

Preparing a Native Vegetation Precinct Plan



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1 Introduction

This document provides guidance for the preparation of a Native Vegetation Precinct Plan (NVPP), including:

- when to use an NVPP
- the content of an NVPP
- how to implement an NVPP.

Native vegetation means plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses as defined in Clause 72 of planning schemes.

The following documents explain how native vegetation is considered in the planning system in Victoria:

- *Guidelines for the removal, destruction or lopping of native vegetation* (Guidelines)
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Assessor's handbook)
- *Applicant's guide - applications to remove, destroy or lop native vegetation* (Applicant's guide)
- *Biodiversity information explanatory document – measuring value when removing or offsetting native vegetation*

All documents are available at on the [DELWP website](#).

Guidelines for the removal, destruction or lopping of native vegetation (Guidelines) set out and describe the application of Victoria's statewide policy in relation to assessing and compensating for the removal of native vegetation.

A key strategy for the protection and management of native vegetation is the application of 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 removal, destruction or lopping of native vegetation.

The methods and approaches outlined in the Guidelines should be used to guide and inform protection of areas with biodiversity and other values during the strategic planning stage. Considering how native vegetation will be protected and managed through strategic planning:

- identifies areas of higher value native vegetation at a landscape scale,
- enables indirect and cumulative impacts of use or development on native vegetation to be understood and addressed
- provides the best opportunity to avoid and minimise impacts on native vegetation by directing use and development away from higher value areas
- minimises unnecessary or complex regulation by establishing clear expectations for where use and development can occur, and/or by coordinating approvals and offsets.

2 Native Vegetation Precinct Plans

2.1 What is a Native Vegetation Precinct Plan?

An NVPP provides for the strategic management of native vegetation for a defined area or precinct. It is established via a planning scheme amendment to incorporate the NVPP and list it in the schedule to Clause 52.16.

An NVPP identifies the native vegetation that can be removed and the vegetation to be protected, based on the conservation significance and land protection role of the vegetation, the identified values of vegetation within the planning scheme such as amenity and landscape, and the broader strategic planning objectives for the precinct. The key features of an NVPP are in Table 1.

An NVPP is approved when it is incorporated in the planning scheme. It can only be changed by a planning scheme amendment. When the removal is

in accordance with an incorporated NVPP there is no need to obtain planning permits to remove native vegetation under Clause 52.16 of the planning scheme. However, it will still be necessary to obtain a planning permit if one is required by another provision of the scheme (such as an overlay).

2.2 How do Native Vegetation Precinct Plans work?

Clause 52.16 of the planning scheme applies to land where an NVPP applies. This clause requires a planning permit to remove, destroy or lop native vegetation unless the native vegetation removal is in accordance with an NVPP or is exempted under Clause 52.16-8. Clause 52.17 of the planning scheme does not apply to land where an NVPP applies.

Table 1. Key features of a Native Vegetation Precinct Plan

Feature	Native Vegetation Precinct Plan
What is it?	An NVPP is a planning approval subject to conditions which governs the removal and retention of native vegetation within a defined area or precinct. Within the Urban Growth Zone, the NVPP should be prepared in conjunction with a precinct structure plan.
Who can prepare one?	Any person can prepare a NVPP, however the endorsement of the planning authority and the authorisation of the Minister for Planning to prepare a planning scheme amendment to introduce or change the NVPP are required.
Is a planning scheme amendment needed to approve the NVPP?	Yes. The NVPP is incorporated into the planning scheme. A new or changed NVPP will normally be exhibited. The Minister for Planning approves the NVPP.
Who is the responsible authority for administering an NVPP?	The Schedule to Clause 61.01 in each Victorian planning scheme specifies the responsible authority. In most instances the municipal council is the responsible authority for administering a NVPP.
Can the NVPP be changed?	Yes, but only by a planning scheme amendment.
Is a planning permit required under Clause 52.16?	Not if the proposal is "in accordance" with an NVPP. If the proposal is not "in accordance" with an NVPP, a planning permit is required under Clause 52.16.
Is the content prescribed?	Yes. Section 10 of the Guidelines prescribes what an NVPP must contain. Section 3 and Appendix 1 of this guide show how this content, and other relevant information, should be presented in an NVPP.
What timeframe should be covered?	At least 10 years.
Must offset requirements be included?	Yes

2.3 Why prepare a Native Vegetation Precinct Plan?

Planning ahead is essential to creating great places, particularly in areas that will experience significant change, such as Melbourne's fringe. An NVPP provides the opportunity to make up-front decisions about where native vegetation is to be retained or removed so that:

- developers, councils and communities have certainty about the future
- development in areas with higher value native vegetation is avoided or minimised
- development can proceed with certainty in areas where native vegetation is not required to be retained
- arrangements for the protection and management of native vegetation can be coordinated
- practical and cost-effective measures to offset native vegetation removal can be implemented
- delays in the development process are avoided.

Planning ahead is also critical to securing the long-term protection of areas with higher value native vegetation. NVPPs provide an opportunity for decisions to be made about how native vegetation should be integrated into the overall plan for an area, whether the land containing the vegetation should be in public ownership or not, how the vegetation should be managed and by whom, and how development in proximity to the vegetation should occur.

The plan response to these issues could include:

- integrating the native vegetation into a public open space area or public conservation area. This approach is widely recognised as good practice
- making special arrangements for the management of the native vegetation
- applying specific development controls (such as a Rural Conservation Zone or environmental overlay) to land containing or in the vicinity of the native vegetation.

