

Native vegetation removal regulations

Detailed pathway application guidance (May 2025)



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Energy,
Environment
and Climate Action

Author

DEECA Native Vegetation Regulations

Photo credit

Richard Boon (Rabbit proof fence, Desert Banksia)

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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ISBN 978-1-76176-229-1 (pdf/online/MS word)

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1. Introduction

1.1 Purpose of document

This document provides guidance for preparing information to support a Detailed assessment pathway application to remove native vegetation in accordance with the [Guidelines for the removal, destruction or lopping of native vegetation](#) (Guidelines). The Guidelines set out the rules, including application requirements, that regulate native vegetation removal by ensuring a no net loss to biodiversity through applying the three-step hierarchy of avoid, minimise, and offset.

All 11 application requirements, if relevant to the development, listed in Table 4 and Table 5 of the Guidelines, must be satisfactorily addressed.

This document is targeted at applicants seeking statutory approval to remove native vegetation, and those experts (e.g. ecological consultants, planning consultants) who assist with the preparation of the application.

Specifically, the document:

- Informs applicants of what is required to prepare an application.
- Describes the reason for each of the 11 application requirements.
- Details the information required to satisfy each of the 11 application requirements.
- Encourages a standardised approach to preparing a complete application.

Advice

- Preparing an application which includes the mandatory information and supplementary information described within this document will prevent unnecessary delays with the approval process.
- The [Assessor's handbook – Application to remove, destroy or lop native vegetation](#) is a great resource used by authorities to help in assessing applications. This document also provides more detailed information that may assist an applicant in preparing an application.

1.2 General terms

The following terms are used throughout this document.

Advice – Advice is provided within teal-coloured highlight boxes. Advice is meant to call the applicant's attention to things that will ensure a complete application.

Assumed loss – This is the indirect impact to native vegetation adjacent to a development that will likely occur from construction or ongoing activities. This is impact to adjacent native vegetation (e.g. encroachment into tree protection zones) that can occur from extraction, compaction, hydrological changes or shading. Native vegetation likely impacted from assumed loss must be mapped as actual loss.

Biodiversity values – These are specific biodiversity values that need to be considered in the application of the Guidelines. They include site based observable values (e.g. patches) as well as landscape scale values (e.g. Strategic biodiversity value) displayed in maps and models.

Complete application – This is an application that satisfactorily addresses all the relevant application requirements in enough detail to accurately inform the responsible authority of the steps taken to avoid, minimise and offset impact to biodiversity values. A complete application should not require requests for further information (RFI) from the responsible authority.

Consequential loss – This is an area of native vegetation that will be subject to an exemption (e.g. *Site area* exemption, *Fences* exemption) once a development, and/or any changes to property boundaries has been approved. Consequential loss must be mapped as actual loss.

Contiguous land – Contiguous refers to land adjoining or having a common boundary. Land in the same ownership separated by a road or rail reserve is not contiguous, unless the reserve is held in licence by the adjacent landowner.

Development – This is the activity requiring the removal of native vegetation and covers the same development activities described in the *Planning and Environment Act 1987*. It includes the construction footprint or works area, as well as any other areas (e.g. utilities) required to establish the development.

Extent of proposed removal – This is the extent of native vegetation loss from the proposed development. It includes direct removal, assumed loss and consequential loss.

Other values - These are values, in addition to biodiversity values, that need to be considered in the application of the Guidelines. They include land and water protection, identified landscape values, and native vegetation protected under the *Aboriginal Heritage Act 2006*.

NVR Map – This is the online tool used to generate a Native Vegetation Removal Report (NVRR) that must be submitted to the responsible authority as Application requirement 1.

Referral authority – An entity whose interests may be affected by a permit application, and who is given the opportunity to provide advice to the responsible authority. DEECA's Planning Environment and Assessment (PEA) is always the referral authority for applications addressing the Guidelines.

Responsible authority – The body or person responsible for the administration of a planning scheme.

Scenario test report – This is a report generated in NVR Map based on modelled condition scores, or indicative native vegetation removal mapping. It is used early in a development's planning stage to indicate potential biodiversity impact and offset requirements to inform avoid and minimise opportunities. A scenario test report cannot be submitted with an application.

Significant impact – Impact to threatened species habitat that results in an offset requirement for that species. This occurs when at least 0.005% of proportional impact, as identified in Appendix 2 of the NVRR, is proposed.

Study area – This is the broader area where the development could be sited. It generally includes the entire property plus any additional area (e.g. roads, utilities, material storage) required to accommodate or construct the development.

Total extent of native vegetation removal – This includes the extent of proposed removal plus the extent of past removal.

1.3 Document structure

Depending on your level of understanding of preparing a Detailed assessment pathway application, you may want to read the entire document or jump straight to the application requirements, or appendices.

[General information – Section 2](#)

This section provides general information that should be considered during the design of the development and before preparing an application.

[Gathering required information – Section 3](#)

This section describes the information required to prepare a complete application.

[Application requirements – Section 4](#)

This section provides detailed information on what must and should be provided for each of the 11 application requirements.

Appendices

Each appendix provides detailed information on a specific technical aspect of the Guidelines.

- A. [Application requirement checklist](#)
- B. [Mapping native vegetation removal](#)
- C. [NVR Map - Scenario testing](#)
- D. [Using supplementary site assessed data](#)

2. General information

2.1 Other pieces of legislation

The native vegetation removal regulations are a stand-alone policy embedded within various statutory approval processes. However, applicants should consider the proposed impact and the avoid, minimise, and offset hierarchy in parallel with considerations under other pieces of legislation.

Ensure decisions made to satisfy the application requirements of the Guidelines, are considered, and balanced against other environmental and planning requirements.

- *Flora and Fauna Guarantee Act 1988*
- *Marine and Coastal Act 2018*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Wildlife Act 1975*
- *Environment Effects Act 1978*
- Local planning provisions (including Zones and Overlays)

Advice

Impact under each piece of legislation requires separate assessment and approval. However, considering requirements under all pieces of legislation in parallel will result in a planning assessment with fewer delays.

2.2 Statutory approval pathway

Depending on the type of development, applicants will apply to remove native vegetation through one of multiple statutory approval processes. Regardless of the approval process, native vegetation removal must be considered in accordance with the Guidelines.

Applicants must determine which planning process the development will seek approval under. The statutory approval process determines the appropriate responsible authority. Ideally the applicant should have a pre-application meeting with the responsible authority, or DEECA's Planning Environment Assessment (PEA) as the referral authority, before preparing an application, and preferably before finalising the development's design.

Advice

DEECA's PEA is always the referral authority for native vegetation removal applications in the Detailed assessment pathway. To arrange a pre-application meeting, contact pe.assessment@deeca.vic.gov.au

2.3 Pre-application meeting

A pre-application meeting is a valuable step in finalising a development's design, preparing an application and ensuring a streamlined assessment. Once the development scope is known, conduct a pre-application meeting before a final design or footprint has been determined.

A pre-application meeting allows applicant to communicate:

- the scope of the development
- how they intend to address the avoid and minimise steps of the three-step approach
- if there is an ability to shift the development within the study area

- preliminary findings of the extent of native vegetation proposed for removal
- other required approvals and anticipated construction requirements (e.g. start dates)

A pre-application meeting enables the responsible authority to communicate:

- all the planning approvals required
- if any past removal must be considered
- any other known or higher significant biodiversity values present in the study area
- advice on addressing the 11 application requirements
- the time frame expected to assess an application

The likely benefits of a pre-application meeting include:

- resolution of issues before making an application
- an application that meets the requirements of the Guidelines while achieving the objectives of the proposed use or development
- reduction in the likelihood of further information requests
- a streamlined assessment with less chance of project delays.

2.4 Application requirement - Checklist

Planning applications often address the legislative requirements for multiple pieces of legislation or planning provisions. It is common for applicants to present this in an overarching document, such as a flora and fauna assessment report. This report must be structured to allow the responsible authority to easily locate the information provided to address the 11 application requirements of the Guidelines.

[Appendix A](#) provides an example application requirement checklist.

