

Native vegetation regulations Crown land exemption report

2022-2023



Photo credit

Richard Boon

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. Background	2
1.1 Regulatory context	2
1.2 This report.....	2
1.3 Roles and responsibilities.....	2
1.4 Habitat hectares	2
Measuring gain from counterbalancing actions.....	2
2. New removal activities	4
2.1 Activities to be included.....	4
Partial removal.....	4
Strategic fuel breaks (SFB)	4
Bushfire response works	4
2.2 Data collection	4
Data collection gaps	4
Map of new removal activities	5
3. Counterbalance activities	6
3.1 Counterbalance.....	6
3.2 Data collection	6
Biodiversity incentive programs.....	6
Crown land offset sites	6
Map of counterbalance activities	7
4. 2022-2023 No net loss summary	8
5. Comparison with previous years	8

1. Background

The native vegetation removal regulations¹ aim to achieve a no net loss to biodiversity when approval is given to remove native vegetation. They are generally implemented through local planning schemes.

1.1 Regulatory context

Clause 52.17 is included in all planning schemes in Victoria. The clause applies to freehold and Crown land and sets out the requirement for a planning permit to remove, destroy or lop native vegetation unless the removal can proceed under a relevant exemption.

The *Crown land* exemption is listed in Clause 52.17-7 and states:

The requirement to obtain a permit does not apply to native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land by or on behalf of the Secretary to the Department of Energy, Environment, and Climate Action, the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land.

The *Procedure for the removal, destruction or lopping of native vegetation on Crown land* (Crown land procedure) came into effect on 30 May 2018. It requires that:

- native vegetation removal must be to the minimum extent necessary
- new removal of native vegetation must be recorded annually
- counterbalancing activities must be recorded annually.

1.2 This report

This report presents the removal (biodiversity losses) and counterbalance (biodiversity gains) to native vegetation from a defined set of works undertaken on Crown land by the Department of Energy, Environment and Climate Action (DEECA), Parks Victoria (PV) and the Great Ocean Road Coast and Parks Authority (GORCAPA) during the 2022-2023 financial year.

This report does not capture the following:

- Planned burns for bushfire risk reduction purpose

- Bushfire response and recovery activities
- Improvement activities under biodiversity incentive programs.

1.3 Roles and responsibilities

The operational business units of DEECA, PV and the GORCAPA are responsible for recording removal and counterbalancing activities in a spatial database and providing that data to DEECA's Native Vegetation Regulation team.

The Native Vegetation Regulation team is responsible for adding condition and gain scores to the data, calculating habitat hectares of loss and habitat hectares of gain for the financial year and consolidating all received data into this report.

1.4 Habitat hectares

Under the *Crown land* exemption, biodiversity value for native vegetation removal and improvement is measured in habitat hectares.

- Habitat hectares of loss from removing native vegetation is calculated by multiplying the extent of native vegetation by its modelled condition score. *Habitat hectares loss = extent × condition score.*
- Habitat hectares of gain from counterbalance activities is calculated by multiplying the extent of native vegetation by a gain score for the management action(s) undertaken. *Habitat hectares gain = extent × gain score per hectare.*

Measuring gain from counterbalancing actions

Gain for Crown land counterbalance activities is calculated over a single year. Each management activity has been given a specific gain score by dividing the relevant component score detailed in the *Native vegetation gain scoring manual* by 10 to represent gain for individual activities over 1 year, rather than the 10-year period used for native vegetation offset sites.

The gain scores detailed in the *Native vegetation gain scoring manual* for a Crown land offset sites and the amended scores used in this report for counterbalance activities are shown in the following table.

¹ *Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*

Table 1 Crown land offset vs Counterbalance activity gain scores

Activity	Offset site gain for Crown land offset sites (per ha)	Counterbalance gain per ha for 1-year action
Remove access to stock and public (gain is only available if threats i.e. weed and pest animals are controlled, and vegetation is maintained)	0.02	0.002
Maximum of 0.15 is available if ALL threats i.e. weeds and pest animals are controlled, and vegetation is maintained AND ALL high threats are controlled i.e. grassy, herbaceous, and woody weeds as well as any native or introduced herbivore that can impact native vegetation condition. For the purposes of this report, these 0.15 points are broken down into three parts	0.15	0.015
<i>Weed control</i>	<i>0.05</i>	<i>0.005</i>
<i>Pest animal control</i>	<i>0.05</i>	<i>0.005</i>
<i>Over abundant wildlife control</i>	<i>0.05</i>	<i>0.005</i>
Supplementary planting/revegetation	0.01	0.001
Habitat feature restoration	logs	0.02
	other	0.05
Ecological burning, watering, thinning, grazing	0.1	0.01
Increase level of protection (to reserve for conservation from another purpose)	10% condition score	
Land acquisition into parks and reserve system	10% condition score	

2. New removal activities

2.1 Activities to be included

The Crown land procedure defines new removal as:

- Construction of a new asset, or the expansion of an existing asset beyond its existing footprint. This report categorises new removal to construct various assets into four purposes:
 - Recreation
 - Roading (non-fire related)
 - Bushfire risk reduction
 - Strategic fuel breaks

Partial removal

The report identifies areas of new removal, however, depending on the activity, the removal may be considered partial removal, which is limited to impact on the understorey vegetation.

