Monitoring, Evaluation and Reporting Plan

Native Vegetation Regulations

December 2023

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Chad Browning

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it.

We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

DEECA is committed to genuinely partnering with Victorian Traditional Owners and Victoria's Aboriginal community to progress their aspirations.

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Contents

1. Introduction

Victoria's native vegetation is a fundamental pillar of our state's biodiversity, a crucial element in land and water conservation, and an essential contributor to its scenic landscape. Beyond its ecological and environmental significance, native vegetation holds deep cultural meaning for Victoria's Aboriginal communities. The sustainable management of native vegetation is paramount, reflecting our commitment to preserve these natural values and uphold our cultural heritage.

This Monitoring, Evaluation and Reporting (MER) Plan outlines the strategies and mechanisms in place to assess, monitor, and report on the effectiveness of the Native Vegetation Regulations (NVR), which govern the removal of native vegetation.

This is the second version of the MER Plan initially published in January 2019. This revised plan incorporates contemporary data and information, and addresses specific recommendations provided in the audit report produced by the Victoria Auditor General's Office in 2022, titled '*Offsetting Native Vegetation Loss on Private Land'*.

In response to the audit report, the Department of Energy, Environment and Climate Action (DEECA) committed to enhancing the MER Plan to better capture data for reporting on outcome, output, and process measures. This MER Plan:

- Incorporates a program logic to determine if the no net loss objective is being achieved. The logic focuses on outputs such as contemporary policy, functional systems, stakeholder training, and regulatory compliance, leading to outcomes such as ongoing stakeholder engagement, efficient policy administration, and overall achievement of the no net loss objective.

- Identifies new performance indicators to support a quantitative analysis of the no net loss objective.

- Outlines key data and information gaps, along with other limitations affecting the evaluation of the no net loss objective.

- Identifies future initiatives aimed at addressing current evaluation limitations.

This plan measures the effectiveness of the NVR against the following key objective:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction, or lopping of native vegetation.

The program logic guiding the MER framework highlights three key components crucial for demonstrating achievement of the no net loss objective:

1. A well-structured and effective regulatory framework

2. Adherence to the regulatory framework

3. Ensuring that losses to biodiversity associated with the NVR are, at a minimum, commensurate to the biodiversity gains achieved through offsetting or counterbalancing.

Evaluation of these components is facilitated through a systematic approach that has three primary objectives:

- Regulatory oversight - To evaluate the operational efficiency and effectiveness of the NVR, ensuring that they are achieving their intended purpose.

- Addressing knowledge gaps - To identify and address gaps in our existing knowledge and understanding of native vegetation removal and its impacts, ensuring informed decision-making.

- Measuring progress - To assess the achievement of the overarching no net loss objective.

This MER Plan is a fundamental component of an adaptive management framework, ensuring that the NVR remain a dynamic, responsive, and evolving set of regulations. It plays a key role in keeping policies aligned with the overarching vision of the NVR, promoting sustainable land use while ensuring impacts are balanced (i.e. offset) with native vegetation and biodiversity gains.

By monitoring and evaluating the regulations, DEECA can identify emerging challenges or unexpected consequences and adapt policies accordingly.

This MER Plan is a living document; as conditions change, new knowledge emerges, and lessons are learnt, the plan will be updated.

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2. Policy context

The regulation of native vegetation in Victoria is governed by a comprehensive framework designed to manage and protect the state's ecological resources. Key reforms in 2002, 2013, and 2017 have significantly shaped the strategies and objectives for regulating native vegetation removal across the state.

The most recent policy reforms, implemented in 2017 through Amendment VC138 to the Victoria Planning Provisions (VPP), underscore the no net loss objective and the supporting three-step approach of 'avoid, minimise, and offset'.

This policy framework is outlined in specific VPP clauses (e.g., Cl.12.01-2S, 52.16, 52.17) and detailed in the *Guidelines for the Removal, Destruction, or Lopping of Native Vegetation* (the Guidelines) (DELWP 2017).

2.1. No net loss objective

The no net loss objective aims, as a minimum, to neutralise the adverse effects of native vegetation removal on Victoria's biodiversity. In this context, 'biodiversity' encompasses the extent, condition, and strategic importance of native vegetation, as well as the environmental and ecological services it provides, including its role in the conservation of threatened species.

The no net loss objective is specifically tied to the NVR policy, and its continuous evaluation centres on maintaining an equilibrium between the losses and gains occurring within this policy framework, which include:

Losses:

- The removal, destruction or lopping of native vegetation subject to:
  - Statutory approvals
  - Exemptions requiring written consent and offsetting or alternative counterbalancing approaches.