Advice

Applications should include a **checklist** which:

- confirms which application requirements have been addressed
- includes where the information can be viewed within the application
- confirms if an application requirement is not applicable

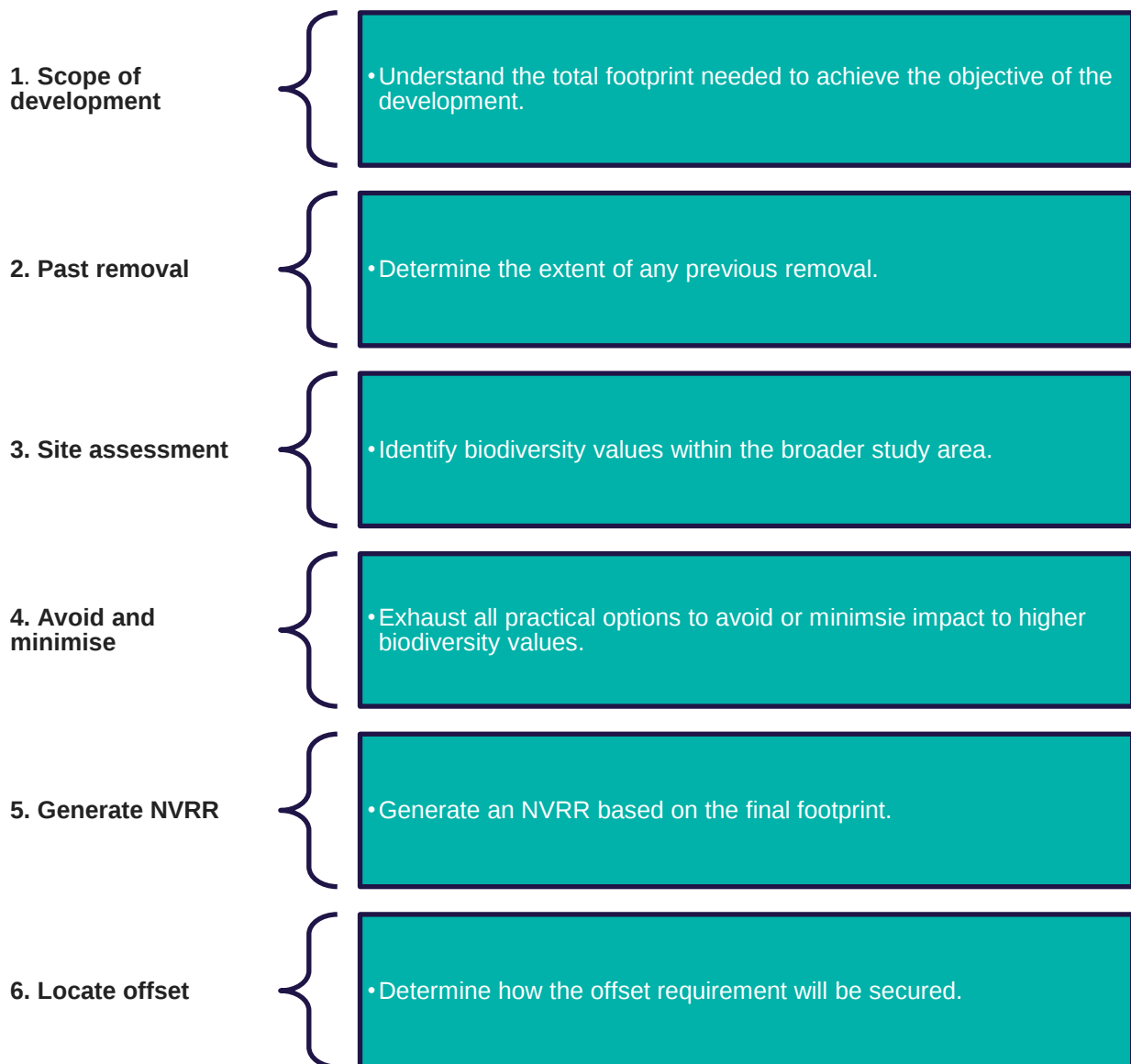
2.5 Other information to include in the application

Although not required under the Guidelines, including the following information alongside the 11 application requirements will ensure the responsible authority has a clear and accurate understanding of the scope of the project and its impact on biodiversity and other values. A pre-application meeting is an opportunity to discuss if other information will streamline the approval process. It is recommended that the following additional information is included:

- Site plan
- Clear description of the development
 - Purpose
 - Footprint
- Ancillary areas needed to construct/operate
- Description of any previous stages of the development, including reference to previous approvals and the extent/location of native vegetation approved for removal.
 - Provide the NVRR ID(s) associated with any approvals for previous stages of the development.

3. Gather required information to inform an application

Applicants must gather the following information to prepare a complete application that satisfies all the application requirements. The points listed below are explained in more detail in this section.



3.1 Understand entire scope of the development

Determine the minimum area required to deliver the entire development and its ongoing operation or use. Understanding the minimum footprint needed to construct and operate the development will identify opportunities to avoid unnecessary impact to native vegetation. Consider:

- Is this a new development or an addition to existing infrastructure?
 - Adding to existing infrastructure may limit the options to site the development.
- What construction technique will be used?
 - Areas needed to move machinery and store materials must be included.
- What is the smallest extent of impact required to deliver the development?
 - This will inform where to site the development within the broader study area to minimise impact.
- Is there a requirement to connect to other infrastructure (e.g. roads, water, electricity)?

- This informs the overall footprint of impact.
- Will the development be delivered in discrete stages?
 - This may enable offsets to be secured in stages.

Advice

All impact areas, including areas required to move machinery and store materials must be identified on maps (e.g. site map) supplied with the application.

3.2 Identify past removal

Determine the extent, if any, of past removal that was approved (or without approvals) on the same property, or on contiguous land in the same ownership of the applicant within the previous five years from the date of expecting to lodge the application.

For developments located across multiple properties or on Crown land contact the responsible authority, or DEECA as the referral authority, for confirmation of what to include as past removal. Generally, all previous stages of a development must be considered as past removal.

Past removal, if any, is required to understand cumulative impact to species habitat. It is used to determine if the combined extent of past and proposed removal will significantly impact on species habitat. The extent of past removal must be identified as a patch, patch tree or scattered tree. Past removal includes:

- **Approved past approval**

The extent in hectares of any native vegetation approved for removal on the same property, or on contiguous land in the same ownership of the applicant within the previous five years from the date of expecting to lodge the application.

- **Unauthorised past removal**

The extent in hectares of any native vegetation removed without the required approvals on the same property, or on contiguous land in the same ownership of the applicant within the previous five years from the date of expecting to lodge the application.

Advice

If previously unknown native vegetation removal is discovered during the site assessment, the applicant must contact the responsible authority to determine how to treat this removal.

3.3 Conduct a site assessment

All developments that will result in removal within the in Detailed assessment pathway must carry out a site assessment of the native vegetation proposed for removal. An [accredited native vegetation assessor](#) must conduct the site assessment (Application requirement 10).

Conduct a site assessment of the entire study area, including adjacent areas that may be impacted through consequential or assumed loss, before finalising the footprint for the development. This site assessment will identify the extent of native vegetation within the entire study area and assign condition scores to habitat zones.

A site assessment and subsequent Native Vegetation Removal Report (NVRP) will identify potential impact to the following biodiversity values.

- | | |
|--------------------------------|--|
| • Patches of native vegetation | • Scattered trees |
| • Patch trees | • Endangered ecological vegetation classes |
| • Vegetation condition | • Sensitive wetlands and coastal areas |
| • Strategic biodiversity value | • Habitat for threatened species |

Be aware of any other processes or values present on site that may inform where the development can be sited.

- Strategic planning
- Aboriginal heritage
- Waterways
- Topographical features
- Known locations of threatened species or communities

3.4 Identify avoid and minimise opportunities

Before preparing the avoid and minimise statement (Application requirement 5), applicants must determine where to site the development so the impact to biodiversity and other values is minimised. Appendix 1D of the [Assessor's handbook - Applications to remove, destroy or lop native vegetation](#) summarises what is considered lower and higher impacts for each biodiversity and other value.

Consider both strategic planning (if relevant) and site-based opportunities to avoid or minimise impacts to native vegetation and associated biodiversity values.

- **Strategic planning**

Determine whether a strategic planning exercise has previously been undertaken that identified areas of biodiversity to avoid impacting upon. The strategic exercise must have been endorsed by DEECA (e.g. Crown land management zones and uses) or recognised in the planning scheme (e.g. Environmental Significance Overlay).

Ideally, the development should not impact on areas/values identified for retention or as high value within a strategic planning process. If this is not possible, an explanation of why impact is necessary must be provided within the avoid and minimise statement.

- **Site based avoid and minimise**

Use information gathered from the site assessment, NVR Map and the NVRR to explore opportunities to avoid areas of native vegetation with higher biodiversity and other values. This should involve discussions with the ecologist who undertook the site assessment. If present, the biodiversity and other values identified in Section 3.3 must be the focus of minimise opportunities. Consider these biodiversity and other values in conjunction with other possible planning restrictions imposed on the site to adopt practical measures to avoid and minimise impact.