2.4 When is a Native Vegetation Precinct Plan appropriate?

In Melbourne's fringe, precinct structure plans are being developed that will set out the overall form, direction and sequence of urban development. An

NVPP should form part of the overall structure planning process so that decisions relating to native vegetation can inform the planning of other aspects of the precinct.

For example, an NVPP might be prepared for a precinct in a growth area where it will be used to map and assess significant native vegetation areas and define the size and location of regional and local parks, trail networks, waterway corridors and habitat links.

In other areas, an NVPP may be appropriate if:

- the precinct contains high value native vegetation and a clear direction about the extent of the vegetation loss is needed to inform the overall planning of the precinct
- decisions about what vegetation is to be retained and the nature and location of offsets are needed at an early stage to inform and integrate with the preparation of a precinct structure plan or other strategic plan
- there is an opportunity to consolidate offset requirements onto fewer sites or a preferred site, and maximise development on others
- a precinct contains a number of properties and land managers and an NVPP is needed to coordinate development and native vegetation management.

In a rural area, for example, it could be used to retain native vegetation along a waterway or coastline, allow removal of vegetation in paddock areas and to specify appropriate offset works or actions.

2.5 Who can prepare a Native Vegetation Precinct Plan?

A planning authority, land owner or group of landowners can initiate an NVPP. If the planning authority supports the NVPP and decides to prepare a planning scheme amendment, the planning authority must obtain authorisation from the Minister for Planning to prepare the amendment.

2.6 What standards must a Native Vegetation Precinct Plan meet?

Section 10 of the Guidelines states that as part of the process for preparing an NVPP for incorporation into a planning scheme, a planning authority must:

- demonstrate that the objectives for native vegetation management have been met
- demonstrate that the NVPP has been developed in accordance with the Guidelines, including the application of the three-step approach
- include information listed at Table 4 and Table 5 of the Guidelines, noting that the site assessment report must:
 - be for the area to which the NVPP applies, and
 - include information for the native vegetation to be removed and the native vegetation to be retained.

Section 10 of the Guidelines specifies the information that must be included in an NVPP prepared for incorporation into the planning scheme. This is further detailed in section 3.

2.7 What are the values of native vegetation that a Native Vegetation Precinct Plan must consider?

An NVPP must consider the values of native vegetation described in the Guidelines:

- Biodiversity value of native vegetation:
 - Extent of native vegetation
 - Large trees
 - Native vegetation condition
 - Ecological Vegetation Class
 - Sensitive wetlands and coastal areas
 - Strategic biodiversity value
 - Habitat for rare or threatened species.
- Other values of native vegetation:
 - Land and water protection
 - Identified landscape values
 - Native vegetation protected under the *Aboriginal Heritage Act 2006*.

2.8 What else should a Native Vegetation Precinct Plan consider?

An NVPP must be developed with consideration of the local planning schemes, including:

- Clause 12.01-1 *Protection of biodiversity*

- Other relevant plans, strategies or policies that are incorporated in the local planning scheme, including a Precinct Structure Plan or Development Plan
- Clause 52.16 *Native vegetation precinct plan* and the Guidelines
- Clause 65 *Decision guidelines*.

In developing an NVPP it may be necessary to consider additional legislation to enable the NVPP to be delivered, including:

- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- *Flora and Fauna Guarantee Act 1988*
- *Wildlife Act 1975*.

If the proposed removal of native vegetation in accordance with the NVPP is likely to require a referral to the Australian Government Minister for the Environment under the EPBC Act, an assessment bilateral agreement should be considered. An assessment bilateral agreement provides for a single environmental assessment process conducted by the state. For more information see <http://www.environment.gov.au/epbc>.

2.9 Can a Native Vegetation Precinct Plan prevent the grant of permits?

Under Clause 52.16-2, a planning permit application can be made to remove, destroy or lop native vegetation (including vegetation that may be identified for protection in a plan). An NVPP cannot be drafted to prevent the granting of these permits. This is because:

- the provisions of Clause 52.16 are designed to assist in exercising, rather than limiting discretion
- it is a principle of Victorian planning schemes that the permit is the principle instrument of development approval, and
- most plans will operate over a long timeframe and during this time circumstances may change. The permit process is the most efficient process for considering such changes.

However, this does not mean that the consideration of these permit applications should be taken lightly. The appropriateness of applications to remove native vegetation *not in accordance* with an NVPP should be carefully considered to ensure that the purpose and objectives of the NVPP are not

compromised. Before granting a permit, a responsible authority should consider:

- whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, and the NVPP
- whether the granting of a permit could set an undesirable precedent
- the cumulative impact of vegetation removal on the plan
- whether it is satisfied that any conditions and requirements that would apply to the proposal under the plan can be met
- the decision guidelines in section 7 of the Guidelines.

2.10 Can the native vegetation removal exemptions in Clause 52.16 be altered?

The table to Clause 52.16-8 sets out native vegetation removal that is exempt from the requirement for a permit. An NVPP can be drafted to alter these exemptions. However, the exemptions for geothermal energy extraction and exploration, mineral exploration, mining and search for stone should be retained because they either:

- reflect exemptions provided for under the *Geothermal Energy Resources Act 2005* and *Mineral Resources (Sustainable Development) Act 1990*
- reflect State planning policy of allowing these activities without planning approval (refer to Clause 52.08 of the planning scheme), or
- provide for an alternative approval process that incorporates an assessment of native vegetation issues and in accordance with the Guidelines.