Gains:

- Offset security mechanisms
- Counterbalancing actions under specific exemptions.

The evaluation of the no net loss objective excludes loss and gain events outside the policy framework, such as those resulting from natural processes like fires, floods or gains from external conservation efforts.

Other causes of native vegetation loss, including illegal clearing and exemptions that do not require approval and/or offsetting, are incorporated into evaluations of the NVR where possible. However, significant limitations exist, and ongoing improvements are envisioned as the evaluation process evolves. These losses are considered within the broader biodiversity framework, as outlined in the Biodiversity 2037 Plan (DELWP 2017b), which states:

Where actions are taken on public or private land that impact on biodiversity and that fall outside the legislative framework (that is, land or water uses that are not required to be offset by regulation to achieve 'no net loss' of biodiversity), measures will be developed by the government to ensure these impacts are counter-balanced at a whole of state level through investment, management or other means. This will mean all biodiversity losses are accounted for and consistently addressed.

Although the no net loss objective is specific to the NVR, its ongoing achievement aligns with the State Government's long-term commitments to biodiversity, as outlined in the Biodiversity 2037 Plan, which seeks:

An overall 'net gain' in the extent and condition of native habitats across terrestrial, waterway and marine environments over the 20-year life of the Plan.

Achieving this objective depends on the gains realised through meeting set targets in the Biodiversity 2037 Plan (e.g., 200,000 hectares of revegetation in priority areas for habitat connectivity) and ensuring the realisation of the no net loss objective under the NVR.

2.2. Regulatory framework and responsible authorities

Within the regulatory framework, any proposal to remove native vegetation must receive approval from a responsible authority unless a specific exemption applies.

To achieve the no net loss objective, the policy framework mandates the following three-step approach:

1. Avoidance - The policy first calls for the avoidance of native vegetation removal, whenever feasible.

2. Minimisation - In cases where native vegetation removal cannot be avoided, minimising its impact becomes the next priority.

3. Offsetting - Following the first two steps, the policy requires the offsetting of residual impacts. This most often involves compensating for the loss of biodiversity value through the protection and management of an offset site. Additionally, alternative counterbalancing approaches are available in specific scenarios.

All proposals for clearing, whether subject to statutory approval, exemptions requiring consent, or most exemptions not requiring consent, are obligated to apply avoidance and minimise principles. The requirement for offsetting or counterbalancing residual impacts applies to all statutory approvals and most exemptions that require consent.

Offsetting or counterbalancing is not mandatory for some exemptions. Furthermore, the detection of illegal clearing poses significant limitations and historically, the obligation to secure offsets in compliance cases has been inconsistent and dependent on the success of enforcement action, negotiated outcomes and tribunal rulings. These losses are factored into the evaluation of the no net loss objective whenever possible. Nevertheless, inherent limitations persist, and these impacts are required to be compensated for at a broader state level through investment, management, or other approaches specified in the Biodiversity 2037 Plan.

The gains assessed under the NVR policy predominantly result from securing offset sites to compensate for permitted removals. Offset sites must be secured in perpetuity via a security agreement, approved and administered by local Councils, Trust for Nature or the Secretary to DEECA. Offset sites are secured as either:

- First party offsets - Located on land owned by the holder of a permit to remove native vegetation. First party offsets are used to meet landowners' own offset requirements.

- Third party offsets - Located on land owned by another party. Permit holders can purchase native vegetation credits from other landowners to meet their offset requirements.

Under most approval pathways, evidence that an offset has been secured must be provided to the responsible authority before native vegetation is removed. This evidence comprises either an Allocated Credit Extract (ACE) allocated to the permit, or an established first party offset including a signed security agreement and management plan.

Additionally, alternative counterbalancing processes apply in specific scenarios, including under the Crown Land exemption, where the conservation-focused actions of endorsed agencies counterbalance the impacts of their management practices through routine conservation improvement works. Similarly, reliance on the Conservation Work exemption is contingent upon the gain in biodiversity improvement exceeding the proposed losses resulting from native vegetation removal.

Tables 1 and 2 identify the sources of native vegetation losses and gains under the NVR, respectively.