If the scope allows, site the development in an area with **no** or **lower** biodiversity or other values.

Advice

Ecological consultants have a strong understanding of the no net loss objective of the Guidelines. The ecologist who undertook the site assessment may be able to suggest practical opportunities to minimise impact on native vegetation with biodiversity and other values, while enabling the applicant to achieve the objective of their development.

3.5 Generate a Native vegetation removal report

Identify the minimum extent of native vegetation removal necessary to achieve the development objective and create a shapefile that identifies all patches, patch trees and scattered trees proposed for removal. The shapefile must be created and attributed in accordance with [NVR Map – Data Standards, A guide for detailed Uploads](#).

The shapefile must include the total extent of native vegetation that was (past 5 years) or will be impacted:

- Direct removal
 - Patches (including Mapped wetlands)
 - Patch trees
 - Scattered trees

- Assumed loss (refer to section 1.2)
- Consequential loss (refer to section 1.2)
- Past removal (refer to section 3.2)

Advice

The NVRR submitted with the application must reflect the proposed native vegetation removal required for the final development design. If the design changes through the application process, the NVRR must be updated.

3.6 Locate an offset

Before preparing the offset statement (Application requirement 9), applicants must determine how they will secure the offset requirement. The offset requirement, including its attributes is identified on Page 2 of the NVRR to be submitted with the application.

The offset identified must satisfy the entire offset requirement and meet the relevant offset attributes. The entire offset requirement can be secured at one location or across multiple locations.

Table 1: Offset requirement including attributes

Offset requirement	General habitat units (GHUs)	Species habitat units (SHUs)
Attributes	– Vicinity (CMA)	– Threatened species habitat
	– Large trees	– Large trees
	– Minimum strategic biodiversity value	– NA

Depending on the type and amount, the offset requirement may already be available for purchase or may require additional actions to locate it.

- **Third party offset - Readily available offsets**

Most offset requirements can be satisfied by identifying an offset site on DEECA's Native Vegetation Credit Register (NVCR) and purchasing the required offset through a Credit site's nominated Broker.

To search for available offsets, visit [Search the Native Vegetation Credit Register](#) and contact the Broker identified for the Credit site(s) that satisfies your offset requirement.

Advice

Offset prices can vary significantly. Identify multiple Credit sites that meet the offset requirement. Contact the relevant Broker and request a quote to purchase the offset from the Credit site(s) that have been identified.

- **Third party offset - Offsets not readily available**

If the offset requirement is unavailable on the NVCR, take measures to identify a new property and establish a new Credit site to generate an offset that will meet the offset requirement. The Native vegetation offset tool in NVR Map can help indicate if an area will generate the required offset.

Engage an offset broker or ecological consultant to conduct a search and identify an area of land that will generate an offset to satisfy the offset requirement.

It may take many months to formally secure the offset depending on how long it takes to identify a suitable property.

- **First party offset**

This option is available to applicants with sufficient area to establish an offset site on property they own. It is not required to be the same property that the removal is proposed. The proposed offset area must:

- meet the offset eligibility criteria described in Section 9.1 of the Guidelines
- satisfy the offset requirement (or part thereof).

The applicant must have written support from the relevant statutory authority (e.g. Local Council, DEECA) they intend to enter into an offset agreement with, and they must:

- be able to implement the management plan, and
- comply with the obligations of a legally enforceable offset agreement into perpetuity.

The Native vegetation offset tool in [NVR Map](#) can help indicate if an area will generate the required offset.

Advice

Information on establishing a new native vegetation offset site can be viewed on [DEECA's Native Vegetation Regulations webpage](#).

4. Addressing the application requirements

The Guidelines list the application requirements 1 through 11. If applicable to the development, each requirement informs the responsible authority of the proposed impact, or actions taken to address the objective of no net loss to biodiversity.

This section details the information required to address each application requirement to allow the responsible authority to assess the application sufficiently. By including all this information in the application, it will:

- provide the responsible authority with a complete application
- reduce the likelihood of further information requests
- result in a quicker decision
- if approved, reduce delays in the commencement of the development

Reason for requirement

The reason for the information is provided for each of the 11 application requirements. Generally, each of the application requirements enables the responsible authority to determine if the no net loss to biodiversity objective has been adequately addressed.

Prescribed information

This is specific information that must be provided for the responsible authority to assess an application. If prescribed information has not been provided, the application cannot be referred to DEECA, as the referral authority. Failure to provide prescribed information will result in an incomplete application and a request for further information or objection.

Supplementary information

In addition to the prescribed information required to address the 11 application requirements, this section outlines supplementary information that will support the prescribed information. Supplementary information provides further details about the impact and will streamline the application and assessment process.

4.1 Application requirement 1 – Information about native vegetation to be removed

Provide information about the native vegetation to be removed, including:

- The assessment pathway and the 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.
- Maps showing the native vegetation and property in context.
- The offset requirement.

Reason for requirement

This information informs the responsible authority of the total extent of native vegetation proposed for removal, biodiversity values impacted, and the offset requirement.

In particular, the responsible authority will use the report to confirm:

- that the extent of proposed native vegetation removal is accurate and captures all past, proposed direct and likely indirect impact, including assumed and consequential loss.
- that the patches of native vegetation proposed for removal have been assigned a condition score representative of the quality of the native vegetation.
- whether all past and proposed stages have been considered in the total extent of native vegetation removal.

Prescribed information

A Native Vegetation Removal Report generated by DEECA's NVR Map contains all the mandatory information. The NVRR identifies the:

- impact to native vegetation and associated biodiversity values, that will occur if the development is approved, and
- offset requirement to compensate for the impact if the development is approved.

The NVRR must be informed from a site assessment carried out by an accredited site assessor. The site assessor's name will appear on the NVRR.

The NVRR must be generated using DEECA's NVR Map by uploading a shapefile created in accordance with the [NVR Map – Data standards – A guide for detailed uploads](#).

The NVRR will also include information to address the following application requirements:

- Application requirement 4 - Past removal (if relevant)
- Application requirement 11 – Impact to threatened species

Advice

Upon request DEECA's Native Vegetation Regulation can generate an NVRR:

- To stage offsets to align with development stages.
- If the applicant has been provided with written agreement to exclude a Habitat importance map (HIM).
- To generate a report for the 2013 version of the native vegetation removal policy.
- If another situation arises where a report cannot be generated using NVR Map.

Supplementary information

In addition to the NVRR, the following information will allow the responsible authority to better understand if the NVRR includes all proposed impacts to native vegetation.

- A high-resolution site plan of the development's footprint, including areas required for machinery and materials, overlayed on current aerial imagery that clearly identifies the native vegetation impacted. The responsible authority can compare the site plan with the NVRR to ensure all native vegetation likely impacted has been included in the NVRR.
- The site plan should identify the location of all patches, patch trees and scattered trees.
- The shapefile used to generate the NVRR.
 - A shapefile of the native vegetation mapped for removal can be downloaded from NVR Map when the report is downloaded.
 - The responsible authority can use the shapefile to better visualise the proposed removal and determine if all likely impacted native vegetation has been considered.
- Arborist report (if applicable) which states that trees are deemed to survive when impact encroaches on more than 10% of the tree protection zone.
 - The responsible authority can use the report to verify the exclusion of trees from the NVRR report.
 - Ensure the tree identification in the arborist report matches the site plan labelling.

4.2 Application requirement 2 – Topographic and land information

Provide topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20%, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or a plan.

Reason for application requirement

This information enables the responsible authority to consider if removing native vegetation on or adjacent to the features listed above will increase the likelihood of land degradation (e.g. erosion) or decrease water quality (e.g. sedimentation).

Prescribed information

The presence of any of the features listed above must be included to inform the responsible authority of the exact location compared to the native vegetation proposed for removal.

The information is best presented in a map or plan. It must be at a fine enough scale and resolution to clearly identify the topographical and land information features present.

Supplementary information

The following information will allow the responsible authority to better understand the impact of the removal of native vegetation in relation to the topographical and land information.

- Combine these features within the site plan submitted as supplementary information for Application requirement 1.
- Describe the likely impact if native vegetation were to be removed if one or more of the following may occur:
 - Water quality is likely to decrease
 - Water level is likely to change
 - Land quality is likely to degrade.

4.3 Application requirement 3 – Photographs

Provide recent photographs of the native vegetation to be removed.