Any decisions about the remaining exemptions should be based on:

- the purpose and objectives of the plan
- the nature of development anticipated in the precinct
- the characteristics of the native vegetation in the precinct
- any offset requirements, and
- whether the exemption includes an alternative approval mechanism (such as the approval of a

work plan). The introduction of a permit requirement that results in unnecessary duplication of approvals should be avoided.

2.11 Can a Native Vegetation Precinct Plan include conditions?

An NVPP should impose conditions on the removal of native vegetation, including that:

- evidence is provided to the responsible authority that the offset is secured
- the offset is secured before the native vegetation is removed
- the offset is secured to the satisfaction of the responsible authority.
- the native vegetation is to be removed in stages
- the works are to be carried out in a particular manner
- actions are to be carried out to mitigate the impact of native vegetation removal
- an offset management plan is to be prepared and implemented for identified protected areas.

2.12 What timeframe should an NVPP cover?

There is no mandatory timeframe for a plan. A NVPP should include a timeframe that considers:

- the extent of the works approved
- the expected rate of new development
- the complexity of the offset requirements.

A long timeframe, say 10 years, has the advantage of providing certainty about the form of development that can proceed and the offsets that must be provided. A shorter timeframe provides less certainty and could be a disincentive to landowners committing the time and resources needed to prepare a plan. A very long timeframe, say more than 15 years, may unreasonably prevent changes in circumstances being considered. Information and knowledge about vegetation and habitat quality, threatening processes and land use management is constantly changing.

A NVPP may make provision for monitoring and reporting on the progressive implementation of the plan.

3 What must be included in a Native Vegetation Precinct Plan?

Section 10 of the Guidelines specifies that an NVPP prepared for incorporation into the planning scheme must:

- specify the purpose and objectives of the plan
- specify the area to which the NVPP applies
- map and describe the native vegetation that can be removed, destroyed or lopped
- map and describe the native vegetation to be retained
- set out the offset requirement, determined in accordance with the Guidelines, for native vegetation that can be removed, destroyed or lopped
- specify management responsibilities and actions for native vegetation to be retained, and
- provide an offset statement that includes evidence that an offset that meets offset requirements for the removal of native vegetation is available, and explains how it will be secured in accordance with the Guidelines if the NVPP is incorporated. This statement must also include how the responsibility for securing the offset is to be divided amongst multiple properties or parties.

An NVPP must also include mechanisms for tracking the removal of native vegetation and corresponding securing of offsets, to ensure that this occurs in accordance with the NVPP.

An NVPP may include any other information necessary to achieve the purpose and effective implementation of the NVPP.

An NVPP should be carefully drafted so that it is clear what the NVPP allows and where it applies. Any conditions in the NVPP should be achievable and easily understood.

A clearly written NVPP provides certainty to users and, if necessary, enables effective enforcement proceedings.

3.1 Purpose and objectives of the NVPP

The removal, destruction or lopping of native vegetation does not require a planning permit if it is *in accordance with* an incorporated NVPP.

If the purpose of the proposed removal of native vegetation is not in accordance with the purpose of the NVPP, a planning permit to remove native vegetation is required under Clause 52.16 of the relevant Planning Scheme.

The NVPP should outline its primary purpose. The purpose of the NVPP should be clear and specific and can be expressed in simple terms. The purpose can provide a means for determining whether a particular proposal is in accordance with the NVPP.

For example the purpose of the NVPP could be specific, restricting native vegetation removal under the NVPP to a particular purpose, or could be broader, with native vegetation permitted to be removed under the NVPP for any purpose.

Prior to the removal of any native vegetation, a statement of intention to remove native vegetation must be provided to the satisfaction of the responsible authority. The statement must include the purpose of the native vegetation removal and evidence that an offset has been secured.

3.2 The area to which the NVPP applies

The area to which the NVPP applies is the 'precinct' and must be clearly defined. This is best defined using a map. The map should be to the standard of a planning scheme zoning map.

3.3 Description of the native vegetation

The NVPP must clearly identify which native vegetation may be removed and which native vegetation must be retained so that it is clear what the NVPP allows.

The NVPP may also include a short statement of the importance of the vegetation for all values in the relevant planning scheme, including biodiversity, land and water protection, landscape values or cultural values. The detailed site assessment report

will form part of the amendment material that justifies the NVPP and does not need to appear in the plan.

Native vegetation to be removed, destroyed or lopped

The NVPP must include the following information about the native vegetation to be removed:

- The assessment pathway and reason for the assessment pathway. This includes the location category of the native vegetation to be removed.
- A description of the native vegetation to be removed that includes:
 - whether it is a patch or a scattered tree (or both)
 - the extent (in hectares)
 - the number and circumference (in centimetres measured at 1.3 metres above ground level) of any large trees within a patch
 - the number and circumference (in centimetres measured at 1.3 metres above ground level) of any scattered trees
 - the strategic biodiversity value score
 - the condition score
 - if it includes endangered Ecological Vegetation Classes
 - if it includes sensitive wetland or coastal areas.

If the proposed removal of native vegetation falls in the Detailed Assessment Pathway, the NVPP must include additional information about impacts on rare or threatened species habitat, including:

- The relevant section of the *Habitat importance map* for each rare or threatened species requiring a species offset.
- For each rare or threatened species that the native vegetation to be removed is habitat for, according to the *Habitat importance maps*:
 - the species' conservation status
 - the proportional impact of the removal of native vegetation on the total habitat for that species
 - whether their habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat.