Table 1: Sources of native vegetation losses under the NVR

Mechanism		
Statutory approvals	**Exemptions requiring consent**	**Other removals**
Clause 52.03 (Level Crossing Removal Project)	Railways exemption	Exemptions – Not requiring consent
Clause 52.16 (Native Vegetation Precinct Plan)	Road safety exemption	Illegal clearing
Clause 52.17 (Native vegetation)	Transport land exemption	
Clause 52.20 (Big Housing Build)	Utility installations exemption	
Clause 52.30 (State Projects)	Conservation work exemption	
Clause 52.35 (Major Road Projects Victoria)	Crown land exemption	

Mechanism	
Clause 52.36 (Rail Projects Victoria)	Fire protection (roadside fuel reduction) exemption
Planning scheme amendments	Pest animal burrows exemption
Renewable Energy Projects	Transport land exemption
MRSDA – Extractive Work Plans	Harvesting for timber production – naturally established native vegetation
Pipelines Act – Pipeline Licences	

Table 2: Sources of native vegetation gains under the NVR

Mechanism
Offset security agreements
Conservation Forests and Lands Act 1987 – Section 69
Victorian Conservation Trust Act 1972 – Offset Covenant
Planning and Environment Act 1987 – Section 173
Crown land offset - Memorandum of Understanding
Other gain mechanisms
Crown land exemption counterbalance activities
Conservation work exemption

2.3. Monitoring and data collection challenges

The successful evaluation of the no net loss objective under the NVR relies heavily on the comprehensive collection of data related to both biodiversity loss and gain events. While considerable progress has been made in gathering data on biodiversity gain events, several challenges are associated with collecting data on biodiversity loss events, including:

1. Data collection from responsible authorities - DEECA relies on over 80 responsible authorities to voluntarily supply data on approved removals. However, in recent years, the return rate for this data has averaged approximately 40%. This limited participation poses a challenge to accurately assessing biodiversity loss events.

2. Constraints in reconciling removals and offsets - Several constraints impede the ability to determine whether all permitted removals each year have been adequately offset. These constraints include:

   • Offsets are typically required to be secured before the removal of native vegetation, rather than at the time a permit is granted. As such, there are various scenarios in which permitted removals cannot be matched to an ACE, including non-compliance, project abandonment, or future removals.

   • First-party offset sites established through a Section 173 Agreement under the *Planning and Environment Act 1987* or a conservation covenant under the *Victorian Conservation Trust Act 1972* are not obligated to source a credit extract or be recorded on the Native Vegetation Offset Register (NVOR). DEECA lacks complete records of these sites, making it challenging to confirm how many permitted removals, not matched to a credit extract, have been offset through such agreements.

3. Exemptions without data collection - Responsible authorities do not currently collect data regarding the removal of native vegetation under exemptions that do not require consent. This gap in data collection makes it challenging to assess the full extent of biodiversity loss under these circumstances.

4. Limited data on illegal clearing - The data available on the illegal clearing of native vegetation is also limited, further complicating the assessment of biodiversity loss events.

Furthermore, the current design of the NVR inherently means that certain loss events are not offset, noting that these impacts are intended to be considered within the broader biodiversity framework, as outlined in the Biodiversity 2037 Plan (see Section 2.1). Table 3 documents the clearing processes under the NVR that are not offset or subject to alternative counterbalancing approaches.

Table 3: Uncompensated native vegetation removal within the framework of the NVR

Mechanism
Exemptions requiring written consent
Railways exemption -   Clearing for Maintenance, as defined in the *Procedure to rely on the railways exemption in planning schemes* (DELWP 2018a).
Road safety exemption -   Clearing for Maintenance, as defined in the *Procedure to rely on the Road safety exemption in planning schemes* (DELWP 2018b).
Utility installations exemption -   Clearing to maintain the safe and efficient function a Minor Utility Installation or Utility Installation.
Fire protection (roadside fuel reduction) exemption -   All clearing permitted under a written agreement from the Secretary to DEECA.
Pest animal burrows exemption -   All clearing permitted under a written agreement from an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988.*
Other removals
Illegal clearing.   Any illegal clearing that goes undetected, is detected but not subject to compliance actions, or is subject to compliance actions but not adequately offset.
Exemptions – Not requiring consent.   All clearing undertaken under the following exemptions:

- Dead native vegetation
- Emergency works
- Existing buildings
- Site area
- Fences
- Land management or directions notice
- Stock movements on roads
- Greenhouse gas sequestration and exploration
- New buildings and works in the Farming Zone and Rural Activity Zone