Reason for application requirement

Photographs visually represent of the type, condition and extent of patches and trees identified for removal within the NVRR (Application requirement 1).

Prescribed information

Photographs must accurately reflect the condition of patches and trees identified for removal within the NVRR. They must be at a scale and resolution to communicate the current condition of patches (including grasses/understorey) and the size of trees. The date(s) the photos were taken should also be included.

Applications in the Detailed assessment pathway vary in size and complexity. For applications comprising of many patches and trees, representative photographs must be submitted to reflect the varying conditions of the patches and trees accurately. Photographs must practically capture the range of:

- vegetation types
- patch conditions
- tree sizes

Supplementary information

Photographs should:

- be numbered as per the patch and tree zone numbering in Appendix 1 of the NVRR
- include the direction they were taken from (e.g. North, East, South, or West).

Native vegetation to be removed													
Information provided by or on behalf of the applicant							Information calculated by NVR Map						
Zone	Type	DBH (cm)	EVC code	Bioregional conservation status	Partial Removal	Condition score	Large Tree(s)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	HI Score	Habitat Units	Offset Type
0-A	Patch	-	HSF_0022	Least Concern	no	0.370	-	1.934	1.934	0.668	0.591	1.139	Little Pink Spider-orchid Caladenia rosella (503669)
1-A	Patch	-	HSF_0083	Vulnerable	no	0.280	1	0.552	0.552	0.900	0.736	0.268	Little Pink Spider-orchid Caladenia rosella (503669)

4.4 Application requirement 4 – Past removal

Provide details of any native vegetation approved to be removed, or that was removed without the required approvals, on the same property or on contiguous land in the same ownership as the applicant, in the five-year period before the application for approval is lodged.

Reason for application requirement

NVR Map uses this information alongside the proposed impact (direct and indirect) to determine:

- the assessment pathway of a development, and
- if there is significant impact to threatened species habitat from multiple removal events across a five-year period.

Prescribed information

Include the extent of any past native vegetation removal on the same property, or on contiguous land in the same ownership of the applicant within the previous five years from the date of expecting to lodge the application.

- Approved removal – Use the approval date of the past removal to determine if it is within the five-year period.
- Unapproved removal – Use the date of formal acknowledgement or compliance action taken by the responsible authority to determine if it is within the five-year period.

Advice

Native vegetation removal under an exemption is not required to be included as past removal, unless that exemption (e.g. *Railways exemption*) required consideration of the Guidelines.

If previously unknown native vegetation removal is discovered during the site assessment, you must contact the responsible authority for direction on how to treat this removal.

Past removal must be included within the attribute table of the shapefile used to generate the NVRR. The extent of past removal is displayed in the NVRR (Application requirement 1) as yellow polygons.

For each past removal polygon for a patch, a patch tree or scattered tree, include one of the following descriptions under the '*Past removal identifier*':

- For Framework use '*FW*'
- For 2013 Biodiversity assessment guidelines use '*BAG2013*'
- For 2017 Guidelines use '*Guidelines 2017*'

Supplementary information

Past removal should be referenced within relevant documents, such as a flora and fauna assessment. References should include the:

- planning trigger (e.g. Clause 52.17) it was approved under with planning reference ID (e.g. Planning permit number), and
- NVRR ID associated with the approved removal.

4.5 Application requirement 5 – Avoid and minimise statement

Provide an avoid and minimise statement. The statement must describe any efforts to avoid the removal of and minimise impacts on biodiversity and other values of native vegetation. It must also describe how these efforts focused on areas of native vegetation that have the most value. The statement must include a description of the following:

- **Strategic level planning** – any regional or landscape scale strategic planning process that the site has been subject to that avoided and minimised impacts on native vegetation across a region or landscape.
- **Site level planning** – how the proposed development has been sited or designed to avoid and minimise impacts on native vegetation.
- **No feasible opportunities exist** to further avoid and minimise impacts on native vegetation without undermining the key objective of the development.

Reason for application requirement

The avoid and minimise statement informs the responsible authority of the efforts taken to avoid and minimise impact to native vegetation and its associated biodiversity and other values. It also communicates that no feasible/practical opportunities to further minimise impacts exist.

Without a statement that clearly demonstrates the efforts taken by the applicant, the responsible authority is likely to request that further efforts be made at the site level to minimise impact.

Prescribed information

The statement must address the efforts to avoid and minimise impacts to biodiversity and other values relevant to the development.

The statement should be structured to address the three components of the application requirement:

1. **Strategic level planning** – Communicate whether a strategic planning process has been endorsed by DEECA or incorporated into the local planning scheme, that has identified biodiversity values to retain or avoid impacting.
 - If no process is applicable, communicate this in the statement and no further details are required.
 - If a process is applicable, communicate the biodiversity value(s) or areas identified in the process and describe the efforts made to:
 - align the development design with the objectives of the strategic process, or
 - explain why the development cannot align with the objectives of the strategic process.
2. **Site level planning** – Communicate the efforts made to avoid or minimise impact on each of the following biodiversity and other values that are present within the study area.

Table 2: Biodiversity and other values

Biodiversity values	Other values
• Patches	• Topographical features
• Large trees	• Identified landscape values
• Endangered EVCs	• Native vegetation protected under the <i>Aboriginal Heritage Act 2006</i> .
• Sensitive wetlands and coastal areas	
• Habitat for threatened species	

3. No further opportunities to minimise impacts – Communicate why there are no opportunities to further reduce impact to biodiversity values without compromising the objective of the development. Things to consider may include:
- Other legislative considerations
 - Topographical considerations
 - Other associated/adjacent infrastructure

Advice

The avoid and minimise statement is critical in demonstrating the efforts made to minimise impact to biodiversity and other values. The following example statement is not sufficient to demonstrate this.

'There are no further opportunities to minimise impacts without undermining the objective of the development'

The statement must demonstrate:

- what was done to minimise impact to each of the relevant values, and
- **why** there are no further opportunities to minimise impact.

Avoid and minimise efforts vs construction mitigation measures

Avoid and minimise efforts differ from mitigation measures implemented at the pre-construction phase.

Efforts to avoid and minimise impact are a requirement that must be addressed at the development's planning phase. Applicants must demonstrate how the development was designed to avoid and minimise impact. This must be described in the avoid and minimise statement.

Mitigation measures (e.g. buffer zones, sediment control) are actions implemented before construction or native vegetation removal occurs to prevent adverse impacts to surrounding biodiversity or other values that were avoided during planning. Mitigation measures are generally outlined in a Construction Environmental Management Plan (CEMP) and are usually included as planning approval conditions. Mitigation actions should not form part of the avoid and minimise statement.

Table 3: Examples of avoid and minimise steps vs mitigation action

Value	Avoid and minimise (Planning phase)	Mitigation measure (Pre-construction phase)
Large trees	The development has been sited to avoid three large trees at the front of the property.	Tree protection zone fencing and signage will be erected at 12x the diameter at breast height (DBH) of the trees to be retained.
Waterway	The development has been sited 20 metres from the creek that runs north south through the property.	A sediment trap will be placed between the works area and the creek to prevent sediment from entering the creek.

4.6 Application requirement 6 – Property Vegetation Plan

Provide a copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the *Conservation, Forests and Lands Act 1987* (CF&L Act) that applies to the native vegetation to be removed.

Reason for application requirement

This application requirement only applies if a Property Vegetation Plan (PVP) exists for the property. A PVP is a strategic document that identifies future native vegetation removal and its offset approach over an extended period (usually 10 years). It also identifies native vegetation to be retained. The PVP is developed in consultation with the responsible authority and DEECA. A PVP is not statutory approval allowing removal; formal statutory approval is still required to remove native vegetation identified for removal in the PVP.

Prescribed information

Provide a copy of the PVP pursuant to section 69 of the CF&L Act. PVPs are only approved by DEECA if they have been developed in accordance with the Guidelines, including an offset statement. PVPs include all required information to address all the relevant application requirements.

- If native vegetation proposed for removal is in accord (i.e. identified to be removed) with a PVP, no further information is required. The PVP will include all the necessary information for the application.
- If native vegetation proposed for removal is not in accord (i.e. identified to be retained) within the PVP, provide:
 - Information addressing all relevant application requirements.
 - Information outlining the implications to the PVP.
 - Discussions must be had with DEECA regarding the status of the PVP.
- If no PVP applies, a brief statement informing the responsible authority that this requirement is not required or indicate this on the Application requirement checklist included with the application.

Advice

PVP's are rarely used and it is unlikely a development will need to consider one.