Ensure the NVPP takes account of any consequential and assumed losses as described in the Guidelines and the *Assessor's handbook* –

applications to remove, destroy or lop native vegetation. This includes, but is not limited to:

- Loss of native vegetation if an exemption can be accessed as a result of an approval (e.g. on lots smaller than 0.4 hectares, boundary fences between properties in different ownership, etc.).
- Trees considered lost due to impacts encroaching on a Tree Protection Zone or Structural Root Zone as defined by the Australian Standard AS2009/4700).
- Losses of native vegetation required to address bushfire hazard (e.g. under a Bushfire Management Overlay or required to create defensible space).

Native vegetation to be retained

The NVPP must include a description of the native vegetation to be retained that includes:

- whether it is a patch or a scattered tree (or both)
- the extent (in hectares)
- the number and circumference (in centimetres measured at 1.3 metres above ground level) of any large trees within a patch
- the number and circumference (in centimetres measured at 1.3 metres above ground level) of any scattered trees
- the strategic biodiversity value score
- the condition score
- if it includes endangered Ecological Vegetation Classes
- if it includes sensitive wetland or coastal areas.

Other native vegetation

The NVPP must describe how to manage all other native vegetation in the NVPP area, for example:

- native vegetation that does not qualify as a patch or a scattered tree
- native vegetation that appears following approval of an NVPP
- all other native vegetation in the NVPP area that is not identified as 'to be retained'.

For native vegetation that does not qualify as a patch or a scattered tree, the NVPP should ordinarily state that a permit is not required for its removal, destruction or lopping.

For native vegetation that appears following approval of an NVPP, and all other native vegetation in the NVPP area that is not identified as 'to be retained', whether it should be retained or removed is not likely to be known at the time of NVPP preparation. Therefore, the NVPP should state that advice should be sought from the relevant responsible authority as to whether a permit is required to remove, destroy or lop these classes of native vegetation.

3.4 The offset requirement for native vegetation that can be removed

The NVPP must clearly set out the offset requirement, determined in accordance with the Guidelines, for native vegetation that can be removed, destroyed or lopped. The NVPP should clearly describe the type and amount of vegetation loss that must be offset, the type and location of offsets to be provided and the timeframe for implementing the offsets.

3.5 Management responsibilities and actions for native vegetation to be retained

3.5.1 Minimum management responsibilities and actions required for areas of native vegetation to be retained

The owner of the land must meet any existing legal obligations to manage the land, for example the management of noxious weeds and pest animals under the *Catchment and Land Protection Act 1994*.

If additional management actions are to be undertaken, or if someone other than the owner of the land is expected to be responsible for management actions (and associated costs) then this should be clearly stated in the NVPP or in a management plan that is clearly identified in the NVPP.

3.5.2 Management responsibilities and actions required for an offset within the NVPP

Additional management responsibilities and actions apply to native vegetation that will be protected as an offset within the NVPP area. Native vegetation to be protected as an offset must meet the eligibility

requirements and management standards specified in the Guidelines and the *Native vegetation gain scoring manual, Version 2*¹.

An offset management plan must be developed to manage the specific requirements of the native vegetation to be protected in accordance with the *Native vegetation gain scoring manual*.

The actions in an offset management plan should be clearly described, and must be reasonable, specific, achievable and quantifiable.

3.6 Offset statement

An offset statement must be provided that includes evidence that an offset that meets offset requirements for the removal of native vegetation is available, and explains how it will be secured in accordance with the Guidelines. A suitable statement includes evidence that the required offsets:

- 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.

Evidence that the required offset has been secured must be provided prior to the removal of native vegetation.

For a subdivision permit, evidence that the required offset for consequential removal of native vegetation has been secured must be provided prior to the beginning of any works authorised under the permit, or certification of the plan of subdivision, or other specified timeframe as appropriate.

3.6.1 Collection of payments

The offset statement must include how the responsibility for securing the offset is to be divided amongst multiple properties or parties, if this is proposed. The division of offset requirements amongst multiple properties or parties can vary

¹ Or its successor

depending on the individual requirements of the NVPP and how the offsets will be delivered.

The total offset requirement for the entire area to which the NVPP applies must first be determined. The offset requirement can then be divided as appropriate for the NVPP. The division may be based on lot size or based on the hectares of native vegetation within each lot. The offset requirement for each party can then be allocated as a percentage of the total offset requirement, or whatever is agreed during development of the NVPP.

Contact the [DELWP native vegetation regulations team](#) for more information on how to divide offset requirements for .

3.7 Tracking native vegetation removal and offsets

An NVPP must include mechanisms for tracking the removal of native vegetation and corresponding securing of offsets, to ensure that this occurs in accordance with the NVPP.

Prior to the removal of any native vegetation, a statement of intention to remove native vegetation must be provided to the satisfaction of the responsible authority. The statement must include the purpose of the native vegetation removal and evidence that an offset has been secured. The offset must meet the offset requirements set out in this NVPP and delivered in accordance with the requirements of the Guidelines. Offset evidence can be:

- A security agreement to the required standard for the offset site or sites, including a 10 year offset management plan signed by both parties.
- A credit extract from the Native Vegetation Credit Register.
- Other evidence that meets the requirements described in section 5 of this NVPP.

The requirement to provide a statement of intention to remove native vegetation to the satisfaction of the responsible authority prior to the removal of any native vegetation must be specified as a condition to the NVPP.

3.8 Maps

All native vegetation covered by the NVPP must be clearly and accurately represented on a map, showing the NVPP area in context, whether the

native vegetation is to be removed or retained and containing:

- scale, north point and property boundaries
- location of any patches of native vegetation and the number of large trees within the patch proposed to be removed
- location of scattered trees proposed to be removed, and whether they are small or large.