- Weeds
- Land use conditions
- Personal use
- Grasses
- Planted vegetation
- Grazing
- Geothermal energy exploration and extraction
- Lopping and pruning for maintenance
- Existing buildings and works in the Farming Zone and Rural Activity Zone

- Stone exploration
- Surveying
- Traditional owners
- Tram stops
- Regrowth
- Vehicle access from public roads
- Clause 52.12 Bushfire protection exemptions
- New dwellings in the Farming Zone and Rural Activity Zone
- Fire protection exemption (firefighting, planned burning, fuel breaks/firefighting access tracks, strategic fuel breaks, fire protection notices, electrical line maintenance)

Ongoing efforts are dedicated to refining data collection processes and mitigating these limitations (see Section 5). The goal is to foster a better understanding of the practical effectiveness of the no net loss objective. As these data collection processes continue to advance or are newly established, DEECA's capacity to confidently evaluate the achievement of the no net loss objective will strengthen.

3. Monitoring and evaluation framework

3.1. Evaluating no net loss

The no net loss objective undergoes a formal annual evaluation, employing a comprehensive mix of qualitative and quantitative indicators. This assessment aims to gauge:

- The effectiveness and robustness of the regulatory framework.

- The extent to which stakeholders comply with the regulatory framework.

- Whether biodiversity gains are commensurate with biodiversity losses, generally excluding the uncompensated removal processes detailed in Table 3.

Yearly evaluations will be documented in annual reports. Furthermore, every three years, DEECA will proactively gather input from external stakeholders using a questionnaire. The questionnaire's format will mirror that distributed in 2021 as part of the Three-yearly Report, incorporating specific questions designed to evaluate the fundamental components of the no net loss objective and other factors that can enhance the policy framework. Additional details on the annual evaluation reports and the three-yearly stakeholder questionnaire are provided in Section 4.

3.2. Program logic

A program logic sets out a program's vision, objectives, activities, outputs and outcomes. By articulating the logic of the no net loss objective, DEECA can better evaluate whether the NVR are working as intended.

Table 5 identifies the logic framework for the no net loss objective, serving as a foundation for the design of this MER Plan. This framework outlines the connections between the actions of the DEECA NVR team, their outputs, and the anticipated outcomes. The logic framework aims to:

- Guide the policy implementation cycle by offering a clear view of how activities are expected to lead to desired outcomes.
- Enable the systematic measurement of performance against specific indicators, facilitating effective monitoring and evaluation.
- Support the identification of areas for improvement and inform adaptive changes to the policy framework.
- Promote transparency and understanding among stakeholders, fostering collaboration and support for the program.

Table 4 summarises the key elements of the logic framework.

Table 4: Logic framework outline

Logic framework	Definition
Vision	A qualitative description of the desired long-term outcome or purpose of the program.
Objective	A specific and measurable goal that the program aims to achieve.
Components	Fundamental elements that contribute to achieving the program's objective.
Activities	Specific actions or tasks undertaken to accomplish the program's components.
Output	Tangible and measurable results produced by the program's activities.
Outcomes	The anticipated changes or benefits resulting from the program's outputs and activities.
Performance indicators	Quantitative and qualitative measures used to assess the success and effectiveness of the program's activities and outcomes.

The Victoria Auditor General's Office 2022 audit found that the evaluation measures in the original MER Plan primarily concentrated on outputs and processes, rather than outcomes. The audit report also highlighted the need to incorporate quantitative performance indicators for a more data-driven assessment of the no net loss objective.

The program logic provided in Table 5 responds to the audit report's recommendations. It identifies three crucial components essential for achieving the no net loss objective, incorporating a combination of process and outcome-based measures. The initial two components are process-oriented, emphasising the importance of a well-functioning regulatory system and stakeholder compliance. The third component uses a data-driven approach to determine whether the no net loss objective is being met.

The program logic establishes connections between actions, outputs, and outcomes for each component. Both qualitative and quantitative performance indicators are adopted to assess each component, contributing to the comprehensive evaluation where the outcomes of the overarching no net loss objective are achieved.