4.7 Application requirement 7 – Defendable space statement

Where the removal of native vegetation is to create defendable space, provide a written statement explaining why the removal of native vegetation is required. This statement must have regard to other available bushfire risk mitigation measures.

This statement is not required when the creation of defendable space is in accordance with an application under the Bushfire Management Overlay.

Reason for application requirement

This statement informs the responsible authority that the applicant has considered all practical measures to reduce the bushfire threat before deciding that native vegetation removal is the only viable option to reduce that risk.

This statement is only required if the proposed native vegetation does not accord with the description of a relevant exemption within [Clause 52.12 \(Bushfire Protection Exemptions\)](#) of a local planning scheme. However, this statement is required if the proposed removal of native vegetation exceeds the distance identified under the Clause 52.12 exemption.

Prescribed information

- Describe the bushfire threat and why defendable space is necessary.
- Describe how the following bushfire risk mitigation measures have been used or are not practical:
 - Increase the Bushfire Attack Level (BAL) of the building
 - Site or design building to avoid areas of high bushfire risk
 - Use of engineered structures or measures to mitigate bushfire risk.

Supplementary information

In addition to the prescribed information, the following will help the responsible authority understand the extent and location of defendable space required:

- Identify the defendable space required within the site plan submitted as supplementary information for Application requirement 1.
- Supply the bushfire risk assessment, which describes the bushfire risk and identifies the areas of native vegetation to be treated.

4.8 Application requirement 8 – Native Vegetation Precinct Plan

If an application is under Clause 52.16, provide a statement that explains how the development impacts the Native Vegetation Precinct Plan.

Reason for application requirement

This application requirement only applies if a Native Vegetation Precinct Plan (NVPP) applies to the area and the native vegetation proposed for removal has been identified as to be retained/protected within the NVPP. An NVPP is a strategic document associated with Precinct Structure Plans (PSP). It is used to identify areas of native vegetation within the PSP that can be removed and areas of vegetation that must be retained/protected because they contain biodiversity values the responsible authority wants to maintain or enhance.

A clause 52.16 permit is required if an applicant proposes to remove native vegetation identified as to be retained/protected within the NVPP.

This information is required to inform the responsible authority if the proposed removal of native vegetation identified for retention/protection will undermine or contradict the biodiversity objective(s) of the NVPP.

Prescribed information

Provide a copy or reference the applicable NVPP and a statement that:

- Identifies the retained/protected native vegetation proposed for removal.
- Demonstrates the level of impact the proposed removal of native vegetation will have on the objective of the NVPP. Specifically include in the statement:
 - Whether the objective(s) of the NVPP will be undermined.
 - Whether the removal will result in fragmentation or degradation of the remaining retained/protected native vegetation.

Advice

Regardless of when the NVPP was gazetted, the assessment of proposed native vegetation removal for a Clause 52.16 permit must be in accord with the Guidelines using a site assessment (Detailed assessment pathway) to generate an NVRR.

Seek advice from the responsible authority as to whether a permit is required to remove native vegetation that is not identified (either to be retained or to be removed) within the NVPP.

4.9 Application requirement 9 – Offset statement

Provide an offset statement containing evidence that an offset meeting the offset requirement for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.

A suitable statement includes evidence that the required offset:

- Is available to purchase from a third party, or
- Will be established as a new offset and has the agreement of the proposed offset provider, or
- Can be met by a first party offset.

Reason for application requirement

The responsible authority uses this information to confirm that an offset has been identified that will satisfy the offset requirement identified in the NVRR, resulting in a no net loss to biodiversity.

In preparing the offset statement, the applicant gains an understanding of whether the impact can be compensated by an offset, and the likely cost of that offset. Understanding the availability and cost of the offset requirement may influence if the applicant proceeds with or alters the development.

Prescribed information

There are several methods for securing an offset. The information provided in the Offset statement will differ depending on which method is proposed to secure the offset.

Third party offsets are recorded on the NVCR. They are purchased from the credit owners by the applicant.

- Currently available

The offset statement must demonstrate that the offset requirement is currently on the NVCR, the applicant understands the cost of the offset, and they have committed to purchasing it. The offset statement should include:

- A recent offset availability report from the Offset search tool.
- An offset quote from an Offset broker.
- Commitment to purchase the offset.

- New offset site

The offset statement must demonstrate that the offset requirement will be satisfied through securing a new third party offset site. The offset statement should include:

- A Native Vegetation Offset Report or scenario test demonstrating the proposed offset site will generate a sufficient offset to satisfy the offset requirement.
- Summary that the proposed offset site will meet the offset eligibility criteria.
- An acknowledgement from the landowner that they intend to secure and manage their land as an offset site.
- In-principle written support from the statutory authority (DEECA or Trust for Nature) that the offset site will likely be supported, and that there aren't any obvious fatal flaws.
- Commitment from the proponent to purchase the offset from the new offset site.

First party offset is an offset secured on land in the ownership of the applicant. Gain generated on a first party offset can only be used to satisfy an offset requirement on land in the same ownership as the offset site owner.

- Existing offset site

The offset statement must demonstrate that gain remains in the existing offset site that was not used to satisfy the owner's previous offset requirements. First party offsets expected to be used to satisfy the owner's ongoing offset requirements must be recorded on DEECA's Native Vegetation Offset Register. The offset statement must include:

- The identification details of the first party offset agreement.
- The property title identifying the first party offset as an encumbrance.
- A recent offset statement from DEECA's Native Vegetation Offset Register demonstrating that there is sufficient unallocated gain remaining on the site to satisfy the offset requirement.
- Commitment from the proponent to allocate gain from the offset site.

- New offset site

The offset statement must demonstrate that the applicant is committed to managing their land as a new first party offset site, and that the offset requirement will be satisfied by securing the area. The offset statement must include:

- A Native Vegetation Offset Report or scenario test demonstrating that the proposed offset site will generate a sufficient offset to satisfy the offset requirement.
- Summary that the proposed offset site will meet the offset eligibility criteria.
- Acknowledgement from the applicant that they intend to secure and manage their land as an offset site.
- In-principle written support from the statutory authority (e.g. Local Council) that the offset site will likely be supported, and that there aren't any obvious fatal flaws.
- Commitment from the applicant to allocate the offset gain from the new offset site.

4.10 Application requirement 10 – Site assessment report

Provide a copy of the site assessment report of the native vegetation to be removed, including:

- A habitat hectare assessment of any patches of native vegetation, including the condition, extent (in hectares), Ecological Vegetation Class and bioregional conservation status.
- The location, number, circumference (in centimetres measured at 1.3 metres above ground level) and species of any large trees within patches.
- The location, number, circumference (in centimetres measured at 1.3 metres above ground level) and species of any scattered trees, and whether each tree is small or large.

Reason for application requirement

The site assessment report provides the responsible authority with the detailed-on ground vegetation assessment of each patch (habitat zone) of native vegetation. This allows the responsible authority to:

- Verify vegetation type, extent and condition of the vegetation proposed for removal as identified in the NVR.
- Compare the assessed vegetation against photographs provided as Application requirement 3.

Prescribed information

Accredited site assessor

An accredited assessor must conduct the site assessment. NVR Map will extract the name of the accredited assessor from the attributed shapefile and include it on the NVR. If multiple assessors are identified in the attribute table, they will all be identified on the NVR.

Site assessment currency

The site assessment report must be current, which means it must have been completed:

- Within the last 3 years for grassy, grassy woodland, heathland, shrubland ecosystems, and
- Within 5 years for forest ecosystems.

If the assessment is older than the periods listed above, an accredited assessor must verify that the extent and condition of the vegetation are still accurate. If the extent and condition are no longer accurate, a new site assessment must be completed.

Site assessment report

The site assessment report must contain the following information for patches, patch trees and scattered trees:

- Patches

A habitat hectare assessment in accordance with the habitat hectare method described in the Vegetation Quality Assessment (VQA) Manual (Version 1.3). The assessment for each patch (habitat zone) must include the condition, extent, Ecological Vegetation Class, and bioregional conservation status.

The Zone ID in the site assessment must match Patch IDs in Appendix 1 of the NVR, which should match any references in the broader flora and fauna assessment report.

A table, rather than the habitat hectare assessment field notes, showing the 10 VQA component scores for each Zone ID (as identified in the NVR).