Strategic fuel breaks (SFB)

The SFB Program has reported native vegetation removal for both renewal and new construction works. Breaks typically range in width from 20-40 metres, and are often constructed adjacent to existing roads, with the road forming part of the total width.

The existing road component of the break is not included with the reported extent of native vegetation removed. However, due to current mapping techniques some areas of existing roads may have been unintentionally captured resulting in an over representation of impacts from SFBs.

Bushfire response works

Native vegetation removed as part of bushfire response and recovery activities have not been captured under the Crown land procedure and reported in this report. These activities occur in the act of fighting bushfires, so are not incorporated within yearly work plans. For the purposes of the Crown land procedure, native vegetation removed in firefighting situations is not captured as a new removal activity.

2.2 Data collection

Table 2 outlines the new removal activities undertaken for the 2022-2023 financial year.

This information has been compiled from data supplied by PV, DEECA and GORCAPA operational units. Planned new removal activities captured in this data may not have occurred yet.

Data collection gaps

Internal data collection can be difficult for large statewide organisations. It is possible that some new removal activities may not have been captured.

Table 2 New removal activities for 2021 - 2022

Organisation	New removal purpose	Hectare loss	Habitat hectare loss
DEECA	Recreation	0.16	0.11
	Roading (non-fire related)	4.40	2.12
	Bush fire risk reduction	20.27	8.67
	Strategic fuel breaks (>6m wide)	559.27	441.68
DEECA Total		584.10	452.58
Parks Victoria	Recreation	10.29	7.48
GORCAPA	-	-	-
Statewide Total		594.39	460.06

Map of new removal activities



Note: Locations mapped reflect the 594.39 hectares of new removal activities resulting in the biodiversity loss of 460.06 habitat hectares summarised in Table 2. Locations are not to scale, and the figure is provided for presentation purposes only.

3. Counterbalance activities

3.1 Counterbalance

Counterbalance activities are defined as management activities that either increase the extent or quality of native vegetation on Crown land managed by PV, DEECA and GORCAPA. They are business as usual management activities that counter the impact from new removal activities. Activities contributing to counterbalancing are categorised under the following categories:

- Herbivore control
- Revegetation/restoration
- Weed control
- Ecological burning
- Increase level of protection
- Remove access to stock and public

3.2 Data collection

The information presented in Table 3 has been compiled from data supplied by PV, DEECA and GORCAPA operational units. It is possible that other counterbalance activities may not have been captured by internal data collection processes.

Table 3 Counterbalance activities for 2022-2023

Organisation	New removal purpose	Hectares treated	Habitat hectare gain
Parks Victoria	Herbivore control	47,252.2	236.3
	Grazing	5,284.5	52.8
	Weed Control	8,956.5	44.8
	Remove access to stock	34.5	0.1
Park Victoria Total		61,527.70	334
DEECA	Ecological burning	756.3	7.56
	Weed Control	97,480	487.4
	Revegetation/restoration	43.4	0.04
	Herbivore control	130,735.6	653.68
DEECA Total		229,015.30	1,148.68
GORCAPA	Weed Control	258.6	1.3
	Revegetation/restoration	6.4	0.01
GORCAPA Total		265	1.31
Statewide Total		290,808	1,483.99

Biodiversity incentive programs

Management activities funded under biodiversity incentive programs are excluded from contributing to counterbalance activities under the *Crown land exemption*.

- Biodiversity response planning
- Biodiversity On ground actions
- ARC and EDEN programs
- Weeds and pests on public land
- Landcare and grants programs