Table 5: NVR program logic

Vision: To ensure sustainable land use and development while preserving native vegetation and biodiversity								
Objective: No net loss to biodiversity as a result of the removal, destruction, or lopping of native vegetation								
Components	A well-structured and effective regulatory framework				Adherence to the regulatory framework			A data-driven approach to evaluating no net loss
Activities	We refine policy as necessary, with a strong emphasis on the no net loss objective.	We continuously develop and maintain systems and tools utilised within the NVR.	We take a proactive approach to managing the NVR training program and maintaining consistent communication of policy matters with our stakeholders.	We oversee and manage essential responsibilities in accordance with the regulations.	We oversee and enforce Offset Management Plan (OMP) compliance.	We analyse and compare permitted removal data with offset allocation data.	We support Councils in managing non-compliance and incorporate illegal clearing into the evaluation of no net loss.	We collect and assess biodiversity value metric data.
Output	To provide a contemporary policy and regulatory framework.	To provide functional systems and tools to support stakeholders.	To provide stakeholders with up-to-date knowledge of the NVR, conveyed through formal training sessions, newsletters, and presentations.	To provide efficient management of essential regulatory functions, encompassing the Native Vegetation Credit Register, support email accounts, and DEECA approval requests.	To develop monitoring reports on OMP compliance and ensure awareness of ongoing responsibilities among offset site owners.	To determine the number of permitted removals that have been effectively offset.	To provide support mechanisms for Councils and data for evaluation.	To create evaluation reports aligned with the MER framework.
Outcome	So that ongoing and strategic updates to policy and regulations, along with continuous adaptation of the regulatory framework, promote sustainable land use and development while achieving no net loss to biodiversity.	So that stakeholders consistently express high satisfaction with the usability and effectiveness of existing NVR-supporting systems and tools, contributing to ongoing compliance and the achievement of the no net loss objective.	So that stakeholders are well-informed about the NVR and their associated responsibilities, fostering ongoing stakeholder engagement and compliance, ultimately contributing to the achievement of the no net loss objective.	So that critical regulatory functions are effectively managed, ensuring streamlined and compliant processes, leading to sustained efficient administration of regulatory responsibilities and achievement of the no net loss objective.	So that offset sites are appropriately managed within the regulatory framework, resulting in the realisation of predicted gains and the achievement of the no net loss objective.	So that trends in permit compliance can be interpreted and communicated to responsible authorities, informing the development of policies and processes designed to maintain a balance between vegetation removal and offsetting, ensuring no net loss to biodiversity.	So that illegal clearing is appropriately managed and included in the evaluation process, enhancing the program's ability to achieve no net loss, leading to long-term management and accountability for unpermitted removals, resulting in sustained no net loss to biodiversity.	So that evaluations can determine achievement of the no net loss objective.
Performance indicators	Qualitative: Policy updates have been implemented to fully support the no net loss objective.	Qualitative: Updates to systems and tools have been implemented to fully support the no net loss objective. Quantitative: • No. system/tool users • No. and duration of system outages. • Average time taken to address stakeholder queries relating to NVR systems and tools.	Qualitative: Training packages have been maintained and updated to fully support the no net loss objective. Quantitative: • No. policy training sessions and attendance. • No. VQA training sessions and attendance. • No. Advisory Group meetings • No. newsletters and presentations, and their reach.	Quantitative: • No. credit allocations • No. support requests (Policy, Offsets and NVCR) and processing times. • No. DEECA approval requests and processing times.	Qualitative: Policy and regulatory updates related to OMP compliance have been implemented. Quantitative: • No. offset monitoring visits completed. • OMP compliance rate % (no issues, minor issues, moderate issues, major issues) • % annual OMP reports submitted on time. • % annual OMP report submissions triggering requests for further action. • Resolution time for OMP non-compliance.	Quantitative: No. allocated and unallocated permitted removals.	Qualitative: Policy and regulatory updates related to compliance and enforcement have been implemented. Quantitative: No. and type of enforcement actions taken by responsible authorities.	Quantitative: Losses: • No. and type of approvals to remove native vegetation. • Extent of native vegetation removed, including Large Trees. • Extent of Endangered Ecological Vegetation Classes (EVCs) removed. • Habitat hectares removed. • General Habitat Units (GHUs) and Species Habitat Units (SHUs) removed. • Habitat hectares of loss under the Crown Land Exemption. • No. species significantly impacted, classed according to conservation status. • No. and type of enforcement actions taken by responsible authorities. • Cases logged in DEECA's Illegal clearing – Case Management System. Gains: • No. offset sites secured. • Extent of native vegetation protected, including Large Trees. • Extent of Endangered EVCs removed. • Habitat hectares protected. • GHUs and SHUs protected. • Habitat hectares of gain under the Crown Land Exemption. • No. species protected, classed according to conservation status.

4. Data collection, analysis and reporting

4.1. Data collection and analysis

The annual evaluation of the no net loss objective depends on a thorough data collection process. Table 6 identifies the various sources of data and information linked to each performance indicator identified within the Program Logic (Table 5).