Table 4: Example of site assessment report for patches

Zone ID		HZ1a	HZ1b	HZ2	HZ3
Bioregion		VVP	VVP	CVU	CVU
EVC		PGW	PGW	CGW	CGW
EVC Number		55_63	55_63	68	68
EVC Conservation status		En	En	En	En
Patch condition	Large old trees/10	0	0	0	0
	Canopy cover/5	0	0	0	0
	Understorey/25	5	5	5	5
	Lack of weeds/15	2	2	0	4
	Recruitment/10	0	0	0	0
	Organic matter/5	4	4	0	2
	Logs/5	0	0	0	0
	Treeless EVC multiplier	1.00	1.00	1.00	1.00
Subtotal/75		11	11	5	11
Landscape value	Patch size/10	4	4	4	4
	Neighbourhood/10	0	0	0	0
	Distance to core area/5	1	1	1	1
	Subtotal/25	5	5	5	5
Habitat points/100		16	16	10	16
Habitat score/100		0.16	0.16	0.10	0.16

- Patch trees

The site assessment report must include details of large trees for each patch (habitat zone) including Zone ID (as identified in Appendix 1 of the NVR), large tree count, breakdown of DBH sizes, and tree species.

Table 5: Example of site assessment report for patch trees

Zone ID	Large tree count	Size range	Species
HZ1a	6	4 from 220-281	<i>Eucalyptus polyanthemus</i>
		2 from 282-344	<i>Eucalyptus tricarpa</i>

- Scattered trees

The site assessment report must include details of each scattered tree, including the Zone ID (as identified in Appendix 1 of the NVR), tree size (large or small), breakdown of DBH sizes, and benchmark size, and tree species.

Table 6: Example of site assessment report for scattered trees

Zone ID	Circumference (or DBH)	Benchmark Circumference (or DBH)	Tree size	Species
ST1	225.0	219.9	Large	<i>Eucalyptus macrorhyncha</i>
ST2	183.5	219.9	Small	<i>Eucalyptus macrorhyncha</i>

4.11 Application requirement 11 – Impacts to threatened species

Provide information about impacts on threatened species habitat, including:

- The relevant section of the Habitat importance map for each threatened species requiring an offset.
- For each threatened species habitat impacted:
 - the species conservation status,
 - the % habitat value affected for each species habitat impact,
 - whether species habitats are highly localised, dispersed habitats, or important habitat areas within a dispersed species habitat.

Reason for application requirement

The responsible authority uses this information to:

- understand the impact of the development on threatened species habitat and determine if that impact is acceptable, and
- assess if the applicant has sited their development to avoid higher biodiversity values.

Prescribed information

If native vegetation removal has been mapped accurately, this information is automatically presented within the NVRR:

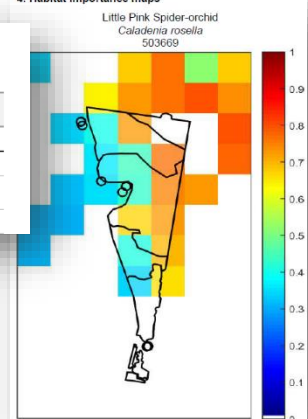
- Appendix 2 displays the impact to each threatened species habitat modelled within the area of native vegetation proposed for removal.
- Appendix 3 displays the HIM for each threatened species significantly impacted thus requires offsetting.

Appendix 2: Information about impacts to rare or threatened species' habitats on site

This table lists all rare or threatened species' habitats mapped at the site.

Species common name	Species scientific name	Species number	Conservation status	Group	Habitat impacted	% habitat value affected
Little Pink Spider-orchid	<i>Caladenia rosella</i>	503669	Endangered	Dispersed	Habitat importance map	0.0224
Dandenong Wattle	<i>Acacia stictophylla</i>	505140	Rare	Dispersed	Habitat importance map	0.0034
Melbourne Yellow-gum	<i>Eucalyptus leucoxylon subsp. cornata</i>	504484	Vulnerable	Dispersed	Habitat importance map	0.0020
Wine-lipped Spider-orchid	<i>Caladenia oenochila</i>	503694	Vulnerable	Dispersed	Habitat importance map	0.0014

4. Habitat importance maps



Supplementary information

In addition to the prescribed information (Appendices 2 and 3 of the NVRR), the following will help the responsible authority understand the impact to threatened species:

- A table of the likelihood of occurrence for the threatened species which have habitat impacted by the development.

Advice

The responsible authority may consider threatened species site observations when determining the value of native vegetation. Threatened species observations and the presence of suitable habitat should influence avoid and minimise efforts.

Appendix A: Application requirement checklist

Applicants should include a checklist informing the responsible authority which application requirements have been addressed and where the information is within the document(s) submitted as the application.

Table 7: Example Application requirement checklist

Application Requirement		Relevant (Yes/No)	Document location
1	Native Vegetation Removal Report	Yes	<i>Flora and Fauna Assessment (May 2024) – Appendix 1</i>
2	Topographic and land information	Yes	<i>Flora and Fauna Assessment Report (May 2024) – Section 2.1</i>
3	Photos	Yes	<i>Flora and Fauna Assessment Report (May 2024) – Appendix 2</i>
4	Past removal	No	NA
5	Avoid and minimise statement	Yes	<i>Flora and Fauna Assessment Report (May 2024) – Section 5.2</i>
6	Property Vegetation Plan	No	NA
7	Defendable space statement	No	NA
8	Native Vegetation Precinct Plan	No	NA
9	Offset statement	Yes	<i>Flora and Fauna Assessment Report (May 2024) – Section 5.3</i>
10	Site assessment	Yes	<i>Flora and Fauna Assessment Report (May 2024) – Appendix 3</i>
11	Threatened species information	Yes	<i>Native Vegetation Removal Report (Appendix 2)</i>

Advice

Applications are assessed more effectively and efficiently by the responsible authority when responses to application requirements:

- consist of all the prescribed and supplementary information that was requested in Section 4 of this guidance document, and
- are easily found within documents submitted as the application.

Appendix B: Mapping native vegetation removal

A development may consist of one or a combination of native vegetation removal scenarios below. Links are also provided to assist in the creation of shapefiles to upload into NVR Map.

- [Shapefile templates for Detailed uploads](#)
- [NVR Map – Data Standard, A Guide for detailed uploads](#)
- [List of accepted veg code values](#)

If there is uncertainty about how to map a specific scenario, contact the relevant responsible authority for advice.

Patch with overhanging canopy



- Map around the boundary of the understorey, including any overhanging patch tree canopy.
 - Identify the number of large trees.
 - Assign the site assessed condition score.

Patch of three trees without understorey



- Map around the canopies of the trees.
 - Identify the number of large trees.
 - Assign the site assessed score.

Patch of understorey and some patch trees



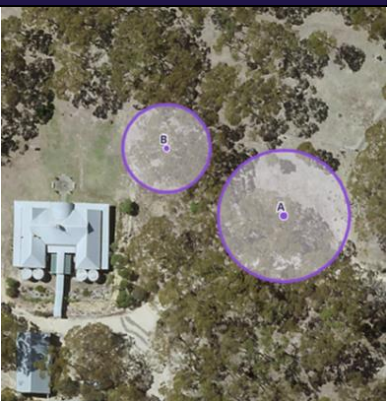
- Map around the boundary of the understorey patch. Do not include overhanging canopies.
 - Assign half the condition score of the patch.
- Map large and small scattered trees to be removed.
 - Assign the full condition score of the patch.
- Ensure the scattered tree polygons are 'cut out' of the patch polygons.

Patch of understorey only from a treed patch



- Map around the boundary of the understorey patch. Do not include overhanging canopies.
- Do not identify any large patch trees.
- Assign half the condition score of the patch.

Canopy trees only from a patch



- Map all the small and large trees to be removed.
 - Assign the site assessed condition score.
- If the area of the trees is greater than the treatment area:
 - Map the area as a patch.
 - Identify the number of large trees to be removed.
 - Assign half the condition score.

Trail through a treed patch



- Map the boundary of the patch to be removed, including any overhanging patch tree canopy.
 - Identify the number of large patch trees.
- Include any adjacent canopy trees outside the patch deemed lost (through TPZ).
 - If overhanging the patch, include canopy in the boundary of the patch.
 - If not overhanging patch, map as a single patch or scattered tree.

- Non-treed patch removal is assigned the full condition score.
- Treed patch removal including patch trees is assigned the full condition score.
- Treed patch removal retaining patch trees is assigned half the condition score.

Appendix C: NVR Map - Scenario testing

[NVR Map](#) allows users to generate Scenario test reports. Scenario test reports cannot be used as Application requirement 1; however, they can be used early in planning a development to indicate:

- the biodiversity impact for potential native vegetation removal,
- areas with higher biodiversity value to try and avoid,
- the potential offset requirement, availability and price.