3.8.1 Map 1 - Area to which the NVPP applies

Map 1 should be at a scale that gives context to the site and the surrounding areas. For example, the map could show the area to which the NVPP applies plus areas within 10 km of the boundary (as appropriate). Information that must be shown in Map 1 includes (but is not limited to):

- The area to which the NVPP applies
- Scale and north point
- Road names
- Town names
- Wetlands and waterways
- Existing conservation or protected areas
- Catchment management authority and local government area boundaries
- Any other information relevant to the implementation of the NVPP.

3.8.2 Map 2 - Native vegetation to be removed and retained

Information that must be shown in Map 2 includes (but is not limited to):

- The area to which the NVPP applies. This map must exclude areas/properties that are not included in the NVPP.
- A base map showing aerial photography, road names, creeks and drainage lines.
- Property boundaries and property numbers consistent with any relevant Precinct Structure Plan.
- Native vegetation to be removed: All vegetation to be removed should be marked in one colour with patches represented as a polygon and small scattered trees and large scattered trees represented as symbols.
- Native vegetation to be retained: All vegetation to be retained should be marked in one colour with

patches represented by a polygon and large trees within patches, small scattered trees and large scattered trees represented as symbols.

- Native vegetation to be protected as an on-site offset (as appropriate): All vegetation to be protected as an on-site offset should be marked in one colour with patches represented by a polygon and large trees within patches, small scattered trees and large scattered trees represented as symbols.
- Each patch, small scattered tree and large scattered tree is to be given a unique identification number that corresponds with the NVPP tables, the site assessment report and the *Native*

vegetation removal report (NVR report) completed to inform the development of the NVPP.

- Any areas of land required to protect native vegetation: This includes buffer areas around retained trees and patches to ensure manageable boundaries, fencing, access tracks and fire buffers in accordance AS4970-2009 (Protection of trees on development sites) or succeeding standard.

Additional maps may be included showing any other information relevant to the development or implementation of the NVPP, including scaled up inset maps to provide clearer views of more complex or busy areas of the map.

4 Steps for preparing a Native Vegetation Precinct Plan

Step 1 - Check the planning scheme

At the outset, check the requirements applying to the precinct for the removal of native vegetation under Clause 52.17, current zones, overlays and any other relevant part of the planning scheme. Consider the effect of an NVPP on these requirements.

Step 2 - Decide if a Native Vegetation Precinct Plan is the right tool

Clause 52.17 enables a planning permit to be granted for native vegetation removal in accordance with a property vegetation plan. The different features of each tool should be considered before deciding which to use.

Step 3 - Talk to Council and DELWP

Any proposal to prepare an NVPP should be discussed with landowners, the planning authority and DELWP. The implementation of an NVPP involves changing the planning scheme, therefore it is important that the planning authority supports the proposal and agrees to the preparation of an amendment. Discussion will help to determine:

- the relevant strategic planning objectives and policies for the land
- the content of the plan
- the importance of the native vegetation
- the application of the three step approach in accordance with the Guidelines.

It is important to discuss a proposal with DELWP because:

- the Minister for Planning must consent to the preparation of an amendment, and
- DELWP can provide detailed information and advice on a range of native vegetation matters that will assist in the preparation of the plan.

Step 4 - Assess the native vegetation

The preparation of an NVPP requires an assessment of the importance of the native vegetation for biodiversity, land and water protection, landscape and cultural values. This detailed assessment will form part of the amendment material that justifies the NVPP and does not need to appear in the NVPP.

The information required for the development of an incorporated NVPP includes information listed at Table 5 and Table 6 of the Guidelines, and includes a site assessment report.

Site assessment report

The site assessment report must be completed by an accredited native vegetation assessor and include:

- the entire area to which the NVPP applies and
- information for both the native vegetation to be removed **and** the native vegetation to be retained.

The site assessment report can include additional information regarding the habitat characteristics of the native vegetation that may assist the development of the NVPP. Any habitat assessment must be completed by an experienced ecologist. Habitat information can include:

- Whether the habitat characteristics of the native vegetation are consistent with the habitat requirements of the rare or threatened species mapped on the site.
- Whether the habitat characteristics of the native vegetation are consistent with the habitat requirements of species and communities listed under federal or state legislation.

Targeted species surveys are not required for approvals under Clauses 52.16 or 52.17. A responsible authority cannot require targeted species surveys to be undertaken to address biodiversity considerations under these clauses.

Targeted species surveys may be a requirement under other state or federal legislation and this information can be useful when preparing an NVPP. Targeted species surveys may also be undertaken voluntarily and this information can be included in the development of an NVPP.

Step 5 - Prepare the plan

Use the template in Appendix 1 and refer to section 3 for more information about preparing a NVPP.

Step 6 - Incorporating a Native Vegetation Precinct Plan

A planning scheme amendment is required to incorporate an NVPP in to the schedule of Clause 52.16 of the local planning scheme. This means that an NVPP amendment will include at least three statutory components:

- a Native Vegetation Precinct Plan
- listing the NVPP in the schedule to Clause 52.16
- listing the NVPP in the schedule to Clause 81.

If the planning scheme contains a local planning policy about a relevant precinct structure plan, it may be appropriate to refer to the NVPP in the policy. Any changes to a local planning policy should be documented in the amendment.

Refer to section 2.6 for more information.

Planning scheme amendment process

A planning authority must seek authorisation from the Minister for Planning to prepare an amendment to a planning scheme. The purpose of authorisation is to identify whether a proposed amendment is consistent with State policy or interests and ensure that it makes appropriate use of the VPP.