The strategic approach to data collection ensures that a comprehensive set of metrics is considered, aligning with the intricacies of the no net loss objective. Rigorous analysis will occur following data collection, involving the interpretation and comparison of the gathered information to derive meaningful insights into the program's performance against its objectives. This emphasis on a robust data collection and analysis process underscores the commitment to evidence-based decision-making, enabling the program to adapt and improve in alignment with its overarching goals.

Table 6: Data sources collected on an annual basis

Component and performance indicators	Source of information/data
A well-structured and effective regulatory framework	
Qualitative	
1. Policy updates have been implemented to fully support the no net loss objective.	Recorded updates and improvements achieved during each financial year.
2. Updates to systems and tools have been implemented to fully support the no net loss objective.	
3. Training packages have been maintained and updated to fully support the no net loss objective.	
Quantitative	
4. No. system/tool users.	Data sourced for the following systems/tools:
5. No. and duration of system outages.	• NVR Map (Removal and Offset Tools) • EnSym • Native Vegetation Credit Register (NVCR) Search Tool • Support email accounts.
6. Average time taken to address stakeholder queries relating to NVR systems and tools.	Data logged in the DEECA NVR team's internal case management system.
7. No. policy training sessions and attendance.	Event records maintained by the DEECA NVR team.
8. No. VQA training sessions and attendance.	
9. No. Advisory Group meetings.	
10. No. newsletters and presentations, and their reach.	
11. No. credit allocations.	ACEs from the NVCR.
12. No. support requests (Policy, Offsets and NVCR) and processing times.	Data sourced for the following DEECA-administered support email accounts: • Native vegetation support • Native vegetation farming support • Native vegetation offset management • Native vegetation offset register

Component and performance indicators	Source of information/data
13. No. DEECA approval requests and processing times.	Data logged in the DEECA NVR team's internal case management system.
Adherence to the regulatory framework	
Qualitative	
14. Policy and regulatory updates related to OMP compliance have been implemented.	Recorded updates and improvements achieved during each financial year.
15. Policy and regulatory updates related to compliance and enforcement have been implemented.	
Quantitative	
16. No. offset monitoring visits completed.	Event records maintained by the DEECA NVR team.
17. OMP compliance rate % (no issues, minor issues, moderate issues, major issues).	Offset compliance records maintained by the DEECA NVR team.
18. % annual OMP reports submitted on time.	
19. % annual OMP report submissions triggering requests for further action.	
20. Resolution time for OMP non-compliance.	
21. No. allocated and unallocated permitted removals.	Data from responsible authorities (Data Logs), stored Native Vegetation Removal Reports (NVRRs) and ACEs from the NVCR.
22. No. and type of enforcement actions taken by responsible authorities.	Data from responsible authorities (Data Logs).
A data-driven approach to evaluating no net loss	
Losses	
23. No. and type of approvals to remove native vegetation.	Data from responsible authorities (Data Logs) and stored NVRRs.
24. Extent of native vegetation removed, including Large Trees.	
25. Extent of Endangered Ecological Vegetation Classes (EVCs) removed.	
26. Habitat hectares removed.	
27. General Habitat Units (GHUs) and Species Habitat Units (SHUs) removed.	
28. No. species significantly impacted, classed according to conservation status.	
29. No. and type of enforcement actions taken by responsible authorities.	
30. Habitat hectares of loss under the Crown Land Exemption.	The annual Crown Land exemption counterbalancing report, informed by data submitted by the exempt agencies (DEECA, Parks Victoria and the Great Ocean Road Coast and Parks Authority).
31. Cases logged in DEECA's Illegal clearing – Case Management System.	Data logged in the DEECA NVR team's internal case management system.
Gains:	
32. No. offset sites secured.	Security agreements registered on the NVOR and data from responsible authorities (Data Logs).
33. Extent of native vegetation protected, including Large Trees.	

Component and performance indicators	Source of information/data
34. Extent of Endangered EVCs removed.	
35. Habitat hectares protected.	
36. GHUs and SHUs protected.	
37. No. species protected, classed according to conservation status.	
38. Habitat hectares of gain under the Crown Land Exemption.	The annual Crown Land exemption counterbalancing report.

