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Final Report

Biodiversity Assessment for proposed development of 375 Swansea Road, Lilydale, Victoria

Prepared for

Lilydale Development Pty Ltd

March 2023



Ecology and Heritage Partners Pty Ltd

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Summary of Application Requirements

Table S1. Application requirements for a permit to remove native vegetation (*Victoria Planning Provisions* Clause52.17 -3; DELWP 2017).

No.	Application Requirement	Response		
Application requirements under the Intermediate Assessment Pathway				
1	 Information about the native vegetation to be removed, including: The assessment pathway and reason for the assessment pathway. A description of the native vegetation to be removed: Maps showing the native vegetation and property in context: The offset requirement that will apply if the native vegetation is approved to be removed. 	See Appendix 4 (NVR Report)		
2	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 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.	Details provided in Section 2 and Figure 2.		
3	Recent dated photographs of the native vegetation to be removed.	Refer to Section 4.		
4	Details of any other native vegetation that was permitted to be removed on the same property with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before the application to remove native vegetation is lodged.	No removal of native vegetation has been removed by the proponent within the property within the past five years.		
5	An avoid and minimise statement. The statement describes any efforts to avoid the removal of, and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.	Section 4.3.1		
6	A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the <i>Conservation, Forests and Lands Act 1987</i> that applies to the native vegetation to be removed.	Not applicable.		
7	Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. 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 conjunction with an application under the Bushfire Management Overlay.	Not applicable as the vegetation clearance is not for defendable space.		
8	If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.	Not applicable.		
9	An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified, and can be secured in accordance with the Guidelines.	Details provided in Section 4.3.4 and Appendix 5		



1 Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by Lilydale Development to conduct a Biodiversity Assessment at 375 Swansea Road, Lilydale, Victoria. The purpose of the assessment was to identify the extent and type of remnant native vegetation present within the study area and to determine the likely presence of significant flora and fauna species and/or ecological communities.

The assessment has been requested by Yarra Ranges Shire Council, to address the implications of the proposed development under Clause 52.17 of the planning scheme. As a result, an assessment under the *'Guidelines for the removal, destruction or lopping of native vegetation'* (the Guidelines) (DELWP 2017a) is required. This report presents the results of the assessment and discusses the potential ecological and legislative implications associated with the proposed action.

This is an updated report which includes an updated avoid and minimise statement (Section 4.3.1) and correction to the tree identification numbers in Appendix 3. No further changes were made to the report.

2 Study Area

The study area is located at 375 Swansea Road, Lilydale, Victoria, approximately 43 kilometres east of Melbourne's CBD (Figure 1). The site covers approximately 4.6 hectares and is bound by Akarana Road to the north, private property to the south, Swansea Road to the east and Olinda creek to the west. The road reserve of Akarana Road was included in the assessment.

The study area is largely open paddock and contains no built structures and has a change in grade of approximately five metres across the site (Arbor Survey 2018).

According to the Department of Environment, Land, Water and Planning (DELWP) NatureKit Map (DELWP 2022a), the study area occurs within the Highlands – Southern Fall bioregion. It is located within the jurisdiction of Melbourne Water Catchment Management Authority (CMA) and the Yarra Ranges Shire Council municipality.

3 Methods

3.1 Desktop Assessment

Relevant literature, online-resources and databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The DELWP NatureKit Map (DELWP 2022a) and Native Vegetation Information Management (NVIM) Tool (DELWP 2022b) for:
 - Modelled data for location risk, remnant vegetation patches, scattered trees and habitat for rare or threatened species; and,
 - The extent of historic and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DELWP 2022c) for descriptions of EVCs within the relevant bioregion;



- The Victorian Biodiversity Atlas (VBA) for previously documented flora and fauna records within the project locality (DELWP 2020a);
- The Commonwealth Department of the Environment (DoEE) Protected Matters Search Tool (PMST) for matters of National Environmental Significance (NES) protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (DAWE 2022);
- Relevant listings under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act), including the latest Threatened and Protected Lists (DELWP 2021b; DELWP 2019);
- The online VicPlan Map (DELWP 2022d) to ascertain current zoning and environmental overlays in the study area;
- Aerial photography of the study area; and,
- Previous ecological assessments relevant to the study area, including;
 - Development Impact Assessment for 375 Swansea Road, Lilydale. Arbour Survey 2018

3.2 Field Assessment

A field assessment was undertaken on 8 May 2019 to obtain information on flora and fauna values within the study area. The study area was walked, with all commonly observed vascular flora and fauna species recorded, significant records mapped and the overall condition of vegetation and habitats noted. Ecological Vegetation Classes (EVCs) were determined with reference to DELWP pre-1750 and extant EVC mapping (DELWP 2022a) and their published descriptions (DELWP 2022c).

Where remnant vegetation was identified a habitat hectare assessment was undertaken following methodology described in the Vegetation Quality Assessment Manual (DSE 2004).