An authorisation request must include:

- an Authorisation Application form
- a draft Explanatory Report.

If a planning authority obtains the Minister's authorisation, it may proceed to draft the amendment. In preparing an amendment to a planning scheme, a planning authority must prepare:

- an Explanatory Report
- an Amendment Instruction Sheet
- any Amendment map sheets (if applicable)
- any new or replacement clauses and schedules (if applicable)
- any incorporated documents (if applicable)
- any supporting documentation.

Guidelines for preparing planning scheme amendment documentation are available at: <https://www.planning.vic.gov.au/planning-schemes/amending-a-planning-scheme/amendment-templates>.

Appendix 1: Native Vegetation Precinct Plan Template

How to use this template

The template is designed to guide what should be included in a Native Vegetation Precinct Plan (NVPP) in accordance with requirements specified in section 10 of the *Guidelines for the removal, destruction or lopping of native vegetation* (Guidelines). The final NVPP will be incorporated into the relevant Planning Scheme as a Schedule to Clause 52.16.

The template identifies areas where the template text is required to be used and other areas where text is required to be added by the developer of the plan. This is indicated as follows:

[Red text in square brackets] Text must be inserted. Change the font colour to black once text is inserted.

Red text in italics Instructions on information that must be included. Delete the red instructional text once you have read and understood the requirements.

Black text Use the text provided. Do not delete. This text must remain in the final NVPP document.

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1 Introduction

This is the [insert name] Native Vegetation Precinct Plan (NVPP) listed under the Schedule to Clause 52.16 of the [insert name] Planning Scheme. This NVPP includes the information required under section 10 of *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (Guidelines). The Guidelines state that an NVPP prepared for incorporation into the planning scheme must:

- specify the purpose and objectives of the plan
- specify the area to which the NVPP applies
- map and describe the native vegetation that can be removed, destroyed or lopped
- map and describe the native vegetation to be retained
- set out the offset requirement, determined in accordance the Guidelines, for native vegetation that can be removed, destroyed or lopped
- specify management responsibilities and actions for native vegetation to be retained, and
- provide an offset statement that includes evidence that an offset that meets offset requirements for the removal of native vegetation is available, and explains how it will be secured in accordance with the Guidelines if the NVPP is incorporated. This statement must also include procedures for how the offset will be secured if the responsibility is divided amongst multiple properties or parties.

The Guidelines also state that an NVPP must include mechanisms for tracking the removal of native vegetation and corresponding securing of offsets, to ensure that this occurs in accordance with the NVPP.

The removal, destruction or lopping of native vegetation *in accordance* with this NVPP, does not require a planning permit provided conditions and requirements specified in this Native Vegetation Precinct Plan are met.

If native vegetation is proposed to be removed, destroyed or lopped *not in accordance* with this NVPP, a planning permit to remove native vegetation is required under Clause 52.16 of the [insert name] Planning Scheme. In this circumstance, an application for a permit must comply with the application requirements specified in the Guidelines. An application to remove native vegetation not in accordance with this incorporated NVPP must be supported by current site information, as per *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Assessor's handbook). For the purpose of this document, the term 'remove native vegetation' includes to destroy and to lop native vegetation.

1.1 Purpose of the NVPP

The purpose of the [insert name] NVPP is to [insert purpose].

See section 3.1 of the guidance for more information on the purpose of the NVPP.

1.2 Vegetation protection objectives to be achieved

The objectives of the [insert name] NVPP are to:

- Ensure there is no net loss to biodiversity as a result of the approved removal, destruction or lopping of native vegetation. This is achieved by applying the three step approach in accordance with Clause 12.01-2 *Native vegetation management*, Clause 52.16 and the Guidelines.
- Apply a landscape approach to the management of native vegetation within the NVPP area, in accordance with Clause 12.01-1 *Protection of biodiversity* and [insert other relevant policies or strategies].
- Manage native vegetation to be retained in accordance with obligations under the *Catchment and Land Protection Act 1994*.
- Ensure that areas set aside to protect native vegetation are managed to conserve biodiversity and other values in accordance with the [insert name] Precinct Structure Plan *(or other relevant management plan or strategy)*. *(delete if N/A)*
- Manage native vegetation to be protected in identified offset areas in accordance with [insert title of offset management plan]. *(delete if N/A)*
- *Add additional as required*

2 Area to which the NVPP applies

The [insert name] NVPP applies to land within the NVPP Area shown on Map 1.

Table 2 identifies the properties included within the area to which this NVPP applies. Property ID numbers in Map 1 correspond to those listed in Table 2.

Provide a basic description of the area to which the NVPP applies – local government area, catchment management area, current local land use(s).

If the area is subject to a precinct structure plan (PSP), property numbers should be consistent between the NVPP and the PSP.

Table 2: Land included within the area to which this NVPP applies

Property ID no.	Property Address	Property SPI no.
1	100 Example Road, Melbourne	L2 PS123456

3 Native vegetation to be removed

3.1 Assessment pathway

The assessment pathway for native vegetation that can be removed (including the reason for the assessment pathway) is described in the *Native vegetation removal report* ([insert report reference ID]) and Table 3.