The design and scope of the three-yearly stakeholder questionnaire will maintain a degree of continuity to facilitate comparisons between current and past survey responses. However, it will also incorporate distinct questions tailored to address specific knowledge and evaluation gaps that may emerge during the three-year survey cycle. This approach ensures a balance between consistency for longitudinal analysis and adaptability to evolving insights, thereby enhancing the questionnaire's effectiveness in capturing comprehensive and relevant stakeholder feedback.

4.2. Reporting and communication

An effective reporting and communication strategy for this MER Plan is essential for ensuring transparency, accountability, and the widespread distribution of key findings to stakeholders. This section outlines the key elements of the reporting and communication strategy.

Annual reports will be a foundation of the communication plan, with a commitment to publishing these reports annually on the DEECA NVR website. These reports will comprehensively document the results of the formal annual evaluation of the no net loss objective. The content of these reports will address the three primary objectives of regulatory oversight, addressing knowledge gaps, and measuring progress. They will include both qualitative and quantitative indicators, along with insights into challenges and proposed improvements.

In addition to the annual reports, a three-yearly stakeholder questionnaire will be initiated in 2024. This questionnaire aims to actively engage external stakeholders, including government agencies, environmental organisations, researchers, policy-makers, local Councils, land managers/ landowners, and the general public. The goal is to gather diverse perspectives on the effectiveness of the NVR and stakeholder compliance.

Communication will be facilitated through various channels. The DEECA NVR website will serve as the primary platform for publishing reports, ensuring easy access to detailed information and updates. Key findings will also be communicated through government channels to inform policy-makers and regulatory bodies. Periodic engagement sessions will be organised with stakeholders to discuss findings, address concerns, and gather additional insights.

An integral part of the communication strategy is adaptive management and updates. The MER Plan will be updated at least every five years or more frequently as needed to ensure its relevance and effectiveness. Updates will be communicated through various channels to inform stakeholders about changes and improvements.

By implementing this comprehensive reporting and communication strategy, DEECA aims to foster a well-informed and engaged community of stakeholders, ensuring the ongoing success of the NVR in preserving Victoria's native vegetation and achieving the no net loss objective.

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5. Addressing evaluation limitations

Section 2.3 of this MER Plan identifies several key challenges affecting the evaluation of the no net loss objective. This section proposes measures to address these limitations, to be considered and built on by DEECA during the evolution of the MER framework.

1. Low data return rates

<u>Challenge</u>: Low data return rates from responsible authorities hinder the accurate assessment of biodiversity loss and gain events.

<u>Strategies</u>:

- Collaborate closely with responsible authorities to improve engagement and encourage accurate and timely data submission.
- Investigate options for formal agreements (e.g., MoU) with responsible authorities to define roles and responsibilities for data collection and supply.
- Provide training and resources to streamline data reporting processes.
- Identify opportunities to encourage responsible authorities for increased participation in data submission. For example, providing responsible authorities with data summaries or figures that may assist them in understanding the extent of native vegetation losses and gains within their jurisdictions.
- Investigate options for a centralised data repository for streamlined data collection, storage, and retrieval.

2. Reconciliation Challenges

<u>Challenge</u>: Reconciling all removals and offsets is limited due to various scenarios, including non-compliance, project abandonment and a lack of records for first-party offset sites.

<u>Strategies</u>:

- Address low data return rates (see Point 1).
- For unreconciled loss events in a given year, extend reconciliation attempts to subsequent years.
- Explore the integration of data repositories for easier matching of permitted removals.

3. Limited Information on Illegal Clearing

<u>Challenge</u>: Limited information on illegal clearing complicates the evaluation of biodiversity loss events.

<u>Strategies</u>:

- Explore various alternatives, such as the use of satellite imagery, to enhance the monitoring of native vegetation removal across the State. Currently, DEECA is preparing a report within the framework of this MER Plan that will identify potential approaches for utilising satellite imagery to detect native vegetation loss. The primary goal is to support the compliance and enforcement efforts of responsible authorities. This initiative is also intended to enhance the overall accounting of native vegetation losses which are not offset under the NVR, ensuring that these losses are better accounted for under the broader Biodiversity 2037 framework.
- Increase collaboration with entities responsible for compliance and enforcement, focussing on improved data sharing, educational initiatives, and the identification of areas requiring policy support.

4. Approval and Offsetting Challenges

<u>Challenge</u>: Certain loss events do not require approval or offsetting.

<u>Strategies</u>:

- Establish processes to more clearly identify and capture the extent of loss events not offset as part of the NVR as part of the broader net gain objective under the Biodiversity 2037 Plan (e.g. through the use of satellite imagery detection outlined in Point 3).