3.3 Removal, Destruction or Lopping of Native Vegetation (the Guidelines)

Under the *Planning and Environment Act 1987,* Clause 52.17 of the Yarra Ranges Shire Council Planning Scheme requires a planning permit to remove, destroy or lop native vegetation. The assessment process for the clearing of vegetation follows the '*Guidelines for the removal, destruction or lopping of native vegetation*' (the Guidelines) (DELWP 2017a).

3.4 Assessment Qualifications and Limitations

This report has been written based on the quality and extent of the ecological values and habitat considered to be present or absent at the time of the desktop and field assessments being undertaken.

The 'snap shot' nature of a standard biodiversity assessment, meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent.

A comprehensive list of all terrestrial flora and fauna present within the study area was not undertaken as this was not the objective of the assessment. Rather a list of commonly observed species was recorded to inform the habitat hectare assessment and assist in determining the broader biodiversity values present within the study area.



Ecological values identified within the study area were recorded using a hand-held GPS or tablet with an accuracy of +/-5 metres. This level of accuracy is considered to provide an accurate assessment of the ecological values present within the study area; however, this data should not be used for detailed surveying purposes.

Targeted flora or fauna surveys were not undertaken, as this was beyond the preliminary scope of the project. Nevertheless, the terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered to adequately inform an accurate assessment of the ecological values present within the study area.



4 Results

4.1 Vegetation Condition

Within the study area, clearing of native vegetation has previously occurred creating open, disturbed areas dominated by exotic grasses. Native vegetation patches were restricted to the boundary of the study area, particularly along the existing creek.

4.1.1 Native Vegetation Patches

Native vegetation patches within the study area is representative of two EVCs: Swampy Riparian Woodland (EVC 83) and Riparian Forest (EVC 18). The presence of Swampy Riparian Woodland is generally consistent with the pre-1750's predictive native vegetation modelling, which predicts the area to be covered by a Swampy Riparian Complex EVC (DELWP 2022a). Riparian Forest was determined to be present over modelled data following the Olinda Creek line due to the structural and species composition fitting the Riparian Woodland EVC description. Additionally, this EVC is predicted to occur within close proximity to the study site.

The remainder of the study area comprises introduced and planted vegetation, present as pasture, windrows and ornamental gardens.

Specific details relating to observed EVCs are provided below and habitat hectare scores are provided in Appendix 2.

Swampy Riparian Woodland

Swampy Riparian Woodland is located within the north eastern corner of the study site and is identified as habitat zone 1 (HZ1). Typically, this EVC is a woodland that grows to 15 metres tall and generally occupies low energy streams of the foothills and plains. The lower strata can be various, locally dominated by a combination of large and medium shrub species on the stream levees with tussock grasses and sedges at the ground layer.

Swampy Riparian Woodland within the study area is modified and is predominantly comprised of a canopy of Mountain Swamp Gum *Eucalyptus camphora* subsp. *humeana* over a ground layer of poor native diversity, typically represented by Tall Spike-rush *Eleocharis sphacelata* and Rush *Juncus* spp. (Plate 1; Plate 2).

The majority of the ground cover was composed of environmental weeds, including Creeping Buttercup *Ranunculus repens*, Blackberry *Rubus fruticosis*, and the introduced rush species *Juncus acutus*.





Plate 1. Swampy Riparian Woodland within the study area (Ecology and Heritage Partners Pty Ltd o8/05/2019).



Plate 2. Swampy Riparian Woodland within the study area (Ecology and Heritage Partners Pty Ltd 08/05/2019)

Riparian Forest

Highly modified Riparian Forest was found to occur adjacent to the Olinda Creek line, along the western boundary of the study site and was identified as Habitat Zone 2 (HZ2). Typically, this EVC is a tall forest dominated by eucalypts to 30 metres in height with an open to sparse secondary tree layer of wattles and scattered dense patches of shrubs, ferns, grasses and herbs. Riparian Forest is generally found along river banks associated with alluvial terraces, where the soil is regularly inundated and permanently moist.

Riparian Forest within the study area supported a canopy of Manna Gum *Eucalyptus viminalis* with scattered occurrences of Silver Wattle *Acacia dealbata* in the mid story (Plate 3; Plate 4). The understory was poor in native diversity, typically represented by Bracken *Pteridium esculentum* and scattered Bidgee-widgee *Acaena novae-zelandiae* and was dominated by the weedy pasture grass Yorkshire Fog *Holcus lanatus*.

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Plate 3. Riparian Forest within the study area (Ecology and Heritage Partners Pty Ltd o8/o5/2019).



Plate 4. Riparian Forest within the study area (Ecology and Heritage Partners Pty Ltd o8/05/2019

4.1.2 Scattered Trees

A total of four (4) scattered Mountain Swamp Gum were recorded in the study area, three of which are proposed to be impacted (Figure 2; Appendix 3). These trees would once have been part of the Swampy Riparian Woodland EVC, however the understorey vegetation consists of predominantly introduced species (mainly exotic pasture grasses) and the trees no longer form a patch of native vegetation (Plate 5; Plate 6).