Table 3. Assessment pathway and reason for the assessment pathway

Assessment pathway	[insert Basic / Intermediate / Detailed] Assessment Pathway
Extent including past and proposed	[insert] hectares
Extent of past removal	[insert] hectares
Extent of proposed removal	[insert] hectares
No. Large trees proposed to be removed	[insert] large trees
Location category	Location [insert 1 / 2 / 3] <i>Include the reason for location category.</i>

3.2 Description of native vegetation to be removed

The following native vegetation can be removed, destroyed or lopped without a planning permit, subject to the requirements and conditions set out in this NVPP:

- Native vegetation described in Table 4 and Table 5 and shown in Map 2 to this NVPP.
- Native vegetation that does not qualify as a patch of native vegetation or a scattered tree.

For native vegetation that appears following approval of this NVPP, and all other native vegetation in the NVPP area that is not identified as 'to be retained', advice should be sought from the relevant responsible authority as to whether a permit is required for its removal, destruction or lopping.

Habitat zone and tree labels in Table 4 and Table 5 correspond to habitat zone and tree labels in Map 2.

See section 3.3 of the guidance for information on what to include in this section.

Table 4: Native vegetation to be removed

Information in Table is 7 is as per Appendix 1 of the NVR report generated by EnSym. In the case where part of a patch is to be retained and part is to be removed, the patch must be split into separate Habitat Zones in the NVPP to allow removal of the required part(s).

Habitat zone	Type	BioEVC code	BioEVC conservation status	Large tree(s)	Condition score	Extent	SBV score	HI score	Habitat units	Offset type
<i>HZ1</i>	<i>Patch</i>	<i>CVU_0068</i>	<i>En</i>	<i>4</i>	<i>0.544</i>	<i>1.200</i>	<i>0.655</i>	<i>0.812</i>	<i>1.021</i>	<i>Species</i>

Note: En = endangered, Vu = vulnerable, D = depleted, Ra = rare, LC = least concern. SBV score = Strategic Biodiversity Value score. HI score = Habitat importance score.

Table 5: Information about trees to be removed

Table is to document one tree per row.

Tree no.	Type and size	Scientific name	Common name	Circumference (cm)
1	LPT / LST / SST	<i>Eucalyptus macrorhyncha</i>	Red Stringybark	245

Note: LPT = Large tree within a patch of native vegetation, LST = Large scattered tree, SST = Small scattered tree.

4 Native vegetation offsets

4.1 Offset requirement for native vegetation to be removed

The offset requirements for native vegetation that can be removed are described in the *Native vegetation removal report* ([insert report reference ID]) and Table 6.

The offset requirements divided amongst multiple properties or parties are described in Table 7. *(delete if N/A)*

See section 3.4 of the guidance for information on what to include in this section.

Table 6: Total offset requirements for NVPP area

General offset amount	[insert] general habitat units
Vicinity	[insert CMA] Catchment Management Authority (CMA) or [insert council] Council
Minimum strategic biodiversity value score	[insert]
Large trees*	[insert] large trees
Species offset amount	[insert species 1] [insert amount] species habitat units [insert species 2] [insert amount] species habitat units
Large trees*	[insert] large trees
* The number of large trees that the offset must protect	[insert] to be protected in either the general, species or combination across all habitat units protected

Table 7: Offset requirements divided amongst multiple properties or parties *(delete if N/A)*

Required if offset requirements are to be divided amongst multiple properties or parties. Replace first column (Property ID no.) with appropriate allocation descriptor. Delete if N/A.

Property ID no.	General offset amount (general habitat units)	Vicinity	Minimum SBV score	Species offset amount (species habitat units)	Large trees

Note: SBV = strategic biodiversity value score. The number of large trees that the offset must protect can be protected in either the general, species or combination across all habitat units protected.

4.2 Offset statement

4.2.1 Statement

Describe how a compliant offset(s) will be secured. See section 3.6 of the guidance for information on what to include in this section.

4.2.2 Collection of payments

Includes the detail of any procedures for the collection of any payments where offset costs are divided amongst multiple properties or parties. See section 3.7 of the guidance for information on what to include in this section.

If there are no requirements, this provision should still be included and read “No payments are necessary or specified”.

5 Native vegetation to be retained

5.1 Description of native vegetation to be retained

See section 3.3 of the guidance for information on what to include in this section.

The native vegetation to be retained is described in Table 8 and Table 9, and shown in Map 2 to this NVPP. Table 8, Table 9 and Map 2 also identify the native vegetation to be retained that will be protected as a native vegetation offset within the NVPP area. *(Delete if N/A)*

Habitat zone and tree labels in Table 8 and Table 9 correspond to habitat zone and tree labels shown in Map 2.

Native vegetation identified in this NVPP as 'to be retained' has been identified following a strategic approach to retaining native vegetation with greater biodiversity or other value. Any future removal of native vegetation which has been identified as 'to be retained' may undermine the strategic approach adopted for the preparation of this NVPP.

Table 8: Native vegetation to be retained

In the case where part of a patch is to be retained and part is to be removed, the patch must be split into separate Habitat Zones in the NVPP to allow retention of the required part(s).

Habitat zone	Type	BioEVC code	BioEVC conservation status	Large tree(s)	Condition score	Extent (ha)	SBV score	On-site offset? <i>(delete if N/A)</i>
<i>HZ1</i>	<i>Patch</i>	<i>CVU_0068</i>	<i>En</i>	<i>4</i>	<i>0.544</i>	<i>1.200</i>	<i>0.655</i>	<i>Y / N</i>

Note: En = endangered, Vu = vulnerable, D = depleted, Ra = rare, LC = least concern. SBV = Strategic Biodiversity Value score.

Table 9: Information about trees to be retained

Table is to document one tree per row.