Accuracy

To get the most value from a Scenario test report, only map the areas of native vegetation (patch and large trees) within the study area, or native vegetation indirectly impacted by the development (e.g. through TPZ encroachment). Mapping areas of non-native vegetation:

- will overestimate impact to biodiversity values, and
- will overestimate offset requirements, thus potentially increasing the offset cost.

User Friendly

No GIS knowledge is required to generate a Scenario test report. A report can be generated either by:

- using the patch and large tree drawing tools within NVR Map to identify native vegetation, or
- uploading a simple shapefile to NVR Map, that has not been attributed with site assessed information.

Frequency

There is no limit for generating Scenario test reports.

- The scenario test shapefile generated in NVR Map can be downloaded and saved. Then re-uploaded to edit scenarios as the development plan is refined.



Native Vegetation Removal Report

NVRR ID: SCENARIO TEST

This report provides offset requirements for internal testing of different proposals to remove native vegetation. **This report DOES NOT support an application to remove, destroy or lop native vegetation.**

The estimated offset requirements outlined in this report are provided to inform decisions regarding the avoidance and minimisation of impacts and detailed project design. This report **is not an assessment by DEECA** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Report details

Date created: 30/10/2024
Local Government Area: GREATER GEELONG CITY
Registered Aboriginal Party: Wadawurrung
Coordinates: 144.28575, -37.88493
Address: [REDACTED]

Regulator Notes
Removal polygons are located:

Summary of native vegetation to be removed

Assessment pathway	Detailed Assessment Pathway						
Location category	Location 2 The native vegetation extent map indicates that this area is typically characterised as supporting native vegetation. Additionally, it is modelled as encompassing an endangered Ecological Vegetation Class, sensitive wetland or sensitive coastal area. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.						
Total extent including past and proposed removal (ha) Includes endangered EVCs (ha): 1.293	<table><tr><td>Extent of past removal (ha)</td><td>0</td></tr><tr><td>Extent of proposed removal - Patches (ha)</td><td>4.666</td></tr><tr><td>Extent of proposed removal - Scattered Trees (ha)</td><td>0.000</td></tr></table>	Extent of past removal (ha)	0	Extent of proposed removal - Patches (ha)	4.666	Extent of proposed removal - Scattered Trees (ha)	0.000
Extent of past removal (ha)	0						
Extent of proposed removal - Patches (ha)	4.666						
Extent of proposed removal - Scattered Trees (ha)	0.000						
No. Large Trees proposed to be removed	<table><tr><td>No. Large Patch Trees</td><td>3</td></tr><tr><td>No. Large Scattered Trees</td><td>0</td></tr></table>	No. Large Patch Trees	3	No. Large Scattered Trees	0		
No. Large Patch Trees	3						
No. Large Scattered Trees	0						
No. Small Scattered Trees	0						

Energy, Environment and Climate Action

P

Advice

Scenario test reports cannot be used to satisfy Application requirement 1. A planning application must be supported with a NVRR generated in NVR Map from site assessed data.

Appendix D: Using supplementary site assessed data

Exclude a threatened species from consideration

Threatened species habitat, as shown in a HIM, can be excluded from consideration in the assessment of an application in the following circumstances:

- A competent ecologist confirms that the native vegetation to be removed has habitat characteristics that are clearly inconsistent with all the habitat requirements of the subject species, and
- The Secretary to DEECA provides written approval.

Applications to exclude a threatened species HIM must be made to Nativevegetation.support@deeca.vic.gov.au.

The application must include:

1. Name of the development, its address and a brief description of its objective.
2. The approval pathway for the proposed development, including any planning reference number (if assigned).
3. The NVRR for the proposed removal of native vegetation, identifying which:
 - species HIM is proposed for exclusion, and
 - habitat zones (as identified in Appendix 1 of the NVRR) to exclude.
4. Photographs of the native vegetation from the habitat zones modelled for the species.
5. Justification that the habitat characteristics of the native vegetation to be removed are **clearly inconsistent with all the habitat requirements** of the species. Habitat requirements include areas suitable for:
 - propagation
 - breeding
 - foraging
 - landscape permeability
 - habitat connectivity
6. The application must include:
 - A description of the habitat requirements of the species, with references from creditable sources, and
 - A description of the habitat characteristics of the native vegetation proposed to be removed from the subject habitat zones.
7. The credentials of the competent ecologist.

Advice

The process to exclude a species HIM must be part of preparing a planning application.

Written approval to exclude a species HIM from consideration **must** be obtained prior to applying for planning approval.

The exclusion of a species HIM will influence Application requirement 5 (Avoid and minimise statement), Application requirement 9 (Offset statement) and Application requirement 11 (Impact to threatened species).

Exclude a Mapped wetland from consideration

A Mapped wetland (or part thereof) may be excluded from consideration in assessing an application in the following scenarios.

Requests to exclude a Mapped wetland must be made to Nativevegetation.support@deeca.vic.gov.au. Written approval to exclude a Mapped wetland must be obtained before a planning application is submitted.

Table 8 – Mapped wetland exclusion policy

Scenario	Evidence required to support request	Approval authority
Mapped wetlands covered by a hardened, artificial surface Mapped wetland is covered by a hardened man-made surface (e.g. roadway)	Aerial photography and on-ground photographs	RA with supporting evidence included in the permit application.
Mapped Wetlands geospatially misaligned Due to orthorectification issues, the mapped wetland is misaligned with its on-ground location In some instances, a geospatially misaligned Mapped wetland polygon may encompass part of the on-ground wetland it was intended to identify. In such circumstances, the entire area bound by the high-water mark of the on-ground wetland should be considered a remnant patch, unless one of the other exclusion scenarios applies.	Aerial photography It must be obvious that the Mapped wetland is spatially misaligned, as opposed to the mapped area supporting a dry, indiscernible wetland.	Written agreement from Secretary to DEECA.
Artificial waterbodies or permanently inundated wetlands Artificial waterbodies may include, but are not limited to, aquaculture ponds, sewage treatment ponds and constructed dams. They do not include natural wetlands modified through human intervention, where natural wetland values may persist. Only areas of permanent inundation not subject to periodic wet-dry cycles may be removed from consideration. This exclusion does not apply to areas subject to periodic wet-dry cycles (e.g. ephemeral areas fringing permanent waterbodies).	Aerial photography, on-ground photographs and any other evidence to support classifying the area as being artificial or permanently inundated. It must be obvious that the Mapped wetland area is artificial or permanently inundated (i.e. not subject to wet and dry cycles). Where the potential inundation or waterlogging period is debatable, applicants must submit a supporting hydrological assessment, undertaken by a suitable qualified person.	Written agreement from Secretary to DEECA.
Mapped wetland area cannot support wetland-associated native vegetation The Mapped wetland area is physically incapable of retaining surface water or being waterlogged for more than one month. This may include Mapped wetlands: - sited on a slope or other inconsistent topography - that have been effectively drained or had their natural water source removed through illegal actions - other factors on case-by-case basis. Past and existing cropping or grazing activity does not remove the capacity for a Mapped wetland area to support wetland-associated native vegetation.	Aerial photography, on-ground photographs, and any other evidence to support the determination. Where the potential inundation or waterlogging period is debatable, applicants must submit a supporting hydrological assessment, undertaken by a suitably qualified person.	Written agreement from Secretary to DEECA.

Advice

If a Mapped wetland (or part thereof) is excluded from the assessment process, any native vegetation present within the Mapped wetland area, and proposed for removal, must still be assessed in accordance with the Guidelines.

Alternative arrangement for species offset requirement

Applicants unable to secure species offset requirements through the standard offset process, can propose an alternative offset arrangement for the subject species. Alternative offset arrangements must demonstrate that the approach will generate direct habitat improvements for the species that provide equivalent compensation for removing its habitat.

Requests for alternative offset proposals must be made to Nativevegetation.support@DEECA.vic.gov.au and they must address the five components below. Requests are assessed on a case-by-case basis. Prior to preparing a formal submission, applicants should discuss their proposed approach with DEECA.

1. Before pursuing an alternative offset arrangement, explore the following

Applicants must communicate that all other options have been explored prior to proposing an alternative offset arrangement. The following should be considered, which may remove the need for an alternative offset:

- Consider further steps to avoid and minimise impact to species habitat.
- Contact offset brokers and site assessors to determine if there are any potential known sites that can be secured as a standard offset site to satisfy the species offset requirement.
- Determine if there is known species observations or populations in an area not modelled for its habitat, that can be used to generate SHUs, either in an existing offset site or a potential offset site ([Section 11.1.2 of the Guidelines](#)).
- Consider if there are additional management actions that can be implemented at an existing offset site that may be able to generate SHUs where no SHUs are currently generated, or additional SHUs where the site already generates SHUs for the given species (the potential gain for the later approach is generally considered minimal).
- Discuss with the responsible authority whether the proposed impact is acceptable and likely to be approved.