By implementing these strategies, it is anticipated that the challenges associated with data collection and biodiversity loss assessment will be mitigated, contributing to improved evaluation of the no net loss objective.

6. Roles and responsibilities

The successful implementation of this MER Plan requires concerted efforts from various stakeholders, each playing a crucial role in ensuring its effectiveness and contributing to the overarching objective of no net loss to biodiversity.

DEECA

DEECA is largely responsible for implementation of this MER Plan, responsible for the day-to-day coordination, implementation, and oversight of monitoring and evaluation activities. Key responsibilities include:

- Data collection and management - Ensuring the systematic collection of data related to native vegetation removals and offsets from responsible authorities, offset providers, and other relevant sources.

- Analysis and reporting - Undertaking rigorous analysis of collected data, interpreting findings, and preparing annual reports that comprehensively assess the NVR's effectiveness, challenges, and proposed improvements.

- Stakeholder engagement - Facilitating the three-yearly stakeholder questionnaire, actively seeking feedback to enhance the understanding of the NVR's performance and incorporating stakeholder perspectives into the evaluation process.

- Adaptive management - Initiating and leading efforts to refine data collection processes, address knowledge gaps, and adapt the MER Plan in response to emerging challenges or changes in policy.

Responsible authorities

Over 80 responsible authorities are essential contributors to the MER Plan's success. Their cooperation is critical for the provision of accurate and timely data on approved removals, offsets and other relevant information. Key responsibilities include:

- Timely data submission - Voluntarily submitting data on approved removals, offsets and compliance activities to DEECA, ensuring a comprehensive and accurate representation of biodiversity loss and gain events.

- Adherence to regulatory principles - Implementing and enforcing avoidance, minimisation, and offset requirements in line with the NVR policy framework.

External stakeholders

External stakeholders, including government agencies, environmental organisations, researchers, policy-makers, the Native Vegetation Advisory Group, local Councils, land managers/ landowners, and the general public, contribute to the MER Plan through:

- Participation in the Stakeholder Questionnaire - Providing valuable feedback through the three-yearly stakeholder questionnaire, offering diverse perspectives on the NVR's effectiveness and suggesting areas for improvement.

This collaborative and coordinated approach, where each stakeholder plays a distinct yet interconnected role, ensures the MER Plan's efficacy in achieving the no net loss objective and promotes the sustainable management of Victoria's native vegetation.

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7. Conclusion

This MER Plan provides a practical framework for the sustainable management of Victoria's native vegetation. It assesses the NVR's effectiveness through a systematic, data-driven approach, aligning with a broader commitment to preserve biodiversity, cultural heritage, and ecological balance.

This updated MER Plan, shaped by the availability of new information and data, and recommendations from the Victoria Auditor General's Office, emphasises DEECA's dedication to continuous improvement. It focuses on the no net loss objective, emphasising the core principle of balancing the removal and preservation of native vegetation.

The MER framework relies on a strong regulatory foundation, adherence to that framework, and a comprehensive data-driven evaluation of the no net loss objective. The three-part evaluation approach, focusing on regulatory oversight, addressing knowledge gaps, and measuring progress, ensures a comprehensive understanding of the NVR.

The program logic outlined in this plan is based on the vision of supporting sustainable land use and development while preserving native vegetation and biodiversity. As a transparent and adaptable framework, it guides activities, produces tangible outputs, and anticipates meaningful outcomes.

Data collection, analysis, and reporting are central to this MER Plan. Recognising challenges, particularly in collecting data on biodiversity loss events, this plan outlines a strategic approach to enhance the understanding of the no net loss objective. By addressing constraints and actively refining data collection processes, this plan also aims to strengthen its capacity for a comprehensive evaluation.

This MER Plan is part of an adaptive management framework, ensuring responsiveness to changing conditions, emerging knowledge, and lessons learnt. Regular updates, at least every five years and more frequently as needed, will ensure a dynamic and effective tool for evaluating the NVR.

The annual reports, to be published on the DEECA NVR website, and the three-yearly stakeholder questionnaire, starting from 2024, will serve as key communication channels. By targeting diverse audiences, from government agencies to the general public, the reports aim to share findings, propose improvements, and contribute to a collective understanding of the NVR.

In summary, this MER Plan is a practical tool for ongoing evaluation and improvement in managing Victoria's native vegetation. It reflects DEECA's commitment to balancing environmental conservation with development needs. As a living document, it adapts to changes, ensuring it remains effective in achieving the no net loss objective.