Plate 5. Scattered trees within the study area (Ecology and Heritage Partners Pty Ltd 08/05/2019).



Plate 6. Scattered trees within the study area (Ecology and Heritage Partners Pty Ltd o8/05/2019).



4.1.3 Large Trees

A total of eight Large Trees (LTs) in patches were recorded, with four recorded in the patch of Swampy Riparian Woodland and four recorded in Riparian Forest (Figure 2). Most of these specimens were Manna Gum, with occasional Mountain Swamp Gums present (Appendix 3).

4.1.4 Introduced and Planted Vegetation

Areas not supporting native vegetation have a high cover (>85%) of exotic grass species, present through previous ground disturbance. Scattered native grasses are generally present in these areas, however they did not have the required 25% cover to be considered a remnant patch.

Disturbed areas were dominated by environmental weeds such as Toowoomba Canary-grass *Phalaris aquatica*, Rye-grass *Lolium* spp. Ribwort *Plantago lanceolata*, Couch *Cynodon dactylon* var. *dactylon* and Wild Oat *Avena fatua* (Plate 7; Plate 8).

A single Noxious weed and listed Weed of National Significance (WONS) is present throughout the study area, Blackberry *Rubus fruticosis*.



Plate 4. Introduced grassland within the study area (Ecology and Heritage Partners Pty Ltd o8/05/2019).



Plate 5. Introduced grassland within the study area (Ecology and Heritage Partners Pty Ltd o8/05/2019).

4.2 Fauna Habitat

4.2.1 Native and Introduce Grasslands

The majority of the study area consists of open areas containing exotic grasses, likely to be used as a foraging resource by common generalist bird species which are tolerant of modified open areas. Fauna observed using this habitat included; Australian Magpie *Cracticus tibicen*, Common Blackbird *Turdus merula*, Little Raven *Corvus mellori*, Magpie-lark *Grallina cyanoleuca*, House Sparrow *Passer domesticus*, Willie Wagtail *Rhipidura leucophrys* Red Fox *Vulpes vulpes* and European Rabbit *Oryctolagus cuniculus*.

4.2.2 Woodland and Scattered Trees

Woodland and scattered remnant trees occur throughout the study area and provide an important resource for arboreal fauna. The majority of the eucalypts are mature, providing an array of small,



medium, large and very large hollows, bark fissures and crevices. These are likely to be used for shelter and nesting by a range of hollow-dependent fauna including parrots, microbats, possums, gliders and owls. Scattered trees provide habitat for more mobile fauna species, vantage points and nesting areas for diurnal and nocturnal raptors, as well as stepping stones for more mobile fauna moving through the study area, enhancing landscape permeability for native fauna.

Species observed utilising woodland and scattered trees within the study area included Nankeen *Kestrel Falco cenchroides*, White-plumed *Honeyeater Lichenostomus penicillatus*, Red Wattlebird *Anthochaera carunculata*, Rainbow Lorikeet *Trichoglossus haematodus*, Musk Lorikeet *Glossopsitta concinna*, Red-browed Finch *Neochmia temporalis*, Superb Fairy-wren *Malurus cyaneus*, Striated Thornbill *Acanthiza lineata*, Brown Thornbill *Acanthiza pusilla*, Sulphur-crested Cockatoo *Cacatua galerita* and Galah *Eolophus roseicapilla*.

4.3 Removal of Native Vegetation (the Guidelines)

The below clearing scenario is based on the development plan provided by Mondo Architects on 27 February 2023. The landscape intent is to return endemic forest species to the site and integrate them with approximately 80 dwellings to create an urban renewal forest garden environment. The development area is generally located within cleared vegetation previously used as farm land.

4.3.1 Avoid and Minimise Statement

The study area is not covered by any specific overlays or strategic planning processes that seek to avoid or minimise impacts on native vegetation. Development of the current layout of the proposed residential village has been prepared in consultation with Yarra Ranges Shire Council. All elements of the development have considered the target demographic of the residential village for over 55-year old residents, ensuring that access and facilities are accessible, avoiding steep gradients and providing communal areas in proximity to each other.

The study area contained three main areas of native vegetation, being the Riparian Forest corridor along Olinda Creek, patch of Swampy Riparian Woodland in the northern corner and several scattered trees in the remaining area. Of these, the Riparian Forest section is entirely avoided. There is an existing easement that follows the eastern extent of this patch, and the extent of all works associated with the development will not encroach past the easement into the Riparian Forest.

The proposed main access location into the development impacts upon a portion of the Swampy Riparian Woodland patch located in the north of the study area. The current location is based on safe vehicle access into the village, uses the existing paved road and enters the village at the main clubhouse (opposed to within the residential area). Alternatives for the access road were considered, but not found to be feasible. This included a main entry from Swansea Road, however this resulted in traffic management implications. Shifting the access further west along Akarana Road were also considered to avoid impacts to the native vegetation, but this would have required extensive earthworks to raise the surface level of Akarana road to match the new ground levels required to comply with the 100 year flood level within the development and upgrading the gravel portion of Akarana Road.