2. Alternative offset arrangement principles

Proposals must adhere to a set of basic principles to ensure equivalent compensation is likely to be achieved. The approach:

- Should align with a recovery plan, action plan, or similar guidance for the species survival or improvement.
- Must include actions in a location deemed to be within its natural distribution range, or an area capable of supporting the species.
- Must include or contribute to the creation, improvement or ongoing maintenance of the species habitat.
- Must be able to sustain the habitat improvements into the future through ongoing protection

3. Direct habitat improvement

Proposals must seek to achieve direct habitat improvement. Management actions which may achieve direct improvement include:

- Improving areas of suitable habitat, not modelled for the species
- Introducing the species to a site where it is absent, or scarce (e.g. translocation and/or propagation).
- Introducing key habitat features.
- Introducing species genetic diversity to a site.
- Reintroduction programs (e.g. captive breeding and release).
- Contributing funds to an existing program that is benefiting the species (this approach must provide assurance that the funds will contribute direct benefits to the species).

4. Suggested security that may protect the habitat benefits

Proposals must identify the mechanism proposed to ensure that the benefits to the species are maintained into the future. The type of protection will be guided by the nature of the proposal. Protection may include:

- On-title offset agreement
- Crown land tenure/protection mechanism that excludes threats
- Other protection mechanism deemed suitable

5. Determining equivalent compensation

Proposals must demonstrate that the benefits to the species/habitat is equivalent compensation for the impact. The method of determining this will depend on the species and the proposed management actions for the alternative offset. Typically, the benefits are determined by a combination of the size of the offset site and the level of habitat improvement (gain) at the offset site. Suggested approaches may include.

- a) The most effective and straightforward approach to determine equivalent compensation is to generate SHUs at the alternative offset site using the standard offset site Gain Calculator (version 2.6, *Native vegetation gain scoring manual, version 2* (DELWP 2017), and NVR Map. SHUs generated at the offset site must equal the SHU offset requirement.

This approach may be applicable when the alternative offset proposal is:

- o a revegetation offset to generate species SHUs.
 - o an area not modelled for the species, but has suitable habitat, using standard management actions to generate SHUs.
- b) Use bespoke calculations of gain, based on the input of a competent ecologist's opinion, rather than use of the standard gain calculator. In some circumstances, the standard gain calculator may not be an appropriate method to determine the gain or benefits to a given species under an alternative arrangement. This may be due to limitations in the variety of proposed management actions in the standard gain calculator, or assumptions with the gain calculator's methodology. Bespoke calculations of gain (and equivalence to the impact) may be determined using the below formula. This approach may be particularly applicable where the proposed management actions are outside the scope of the standard gain calculations, (e.g. restoration of the hydrology of a wetland). This approach may be particularly applicable when improving, or creating new habitat, for a fauna species.

The calculation of gain generated at the offset site using this approach is like that used by NVR Map but allows determination of equivalence using expert elicitation rather than default values and consideration of non-standard management actions. While this method relies on expert elicitation by the applicant, DEECA will review and consider whether the determination is considered reasonable.

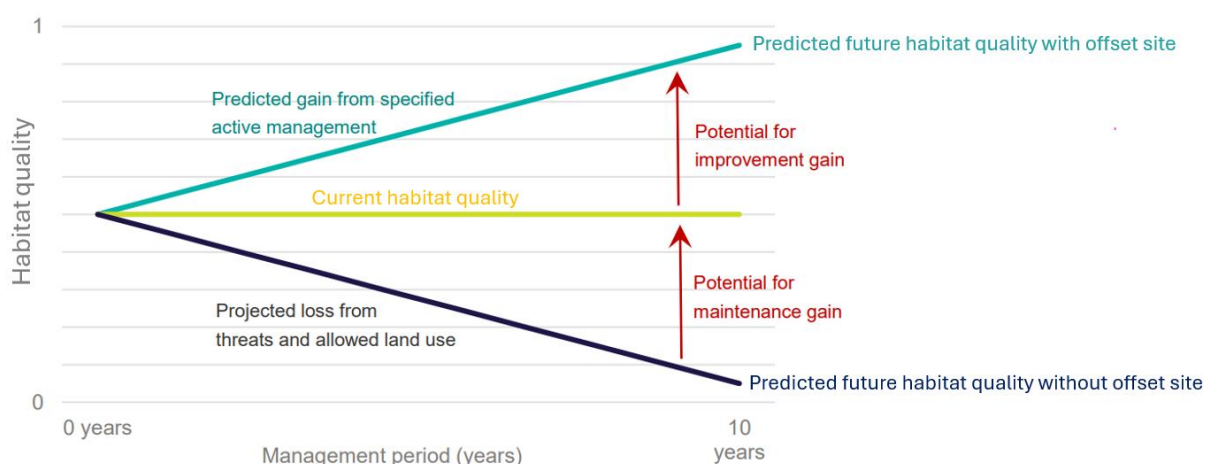


Table 9: Bespoke gain calculator – Factor description and example

$\text{SHUs generated via the alternative arrangement} = \text{Area} \times (\text{Predicted Future Habitat Quality with offset} - \text{Predicted Future Habitat Quality without offset site}) \times \text{Habitat Importance Factor}$				
Factor	Description	Value range	Example 1: Fish species	Example 2: Bird species
Area	This is the total area of the proposed offset site in hectares	>0	3.5	50
Current habitat quality	Starting quality of the habitat at the proposed offset site. Species expert opinion is used to determine current habitat quality, based on habitat requirements of the species rather than the vegetation quality score as per the VQA manual.	0 – 1	0.1 <i>Degraded wetland now effectively dry and highly degraded due to creation of drainage channel.</i>	0.4 <i>Below average habitat quality. Species recorded on-site. Limited hollows present for nesting.</i>
Predicted Future Habitat Quality <u>without</u> offset site	Estimated quality of the habitat after 10 years if the offset site was not secured (i.e. predicted decline, without increased protection and management).	0 – 1	0.1 <i>Site already highly degraded, unlikely to change.</i>	0.3 <i>Habitat likely to decline as a result of agricultural and/or residential land use.</i>
Predicted Future Habitat Quality <u>with</u> offset site	Estimated quality of the habitat at the proposed offset site post ten years management. Species expert opinion is used to determine predicted future habitat quality, based on habitat requirements of the species rather than the site condition score as per a VQA site assessment.	0 – 1	0.5 <i>Wetland hydrology restored by creating additional water features to improve the habitat quality to moderate quality habitat.</i>	0.5 <i>Nest boxes installed to improve habitat in short term. Over-abundant eucalypts thinned to help promote growth of large hollow-bearing trees into the long-term.</i>
Habitat Importance Factor	• Landscape scale importance of the habitat for the species. • Where the Habitat Importance Factor = $(0.5 + (\text{Habitat Importance Score}/2))$. • Habitat Importance Score should be generally determined by the Habitat Importance Map, but may be based on species expert opinion where the site supports suitable habitat but is not covered by the Habitat Importance Map.	Habitat Importance Score = 0 – 1	1.000 <i>Site is within core of the species habitat range, and along a key habitat corridor.</i>	0.700 <i>Habitat Importance Score of adjacent area is 0.700, which is considered to be also representative of habitat importance at the site.</i>
SHUs generated via the Alternative Arrangement	Predicted gain generated at the proposed offset site, which can be used to compare equivalent to the impact (i.e. offset requirement).	>0	$*3.5 \times (0.5-0.1) \times (1.0) = 1.40 \text{ SHUs}$	$*50 \times (0.5-0.3) \times (0.7) = 8.50 \text{ SHUs}$
*An Excel tool can be provided upon request to assist with the calculation.				

- c) For alternative offset proposals suggesting benefits that are not direct on-ground management actions, a bespoke approach may be needed to demonstrate equivalent compensation (e.g. \$x.xx contributed to an existing recovery program that will deliver beneficial outcomes for the species to compensate for x.xxx SHUs offset requirement).

Advice

- Written approval to use an alternative offset arrangement **must** be obtained prior to applying for planning approval. An approved alternative offset arrangement will influence Application Requirement 9 (Offset statement).
- An approved alternative offset arrangement is not statutory approval for the project. The responsible authority may still object to the project.