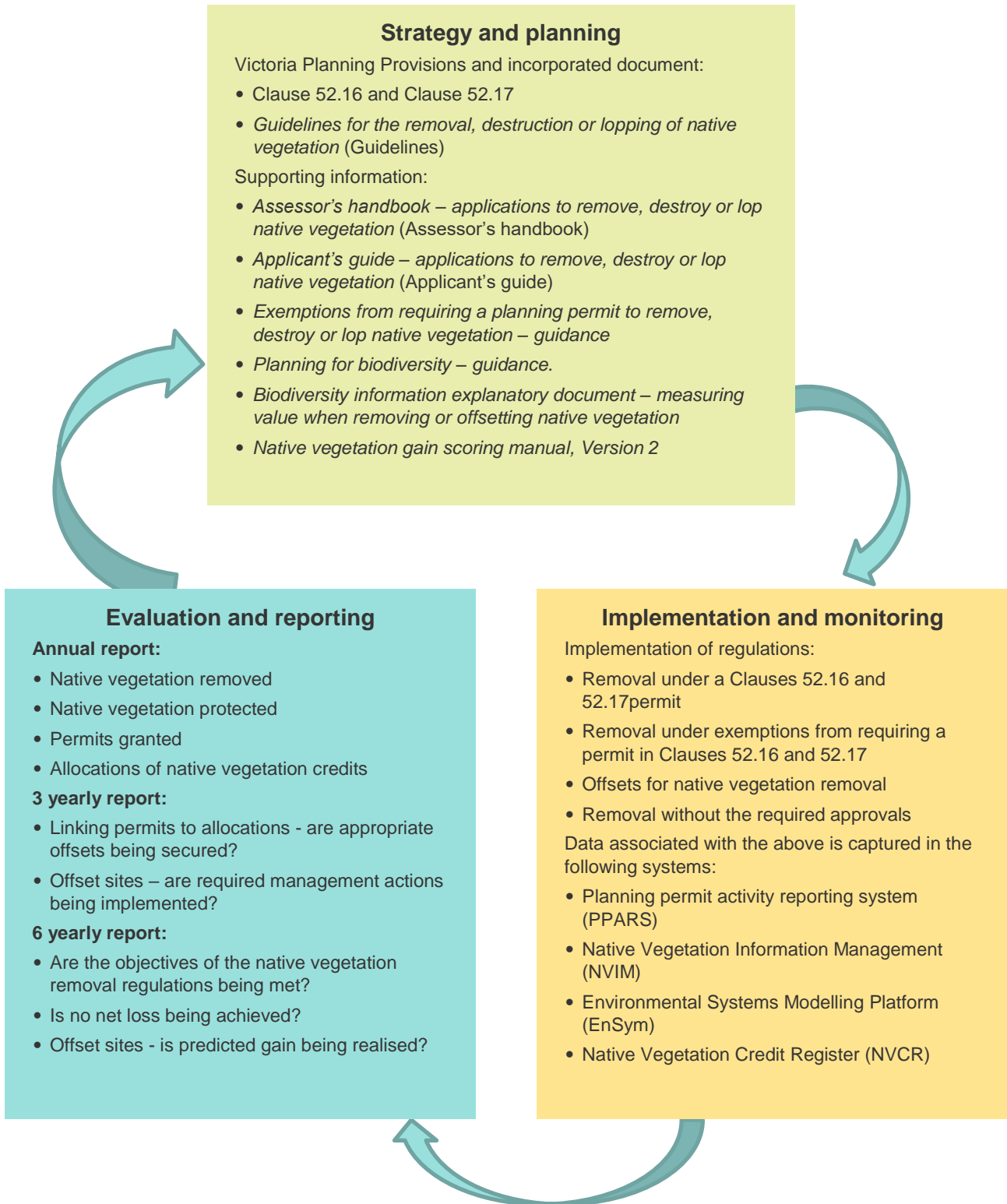


Figure 2. Regulatory components showing what will be monitored and reported



## 2 Strategy and planning

### 2.1 Native vegetation and Victoria's planning system

The Victorian planning system has a variety of policies and provisions for the management and protection of native vegetation.

The Planning Policy Framework (PPF) outlines Victoria's policy objectives and strategies relating to the protection and management of native vegetation.