Tree no.	Type and size	Scientific name	Common name	Circumference (cm)	On-site offset? <i>(delete if N/A)</i>
<i>1</i>	<i>LPT / LST / SST</i>	<i>Eucalyptus macrorhyncha</i>	<i>Red Stringybark</i>	<i>245</i>	<i>Y / N</i>

Note: LPT = Large tree within a patch of native vegetation, LST = Large scattered tree, SST = Small scattered tree.

5.2 Management responsibilities and actions

5.2.1 Native vegetation to be retained

If standard land management obligations are to be continued for native vegetation to be retained, write “Not applicable”.

If an alternative is to be implemented, detail the management responsibilities and actions for native vegetation to be retained. See section 3.5 of the guidance for information on what to include in this section.

5.2.2 Native vegetation to be protected as an offset within the NVPP area **(Delete if N/A)**

Specific management responsibilities and actions apply to areas of native vegetation to be retained that will also be protected as an on-site offset. These areas will be managed in accordance with the **[insert offset management plan title and reference]**.

See section 3.5 of the guidance for information on what to include in this section.

6 Conditions for removal of native vegetation

The native vegetation identified in Table 4, Table 5 and shown in Map 2 to this NVPP can be removed, destroyed or lopped without a planning permit as allowed under Clause 52.16, subject to the following conditions:

- a. The removal, destruction or lopping of native vegetation must be in accordance with this NVPP. Only the native vegetation which is identified for removal in this NVPP may be removed, destroyed or lopped. Native vegetation which is identified for removal in this NVPP can only be removed if the purpose of its removal is in accordance with the purpose of this NVPP.
- b. Prior to the removal of any native vegetation, a statement of intention to remove native vegetation must be provided to the satisfaction of the responsible authority. The statement must include:
 - i. The purpose of the native vegetation removal.
 - ii. Evidence that an offset has been secured. The offset must meet the offset requirements set out in this NVPP and delivered in accordance with the requirements of *Guidelines for the removal, destruction or lopping of native vegetation*. Offset evidence can be:
 - A security agreement (signed by both parties) to the required standard for the offset site or sites, including a 10 year offset management plan.
 - An allocated credit extract from the Native Vegetation Credit Register.
 - Other evidence that meets the requirements described in section 5 of this NVPP.
- c. Prior to the removal of any native vegetation, or prior to the commencement of works, all native vegetation identified in this NVPP as to be retained must be protected by high visibility fencing, as follows:
 - Fencing around scattered trees and trees within patches of native vegetation must meet the minimum standards for a tree protection zone described in AS 4970-2009 *Protection of trees on development sites* or succeeding Australian Standard.
 - Fencing around patches of native vegetation must be erected at a minimum distance of 2 metres from the retained native vegetation.

Except with the written consent of the Responsible Authority, within the native vegetation protection areas,

- No vehicular or pedestrian access, trenching or soil excavation is to occur;
 - No storage or dumping of tools, equipment or waste is to occur; and
 - No entry and exit pits for underground services are to be constructed.
- d. Prior to felling of any tree which may be removed, the tree must be examined by a suitably qualified zoologist for the presence of fauna in hollows or external nests. Whenever possible tree removal should not occur during spring and early summer to avoid disturbing active nests. If native fauna species are located, they must be salvaged and relocated to the closest suitable vegetation, in consultation with DELWP and the Responsible Authority.
 - e. All indigenous trees permitted to be removed must be relocated into protected conservation areas within the NVPP or a nearby conservation reserve for inclusion as large logs, in consultation with DELWP and the Responsible Authority. These logs must be cut into a minimum of 1.5 metre lengths and placed into the conservation areas under the direction of a suitably qualified ecologist or Council environment officer, with the written consent of the Responsible Authority.
 - f. Any construction stockpiles, fill and machinery must be placed at least 30 metres away from areas supporting native vegetation and drainage lines, or to the satisfaction of the responsible authority.

- g. Prior to the removal of vegetation the Responsible Authority and/or DELWP must be given an opportunity to salvage genetic material from flora species for use in nearby Public Reserves.
- h. All earthworks must be undertaken in a manner that will minimise soil erosion and adhere to *Construction Techniques for Sediment Pollution Control*, EPA, 1991.
- i. Water run-off must be designed to ensure that native vegetation to be retained is not compromised.
- j. *Add other conditions as relevant*

The following condition must be included on any subdivision permit:

- Prior to [insert appropriate timeframe: the beginning of any works authorised by this permit /, certification of the plan of subdivision / other timeframe as appropriate] a statement of intention must be provided to the satisfaction of the responsible authority. The statement must include:
 - The purpose of the subdivision.
 - Evidence that an offset has been secured. The offset must meet the offset requirements set out in this NVPP and delivered in accordance with the requirements of *Guidelines for the removal, destruction or lopping of native vegetation*. Offset evidence can be:
 - A security agreement (signed by both parties) to the required standard for the offset site or sites, including a 10 year offset management plan.
 - An allocated credit extract from the Native Vegetation Credit Register.
 - Other evidence that meets the requirements described in section 5 of this NVPP.
















7 Maps

Map 1: Area to which the NVPP applies

Include all information as described in section 3.8.1.

Map 2: Native vegetation to be removed and retained

Include all information as described in section 3.8.2.

Example legend:		<i>Native vegetation to be retained:</i>		<i>Native vegetation to be removed:</i>	
	NVPP boundary		Patch		Patch
	Road		Small tree within patch		Small tree within patch
	Creeks and drains		Large tree within patch		Large tree within patch
1	Property number		Small scattered tree		Small scattered tree
	Vegetation protection buffer		Large scattered tree		Large scattered tree
			To be protected		