A further impact to the northern patch of Swampy Riparian Woodland will result from the creation of the bowling green. Options to locate this in either the north or centre open wedge were considered, but not feasible due to the separation from the remaining facilities located at the clubhouse.



The location of the main village contained several scattered trees and exotic pasture. To allow for the development of the dwellings at a level that is above the 100 year flood, extensive earthworks will be required. This includes building up and levelling out the soil, creating a uniform area for development. The earthworks will result in the loss of all existing native scattered trees in this area, as the retention is not feasible due to the requirement to raise the ground level across the development area. This includes the two open wedge areas located in the development area, which will also be raised to match the surrounding levels.

The open space area located between the easement and edge of the building footprint will contain a storm water reserve. This will involve scalping and modifying the existing ground level and alignment of Cos creek, to create a low-lying catchment area that will be revegetated with local species tolerant of occasional waterlogging, such as a mixture of sedges, rushes, tussock grasses, shrubs and trees. Within this area, one native scattered tree was mapped during the initial site assessment. This tree has since fallen in storm events. Despite this, it has been included as impacted in the Native Vegetation Removal Report and will be offset, as the area will be disturbed during the creation of the drainage reserve. The fallen log will be retained within the reserve for habitat value but relocated to allow the soil to be graded. This will also allow for easier removal of the Blackberry infestation that occurs within this area, with the surface scalped to aid in weed removal.

An additional small impact is proposed to a patch of Swampy Riparian Woodland present along Swansea road, where a footpath is proposed to be established that will intersect the eastern extent of this patch. Most of this vegetation will be retained, such as where the vegetation sits further down the embankment away from the footpath.

No further opportunities exist to avoid or minimise impacts to native vegetation without undermining the objectives of the project.

4.3.2 Vegetation proposed to be removed

The study area is within Location 2, with 0.353 hectares of native vegetation proposed to be removed and six large trees. As such, the permit application falls under the Intermediate assessment pathway.

As the application falls under the Intermediate assessment pathway, condition scores for vegetation proposed to be removed were determined through a habitat hectares assessment (Appendix 3).

Assessment pathway	Intermediate	
Total Extent (past and proposed) (ha)	0.353	
Extent of past removal (ha)	0.00	
Extent of proposed removal (ha)	0.353	
EVC Conservation Status of vegetation to be removed	Vulnerable (Swampy Riparian Woodland)	
Large Trees (no.)	6	
Location Category	2	



4.3.3 Offset Targets

The offset requirement for native vegetation removal is 0.071 General Habitat Units (HU) and six Large Trees.

A summary of proposed vegetation losses and associated offset requirements is presented in Table 2 and the Native Vegetation Removal (NVR) is presented in Appendix 4.

Table 2. Offset targets

General Offsets Required	0.071 General HUs	
Large Trees	6	
Vicinity (catchment / LGA)	Melbourne Water CMA / Yarra Ranges Shire Council	
Minimum Strategic Biodiversity Value*	0.176	

Note: HU = Habitat Units; * The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

4.3.4 Offset Strategy

According to DELWPs Native Vegetation Offset Register (DELWP 2021e), there are 26 offset sites within the Melbourne Water CMA or Yarra Rangers Shire region that can be used to satisfy the General Habitat Unit and Large tree offset requirements.

An offset register search statement identifying the relevant offsite sites is provided in Appendix 5.

4.4 Significance Assessment

4.4.1 Flora

The VBA contains records of seven nationally significant and 68 State significant flora species previously recorded within 10 kilometres of the study area (DELWP 2021a) (Figure 3). The PMST nominated an additional four nationally significant species which have not been previously recorded but have the potential to occur in the locality (DAWE 2022).

Black Wattle *Acacia mearnsii*, listed as a protected flora species under the FFG Act was recorded within the study area during the field assessment (DELWP 2019). Black Wattle is quite common and widespread in lowland areas and typically grows in open forest, riparian areas and on cleared land, which are forms of habitat present within the study area.

No national or State significant flora were recorded during the site assessment and based on the modified nature of the study area, landscape context and the proximity of previous records, significant flora species are considered unlikely to occur within the study area due to the large extent of cleared areas and exotic grasses, the high levels of disturbance and absence of suitable habitat.

4.4.2 Fauna

The VBA contains records of 18 nationally significant and 40 state significant fauna species previously recorded within 10 kilometres of the study area (DELWP 2021a) (Figure 4). The PMST nominated an



additional eight nationally significant species which have not been previously recorded but have the potential to occur in the locality (DAWE 2022).

Large, hollow bearing trees were present within the study area, which may provide habitat for arboreal animals and avifauna, but are considered unlikely to provide important habitat for significant species.