Clause 12.01-1S *Protection of biodiversity* provides specific direction regarding the protection and conservation of Victoria's biodiversity. Clause 12.01-2S *Native vegetation management* has an objective to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved through the following three-step approach, in accordance with the Guidelines:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

The requirement for a planning permit to remove native vegetation is detailed in the following two Particular Provisions.

- Clause 52.16 *Native vegetation precinct plan*
- Clause 52.17 *Native vegetation*.

These clauses reference the *Guidelines for the removal, destruction or lopping of native vegetation* (Guidelines), an incorporated document at Clause 72.04 of all planning schemes in Victoria. Planning and responsible authorities must consider the Guidelines when deciding whether to approve an application to remove native vegetation.

A range of additional information and documents support the implementation of the Guidelines, including:

- *Assessor's handbook – applications to remove, destroy or lop native vegetation (Assessor's handbook)* that assists decision makers assess an application to remove native vegetation.
- *Applicant's guide – applications to remove, destroy or lop native vegetation (Applicant's guide)* that helps applicants prepare an application to remove native vegetation.

- *Exemptions from requiring a planning permit to remove, destroy or lop native vegetation - guidance.*
- *Planning for biodiversity – guidance.*
- *Biodiversity information explanatory document – measuring value when removing or offsetting native vegetation* that describes the Department of Environment, Land, Water and Planning (DELWP) systems, tools and maps referenced in the Guidelines.
- *Native vegetation gain scoring manual, Version 2* that describes how gain is calculated, and specifies minimum management commitments and standards for an offset site.
- DELWP systems, tools and maps that support the implementation of the Guidelines.

### 2.2 Key evaluation questions

The MER plan will focus on three main areas to determine if the objective of no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation is achieved by the native vegetation removal regulations:

1. Annual report: Day to day functioning of the regulatory system – permit numbers, extent of native vegetation approved to be removed, extent of native vegetation protected at offset sites.
2. 3 yearly report: Are the systems and tools that support the regulations (NVIM, EnSym, NVCR) allowing the regulations to be applied in an efficient and effective way? are appropriate offsets being secured?
3. 6 yearly report: How well is the regulatory system working? Are the regulations sensibly protecting sensitive vegetation? Is the offset market functioning correctly?

## 3 Implementation and monitoring

### 3.1 Implementation of regulations

Local government authorities are responsible for implementing the native vegetation removal regulations. They receive planning permit applications and make decisions on whether an application to remove, destroy or lop native vegetation should be approved. DELWP is a recommending referral authority for the native vegetation removal regulations and provides recommendations to the local government authority when a planning permit application is referred to DELWP under Clause 66 of the local planning scheme.

#### 3.1.1 Removal under a Clause 52.16 or Clause 52.17 permit

In Victoria, a planning permit is required to remove, destroy or lop native vegetation. An application for a permit to remove native vegetation under Clause 52.16 or Clause 52.17 must be submitted to the responsible authority for approval.

Details relating to the approved removal of vegetation, biodiversity impacts and associated offset requirements are recorded and tracked through systems and databases described in section 3.2.

#### 3.1.2 Removal under an exemption to Clause 52.16 or Clause 52.17

In certain circumstances the removal of native vegetation is exempt from requiring a planning permit. Activities that do not require a permit to remove, destroy or lop native vegetation are specified in *Table of exemptions* at Clause 52.17-7 and Clause 52.16-8 of the planning schemes.

Unless otherwise specified, information relating to the removal of native vegetation under an exemption is not required to be submitted to the responsible or referral authority.

Some activities are exempt from requiring a planning permit provided the removal of native vegetation is in accordance with an approved procedure or other approved process, with the written agreement of the DELWP Secretary. These procedures usually require reporting on the removal of native vegetation.

The collection of known data can provide valuable information about the amount of native vegetation that is removed under exemptions in Victoria on an annual basis. Table 1 lists the exemptions for which data will be collected.

Table 1. Native vegetation removal data collection under exemptions

Exemption	Mechanism requiring the recording of native vegetation removal
Crown land	Procedure for the removal, destruction, or lopping on Crown land.
Geothermal energy exploration and extraction	Work authority approval under the MRSD Act.
Mineral exploration and extraction	Work authority approval under the MRSD Act (extraction only).
Railways	Exemption procedure.
Road safety	Exemption procedure.
Stone extraction	Work authority approval under the MRSD Act.
Utility installations	Exemption procedure.