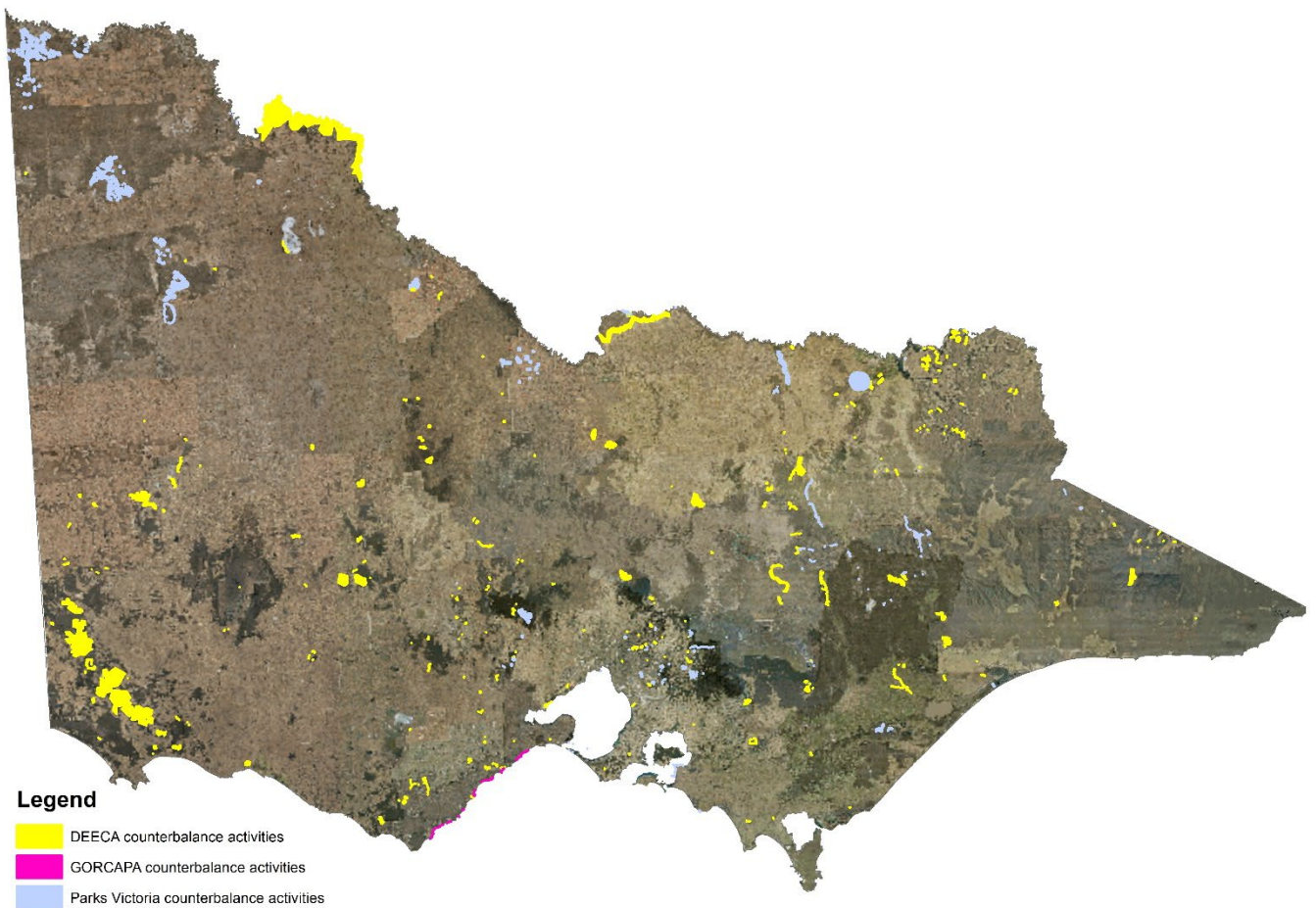
These activities will contribute to net-gain accounting under *Protecting Victoria's Environment – Biodiversity 2037* (BIO2037 Plan).

Areas of overlap between counterbalance activities and biodiversity incentive funded activities will be included in the BIO2037 Plan's net gain accounting, rather than this report.

Crown land offset sites

Areas of existing Crown land and freehold land transferred to the Crown land estate which are secured as offset sites to satisfy the offset requirements of third parties are not included as counterbalance activities.

Map of counterbalance activities



Note: Locations mapped reflect the 290,808 hectares of counterbalance activities generating 1,483.99 habitat hectares of biodiversity gain summarised in Table 3. Locations are not to scale, and the figure is provided for presentation purposes only.

4. 2022-2023 No net loss summary

Table 4 provides a summary of native vegetation loss from new removal activities and native vegetation gain from counterbalance activities captured under the *Crown land* exemption.

Data shows that in the 2022-23 year, that reportable management activities under the *Crown land* exemption have resulted in an overall gain in habitat hectares within the Crown land estate managed by PV, DEECA and GORCAPA.

Table 4 Summary of native vegetation gains and losses for 2022/23

Activity	Hectare	Habitat hectare
*New removal	594.39	460.06
^Counterbalance	290,808.00	1,483.99

*New removal activities do not include native vegetation removed for bushfire response (firefighting) activities.

^Counterbalance activities exclude those activities undertaken with biodiversity incentive funding.

5. Comparison with previous years

Table 5 compares this year's no net loss summary with previous years and totals the numbers for all

years. Due to improvements in data collection methods, it is only possible to accurately compare summaries back to the 2020-2021 year.

Table 5 – No net loss comparison by year*

Activity	2020-2021		2021-2022		2022-2023		3-year total	
	Ha	HHa	Ha	HHa	Ha	HHa	Ha	HHa
New removal	2,740	1,255	3,284	1,234	594	460	6,618	2,949
Counterbalance	326,315	1,643	266,325	1,338	290,808	1,483	883,448	4,465

*Figures rounded to nearest whole number