Based on the modified nature of the study area, landscape context and the proximity of previous records, significant fauna species are considered unlikely to solely rely on habitat within the study area for foraging or breeding purposes due to the lack of suitable and/or important habitat features. Significant fauna are likely to use the adjacent riparian corridor, which is not proposed to be impacted by the project.

4.4.3 Communities

Four nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DAWE 2022):

- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland;
- Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains;
- Subtropical and Temperate Coastal Saltmarsh; and,
- Natural Damp Grassland of the Victorian Coastal Plains.

However, vegetation within the study area did not meet the condition thresholds that define any national or State-significant communities due to the low diversity of native flora and high cover of exotic vegetation.



5 Legislative and Policy Implications

5.1 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.

5.2 Flora and Fauna Guarantee Act 1988 (Victoria)

There are confirmed records of species listed as threatened and/or protected under the FFG Act. However, the study area is privately owned, as such a permit under the FFG Act is not required.

5.3 Planning and Environment Act 1987 (Victoria)

The *Planning and Environment Act 1987* outlines the legislative framework for planning in Victoria and for the development and administration of planning schemes. All planning schemes contain native vegetation provisions at Clause 52.17 which require a planning permit from the relevant local Council to remove, destroy or lop native vegetation, unless an exemption under clause 52.17-7 of the Victorian Planning Schemes applies.

5.3.1 Local Planning Schemes

The study area is located within the Yarra Ranges Shire Council municipality. The following zoning and overlays apply (DELWP 2022d):

- Rural Living Zone Schedule 2 (RLZ2);
- Land Subject to Inundation Overlay (LSIO).

5.3.2 The Guidelines

The State Planning Policy Framework and the decision guidelines at Clause 52.17 (Native Vegetation) and Clause 12.01 require Planning and Responsible Authorities to have regard for the 'Guidelines for the removal, destruction or lopping of native vegetation' (the Guidelines) (DELWP 2017a).

5.3.3 Implications

The study area is within Location 2, with 0.353 hectares of native vegetation proposed to be removed and six large trees. As such, the permit application falls under the Intermediate assessment pathway.

The offset requirement for native vegetation removal is 0.071 General Habitat Units (HU) and six Large Trees.

A Planning Permit from Yarra Ranges Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme.



5.4 Wildlife Act 1975 and Wildlife Regulations 2013 (Victoria)

The *Wildlife Act 1975* (and associated Wildlife Regulations 2013) is the primary legislation in Victoria providing for protection and management of wildlife. Authorisation for habitat removal may be obtained under the *Wildlife Act 1975* through a licence granted under the *Forests Act 1958*, or under any other Act such as the *Planning and Environment Act 1987*. Any persons engaged to remove, salvage, hold or relocate native fauna during construction must hold a current Management Authorisation under the *Wildlife Act 1975*, issued by DELWP.

5.5 Water Act 1989 (Victoria)

A 'works on waterways' permit from Melbourne Water is likely to be required where any action impacts on waterways within the study area. Additionally, where structures are installed within or across waterways that potentially interfere with the passage of fish or the quality of aquatic habitat, these activities should be referred to DELWP with Melbourne Water included for comment.

The Olinda Creek line is located along the western boundary of the study site, however, the creek line is not within the development area and as such there are no proposed impacts to this waterway.

5.6 Catchment and Land Protection Act 1994 (Victoria)

Weeds listed as noxious under the CaLP Act were recorded during the assessment (Blackberry). A Weed Management Plan may be required.



6 Mitigation Measures

Recommended measures to mitigate impacts upon terrestrial and aquatic values present within the study area may include:

- Minimise impacts to native vegetation and habitats through construction and micro-siting techniques, including fencing retained areas of native vegetation. If indeed necessary, trees should be lopped or trimmed rather than removed. Similarly, soil disturbance and sedimentation within wetlands should be avoided or kept to a minimum, to avoid, or minimise impacts to fauna habitats;
- All contractors should be aware of ecologically sensitive areas to minimise the likelihood of inadvertent disturbance to areas marked for retention. Native vegetation (areas of sensitivity) should be included as a mapping overlay on any construction plans;
- Tree Retention Zones (TRZs) should be implemented to prevent indirect losses of native vegetation during construction activities (DSE 2011). A TRZ applies to a tree and is a specific area above and below the ground, with a radius 12 x the DBH. At a minimum standard a TRZ should consider the following:
 - \circ A TRZ of trees should be a radius no less than two metres or greater than 15 metres;
 - Construction, related activities and encroachment (i.e. earthworks such as trenching that disturb the root zone) should be excluded from the TRZ;
 - Where encroachment exceeds 10% of the total area of the TRZ, the tree should be considered as lost and offset accordingly;
 - Directional drilling may be used for works within the TRZ without being considered encroachment. The directional bore should be at least 600 millimetres deep;
 - The above guidelines may be varied if a qualified arborist confirms the works will not significantly damage the tree (including stags / dead trees). In this case the tree would be retained and no offset would be required; and,
 - Where the minimum standard for a TRZ has not been met an offset may be required.
- Where possible, construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation, Large Trees and/or wetlands;
- Ensure that best practice sedimentation and pollution control measures are undertaken at all times, in accordance with Environment Protection Authority guidelines (EPA 1991; EPA 2020; Victorian Stormwater Committee 1999) to prevent offsite impacts to waterways and wetlands;
- As indigenous flora provides valuable habitat for indigenous fauna, it is recommended that any landscape plantings that are undertaken as part of the proposed works are conducted using indigenous species sourced from a local provenance, rather than exotic deciduous trees and shrubs. This includes within the proposed drainage reserve, where local provenance species tolerant of occasional waterlogging are recommended; and,
- Retain the logs of native trees removed within the study area as native fauna habitat within the border of the drainage reserve, where feasible.