#### 3.1.3 Native vegetation offsets for approved removal

A native vegetation offset must be secured when an application to remove native vegetation under Clause 52.16 or Clause 52.17 is approved.

Information about native vegetation credit sites is recorded and tracked in the systems and databases described in section 3.2. Councils are encouraged to record all offsets sites established under section 173 of the *Planning and Environment Act* in the Native Vegetation Offset Register.

#### 3.1.4 Removal without required authorisations

Removal without required authorisations is the removal of native vegetation that is not approved and is not exempt.

The extent of removal without required authorisations is generally unknown. However, where it is known and reported by the responsible authority it will be included in annual reporting.

### 3.2 Monitoring of regulatory performance

DELWP will monitor the implementation of the regulations with input from local council and other stakeholders. Adequate monitoring involves the collection of data on all aspects of the regulatory system.

### 3.2.1 Quantitative data

Information about the implementation of the regulations is recorded and tracked in the systems and databases described below.

#### ***Planning permit activity reporting system (PPARS)***

Planning permit activity reporting system (PPARS) is an online system that supports the electronic collection of permit activity by responsible authorities. PPARS is designed to capture general permit application information such as application type, property address, applicant details, proposed activity and whether the application was approved. The system includes a tick box field when the permit included the removal of native vegetation.

#### ***Native Vegetation Information Management (NVIM) and Environmental Systems Modelling Platform (EnSym)***

The Native Vegetation Information Management (NVIM) system and Environmental Systems Modelling Platform (EnSym) system are tools used to determine biodiversity value of native vegetation at a removal or offset site.

NVIM and EnSym are used to generate a *Native vegetation removal report* that includes offset requirements for an application to remove native vegetation. They are also used to generate a *Native vegetation offset report* that shows habitat units protected at an offset site.

#### ***Native Vegetation Offset Register***

The Native Vegetation Offset Register (NVOR) is a statewide register administered by DELWP that records information about existing and potential offset sites, including first party and Crown land offset sites. It includes the Native Vegetation Credit Register (NVCR) that regulates the establishment, sale and ownership of credits that are currently available for third party offset trading. All third party and Crown land offset sites must be recorded in the NVOR and first party offset sites are encouraged to be recorded.

#### ***Collation of quantitative data***

Data from these systems will be linked and analysed for reporting on the extent of native vegetation removal and protection.

### 3.2.2 Qualitative data

Qualitative data about the functioning of the regulations, stakeholder experience and the performance of available regulatory support systems will be determined through the following:

- A survey of key stakeholders to assess whether:
  - the regulations allow decision making to sensibly protect sensitive vegetation
  - DELWP systems and tools and associated support systems are functioning correctly, are helpful and effective.
- Monitoring emails sent to the native vegetation support and offset teams to assess what is or is not working, frequently asked questions, whether responses are timely, helpful and consistent.



## 4 Evaluation and reporting

Evaluation and reporting involves communicating how the native vegetation removal regulations are meeting their stated objective as well as using results of this analysis to inform future decisions. Activity reporting will be undertaken annually, more detailed reporting every three years and comprehensive evaluation and reporting undertaken every six years.

### 4.1 Annual report

To be released annually (financial cycle).

To include the following information:

- Number of permits and other approvals to remove native vegetation, and the corresponding extent of native vegetation removed
- Extent of native vegetation removed under an exemption requiring compliance with a procedure
- New native vegetation credit sites established and the extent of native vegetation protected by these
- Number of credit allocations to offset native vegetation removal

### 4.2 3 yearly report

To include all information in the annual report and the following additional information:

- Linking credit allocations to permits to determine if required offsets been secured in these cases
- The extent that offset site management actions are being implemented
- Measuring regulatory effectiveness to check DELWP systems and tools and associated support systems are functioning correctly, helpful and effective.

### 4.3 6 yearly report

To include all information in the annual and 3 yearly report as well as an assessment of the objective of the native vegetation removal regulations:

- Are decisions on the removal of native vegetation made in accordance with the Guidelines
- Do offset sites comply with management actions and deliver predicted gains.