7 Further Requirements

Further requirements associated with development of the study area, as well as additional studies or reporting that may be required, are provided in Table 3.

Table 3. Further requirements associated with development of the study area

Relevant Legislation	Implications	Further Action	
Environment Protection and Biodiversity Conservation Act 1999	The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.	No further action required.	
Flora and Fauna Guarantee Act 1988	There are confirmed records of species listed as threatened and/or protected under the FFG Act. However, the study area is privately owned, as such a permit under the FFG Act is not required.	No further action required.	
	The study area is within Location 2, with 0.353 hectares of native vegetation proposed to be removed and six large trees. As such, the permit application falls under the Intermediate assessment pathway.		
Planning and Environment Act 1987	The offset requirement for native vegetation removal is 0.071 General Habitat Units (HU) and six Large Trees.	Prepare and submit a Planning Permit application.	
	A Planning Permit from Yarra Ranges Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme.		
Catchment and Land Protection Act 1994	Several weed species listed under the CaLP Act were recorded within the study area. To meet requirements under the CaLP Act, listed noxious weeds should be appropriately controlled throughout the study area.	Planning Permit conditions are likely to include a requirement for a Weed Management Plan.	
Wildlife Act 1975	Any persons engaged to conduct salvage and translocation or general handling of terrestrial fauna species must hold a current Management Authorisation.	Ensure wildlife specialists hold a current Management Authorisation.	



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Version: 2, Version Date: 29/11/2023

Aerial source: Nearmap 2022





Legend					
	Study Area	\bigtriangleup	Lace Monitor		
Signi	ficant fauna		Little Eagle		
\bigcirc	Australasian Bittern		Little Egret		
•	Australasian Shoveler		Musk Duck		
•	Barking Owl		Platypus		
•	Black Falcon		Powerful Owl		
•	Blue-billed Duck		Regent Honeyeater		
•	Broad-toothed Rat		Sooty Owl		
	Caspian Tern	¢	Southern Brown		
•	Chestnut-rumped Heathwren		Southern Greater		
	Eastern Great Egret	4	Southern Toadlet		
-	Foothill Burrowing Crayfish	- &	Square-tailed Kite		
	Freckled Duck	¢	Superb Parrot		
	Grey Goshawk	÷	Swift Parrot		
	Grey-headed Flying- fox	¢	Tubercle Burrowing Crayfish		
	Growling Grass Frog	+	White-bellied Sea- Eagle		
	Hooded Robin	۲	White-throated Needletail		



Appendix 1 - Flora

Legend:

I Protected under the FFG Act (DELWP 2016);

* Listed as a noxious weed under the CaLP Act;

w Weed of National Significance.

Table A1.1. Flora recorded within the study	area
---	------

Scientific Name	Common Name	Notes
IND		
Acacia dealbata	Silver Wattle	-
Acacia mearnsii	Black Wattle	-
Acaena novae-zelandiae	Bidgee-widgee	-
Eleocharis sphacelata	Tall Spike-sedge	-
Eucalyptus camaldulensis	River Red Gum	-
Eucalyptus camphora subsp. humeana	Mountain Swamp Gum	-
Eucalyptus viminalis	Manna Gum	-
Glycera australia	Australian Sweet-grass	-
Juncus sp.	Rush	-
Persicaria sp.	Knotweed	-
Pteridium esculentum	Austral Bracken	-
NON-INDIGENO	US OR INTRODUCED SPECIES	
Agrostis sp.	Bent/Blown Grass	-
Anthoxanthum sp.	Vernal Grass	-
Avena fatua	Wild Oat	-
Cirsium vulgare	Spear Thistle	*
Cynodon dactylon var. dactylon	Couch	-
Cyperus sp.	Flat Sedge	-
Holcus lanatus	Yorkshire Fog	-
Hypochaeris radicata	Flatweed	-
Juncus acutus subsp. acutus	Spiny Rush	*
<i>Lolium</i> sp.	Rye Grass	-
Paspalum dilatatum	Paspalum	-
Phalaris aquatica	Toowoomba Canary-grass	-
Plantago lanceolata	Ribwort	-



Scientific Name	Scientific Name Common Name	
Ranunculus repens	Creeping Buttercup	-
Rubus fruticosus spp. agg.	Blackberry	*w
Rumex sp.	Dock	-
Trifolium sp.	Clover	-
Typha sp.	Bulrush	-





Appendix 2 – Habitat Hectare Assessment

Table A2.1. Habitat Hectare Table

Vegetation Zone		SRW1	RF	SRW2
Bioregion		Highlands Southern Fall	Highlands Southern Fall	Highlands Southern Fall
EVC / Tree		SRW	RF	SRW
EVC Number		83	18	83
EVC Conserv	vation Status	Vulnerable	Least Concern	Vulnerable
	Large Old Trees /10	7	7	0
	Canopy Cover /5	4	4	0
	Under storey /25	5	5	5
	Lack of Weeds /15	0	4	9
Patch Condition	Recruitment /10	3	5	5
	Organic Matter /5	2	4	3
	Logs /5	0	2	0
	Treeless EVC Multiplier	1.00	1.00	1.00
	Subtotal =	21.00	31.00	22.00
Landscape Value /25		3	3	3
Habitat Points /100		24	34	25
Habitat Score		0.24	0.34	0.25

Note. SRW = Swampy Riparian Woodland, RF = Riparian Forest





Appendix 3 – Large Trees and Scattered Trees

Tree #	Common Name	Species Name	DBH	Category	Status
2	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	46	Scattered Small Tree	Impacted
3	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	44	Scattered Small Tree	Impacted
4	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	110	Scattered Large Tree	Impacted
5	Manna Gum	Eucalyptus viminalis	86	Scattered Large Tree	Retained
6	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	98	Large Tree within a patch	Impacted
7	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	94	Large Tree within a patch	Impacted
8	Dead	Eucalyptus sp.	65	Large Tree within a patch	Impacted
9	Mountain Swamp-gum	Eucalyptus camphora subsp. humeana	164	Large Tree within a patch	Impacted
10	Manna Gum	Eucalyptus viminalis	92	Large Tree within a patch	Retained
11	Manna Gum	Eucalyptus viminalis	195	Large Tree within a patch	Retained
12	Manna Gum	Eucalyptus viminalis	166	Large Tree within a patch	Retained
13	Manna Gum	Eucalyptus viminalis	96	Large Tree within a patch	Retained

Table A3.1. Large Trees and Scattered Trees recorded within the study area.



Appendix 4 – Native Vegetation Removal (NVR) Report



This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report **is not an assessment by DELWP** 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.

Date of issue: Time of issue:	24/03/2023 3:39 pm		Report ID: EHP_2023_038
Project ID		EHP16197_Lilydale_VG94	

Assessment pathway

Assessment pathway	Intermediate Assessment Pathway
Extent including past and proposed	0.353 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.353 ha
No. Large trees proposed to be removed	6
Location category of proposed removal	Location 2 The native vegetation is in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map). Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for a rare or threatened species.

1. Location map





Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

General offset amount ¹	0.071 general habitat units				
Vicinity	Port Phillip and Westernport Catchment Management Authority (CMA) or Yarra Ranges Shire Council				
Minimum strategic biodiversity value score ²	0.176				
Large trees	6 large trees				

NB: values within tables in this document may not add to the totals shown above due to rounding

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

¹ The general offset amount required is the sum of all general habitat units in Appendix 1.

² Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

Next steps

Any proposal to remove native vegetation must meet the application requirements of the Intermediate Assessment Pathway and it will be assessed under the Intermediate Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

This *Native vegetation removal report* must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native* vegetation (the Guidelines) for a full list of application requirements This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- · A description of the native vegetation to be removed (met unless you wish to include a site assessment)
- Maps showing the native vegetation and property
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defendable space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- An offset statement that explains that an offset has been identified and how it will be secured.

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Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes.

Appendix 1: Description of native vegetation to be removed

All zones require a general offset, the general habitat units each zone is calculated by the following equation in accordance with the Guidelines:

General habitat units = extent x condition x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2) The general offset amount required is the sum of all general habitat units per zone.

Native vegetation to be removed

Information provided by or on behalf of the applicant in a GIS file							Information calculated by EnSym					
Zone	Туре	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
3-Т	Scattered Tree	hsf_0083	Vulnerable	1	no	0.200	0.070	0.069	0.220		0.013	General
2-T	Scattered Tree	hsf_0083	Vulnerable	0	no	0.200	0.031	0.024	0.220		0.004	General
4-T	Scattered Tree	hsf_0083	Vulnerable	0	no	0.200	0.031	0.024	0.220		0.004	General
1-A	Patch	hsf_0083	Vulnerable	4	no	0.240	0.159	0.159	0.220		0.035	General
5-B	Patch	hsf_0083	Vulnerable	0	no	0.250	0.002	0.002	0.220		0.000	General
6-B	Patch	hsf_0083	Vulnerable	0	no	0.250	0.002	0.002	0.220		0.000	General
7-B	Patch	hsf_0083	Vulnerable	0	no	0.250	0.000	0.000	0.220		0.000	General
8-B	Patch	hsf_0083	Vulnerable	0	no	0.250	0.001	0.001	0.220		0.000	General
9-T	Scattered Tree	hsf_0083	Vulnerable	1	no	0.200	0.070	0.070	0.223		0.013	General

Appendix 2: Information about impacts to rare or threatened species' habitats on site This is not applicable in the Intermediate Assessment Pathway.

Appendix 3 – Images of mapped native vegetation 2. Strategic biodiversity values map



3. Aerial photograph showing mapped native vegetation



4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.



Appendix 5 – Available Native Vegetation Credits



This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 23/03/2023 12:40

Report ID: 18271

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)			
0.071	0.276	6	CMA	Port Phillip and Westernport		
			or LGA	Yarra Ranges Shire		

Details of available native vegetation credits on 23 March 2023 12:40

Credit Site ID	GHU	LT	СМА	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0277	5.199	454	Port Phillip and Westernport	Mornington Peninsula Shire	No	Yes	No	Abezco, Ethos, VegLink
BBA-0670	18.072	148	Port Phillip and Westernport	Cardinia Shire	No	Yes	No	Abezco, VegLink
BBA-0677	15.331	1474	Port Phillip and Westernport	Whittlesea City	No	Yes	No	Abezco, VegLink
BBA-0678	44.683	2613	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-0678_2	0.388	59	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-2789	1.317	14	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2790	2.911	116	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2870	2.544	431	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-2871	16.335	1668	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
TFN-C1636	0.756	130	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC
TFN-C1650	0.098	20	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1663	0.102	27	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1664	1.797	61	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC

These sites meet your requirements for general offsets.

TFN-C1962	0.098	9	Goulburn Broken, Port Phillip and Westernport	Macedon Ranges Shire	No	Yes	No	Contact NVOR
VC_CFL- 0838_01	0.209	697	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3084_01	0.182	112	Port Phillip And Westernport	Cardinia Shire	Yes	Yes	No	VegLink
VC_CFL- 3687_01	0.321	64	Port Phillip And Westernport	Baw Baw Shire	Yes	Yes	No	Baw Baw SC
VC_CFL- 3708_01	0.198	507	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3709_01	0.139	395	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3710_01	7.606	322	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3740_01	1.077	92	Port Phillip And Westernport	Cardinia Shire, Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL- 3740_01	0.318	16	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL- 3744_01	2.428	377	Port Phillip And Westernport	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3762_01	0.271	94	Port Phillip And Westernport	Moorabool Shire	Yes	Yes	No	VegLink
VC_CFL- 3764_01	7.984	50	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3769_01	0.170	19	Port Phillip And Westernport	Nillumbik Shire	Yes	Yes	No	VegLink

These sites meet your requirements using alternative arrangements for general offsets.

Credit Site ID	GHU	LT CMA	LGA	Land	Trader	Fixed	Broker(s)
				owner		price	

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

Credit Site ID	GHU	LT	СМА	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL- 3746_01	4.962	563	Port Phillip And Westernport	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL- 3781_01	5.568	24	Port Phillip And Westernport	Moorabool Shire	Yes	Yes	No	VegLink

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

Next steps

If applying for approval to remove native vegetation

Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation

Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

Broker Abbreviation	Broker Name	Phone	Email	Website
Abezco	Abzeco Pty. Ltd.	(03) 9431 5444	offsets@abzeco.com.au	www.abzeco.com.au
Baw Baw SC	Baw Baw Shire Council	(03) 5624 2411	bawbaw@bawbawshire.vic.gov.au	www.bawbawshire.vic.gov.au
Bio Offsets	Biodiversity Offsets Victoria	0452 161 013	info@offsetsvictoria.com.au	www.offsetsvictoria.com.au
Contact NVOR	Native Vegetation Offset Register	136 186	nativevegetation.offsetregister@d elwp.vic.gov.au	www.environment.vic.gov.au/nativ e-vegetation
Ecocentric	Ecocentric Environmental Consulting	0410 564 139	ecocentric@me.com	Not avaliable
Ethos	Ethos NRM Pty Ltd	(03) 5153 0037	offsets@ethosnrm.com.au	www.ethosnrm.com.au
Nillumbik SC	Nillumbik Shire Council	(03) 9433 3316	offsets@nillumbik.vic.gov.au	www.nillumbik.vic.gov.au
TFN	Trust for Nature	8631 5888	offsets@tfn.org.au	www.trustfornature.org.au
VegLink	Vegetation Link Pty Ltd	(03) 8578 4250 or 1300 834 546	offsets@vegetationlink.com.au	www.vegetationlink.com.au
Yarra Ranges SC	Yarra Ranges Shire Council	1300 368 333	biodiversityoffsets@yarraranges.vi c.gov.au	www.yarraranges.vic.gov.au

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For more information contact the DELWP Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delwp.vic.gov.au

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Obtaining this publication does not guarantee that the credits shown will be available in the Native Vegetation Credit Register either now or at a later time when a purchase of native vegetation credits is planned.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes