

Streamlined assessment module planted native vegetation

Biodiversity Assessment Method operational manual



Department of Climate Change, Energy, the Environment and Water

Acknowledgement of Country

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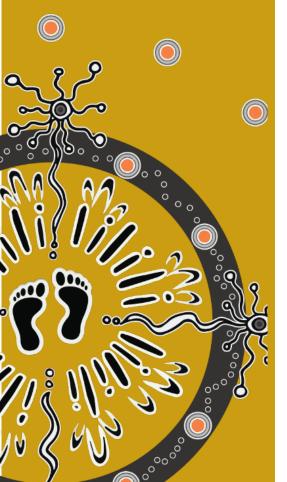
We pay our respects to Elders past, present and emerging.

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Shortened forms

Term	Description
BAM	Biodiversity Assessment Method
BAM-C	BAM Calculator
BAR	Biodiversity Assessment Report (can refer to either a BDAR or BCAR)
BC Act	NSW Biodiversity Conservation Act 2016
BC Regulation	NSW Biodiversity Conservation Regulation 2017
BCAR	Biodiversity Certification Assessment Report
ВСТ	Biodiversity Conservation Trust
BDAR	Biodiversity Development Assessment Report
BOAMS	Biodiversity Offsets and Agreement Management System
the Scheme	NSW Biodiversity Offsets Scheme
BSA	biodiversity stewardship agreement
CEEC	critically endangered ecological community
EEC	endangered ecological community
IBRA	Interim Biogeographic Regionalisation of Australia
LLS Act	NSW Local Land Services Act 2013
PCT	plant community type
PVP	property vegetation plan
SAII	serious and irreversible impacts
SEED	Sharing and Enabling Environmental Data
SoS	Saving our Species
TBDC	Threatened Biodiversity Data Collection
TEC	threatened ecological community
the department	NSW Department of Climate Change, Energy, the Environment and Water
the Manual	Streamlined assessment module planted native vegetation: Biodiversity Assessment Method operational manual
the Module	Streamlined assessment module planted native vegetation
Veg-C	BioNet Vegetation Classification
VMA	vegetation management area

1. Introduction

1.1 NSW Biodiversity Offsets Scheme

The NSW *Biodiversity Conservation Act 2016* (BC Act), and Biodiversity Conservation Regulation 2017 (BC Regulation) outline the framework for addressing impacts on biodiversity from development and clearing. The framework requires a proponent to avoid, minimise and offset impacts on biodiversity from these actions using the Biodiversity Offsets Scheme (the Scheme).

The Scheme establishes biodiversity stewardship agreements (BSAs), which are voluntary in-perpetuity agreements entered into by landholders. BSAs are the mechanism used to secure sites where the improvement in biodiversity values is used to offset the loss incurred by development and clearing of native vegetation elsewhere in New South Wales.

The Scheme includes the Biodiversity Assessment Method 2020 (BAM), which is enabled by section 6.7 of the BC Act. The BAM provides:

- a transparent, consistent, and scientifically based approach for the assessment of biodiversity values on a proposed development, clearing or biodiversity stewardship site
- guidance on how a proponent can avoid and minimise potential biodiversity impacts
- a method for calculating the number and class of biodiversity credits that need to be offset to meet the standard of 'no net loss' of biodiversity.

BAM Appendix D contains the Streamlined Assessment Module – Planted Native Vegetation (the Module) which may be used to assess all or part of a development, activity, clearing or biodiversity certification proposal where planted native vegetation occurs. The Module is not applicable to a Biodiversity Stewardship Site Assessment.

1.2 Purpose of this Manual

The Streamlined assessment module planted native vegetation: Biodiversity Assessment Method operational manual (the Manual) provides guidance to assist accredited assessors in the application of the Streamlined Assessment Module – Planted Native Vegetation provided in BAM Appendix D. The Manual is a companion document to the BAM and other published Operational Manuals; therefore, these documents should be read together. Any updates to administrative structures, position titles and data sources since the BAM was last gazetted may also be reflected in the Manual.

1.3 Structure of this Manual

The Manual is structured to mirror the step-by-step decision-making key presented in BAM Appendix D and presented as:

D.1 – Decision-making key – application of the decision-making key
 D.2 – How to assess planted native vegetation for threatened species habitat.

1.4 BAM operational manuals

BAM Operational Manuals provide guidance to implement the BAM. Published operational manuals include:

- Stage 1: Biodiversity assessment
- Stage 2: Impact assessment (biodiversity values and prescribed impacts)
- Stage 3: Improving biodiversity values.

1.5 Planted Native Vegetation Module

The Planted Native Vegetation Module provides a framework for the assessment of planted native vegetation using the BAM. The Module is applied when an area of planted native vegetation is identified in the subject land for a development or clearing proposal that is subject to a BAM assessment.

Where only part of the subject land contains planted native vegetation (e.g. one vegetation zone), the Module may be used to assess that part. The standard BAM is then used to assess the remaining areas.

The Module may be used in conjunction with the standard BAM to assess parts of the subject land under a single Biodiversity Development Assessment Report (BDAR) or Biodiversity Certification Assessment Report (BCAR).

The Module is divided into the following parts:

- D.1 Decision-making key to identify whether a standard BAM or a streamlined assessment is required
- D.2 Assessment of planted native vegetation for threatened species habitat.

D.1 of the Module is used to assess if D.2 applies. If Questions 1–3 of the decision-making key are not applicable to the planted native vegetation, apply D.2 – Assessment of planted native vegetation for threatened species habitat.

Application of the Module does not preclude the requirement to consider efforts to avoid and minimise and assess prescribed impacts or serious and irreversible impacts (SAII) in accordance with the relevant sections of the BAM.

Figure 1 provides a flow chart of the decision-making key and detail on the application of each question in D.1 is described in the section 2 below.

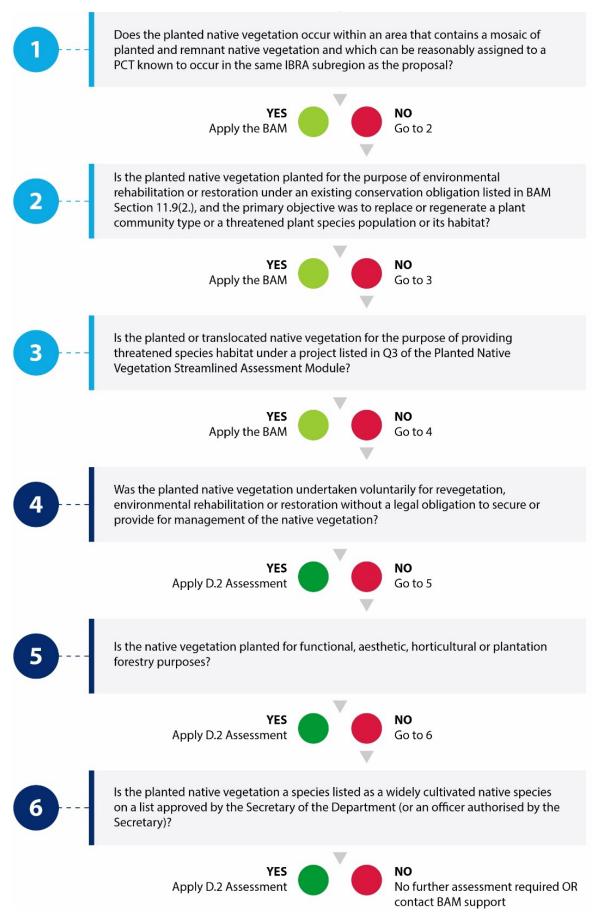


Figure 1 Decision-making key

2. Application of the Module

2.1 D.1 Decision-making key

The Planted Native Vegetation Module includes a decision-making key to identify whether a streamlined assessment can be applied to part or all of the subject land. This section outlines the components of the decision-making key, the intent of each question and definitions applicable to the key.

The first 3 questions are used to evaluate if the proposed impacts to the vegetation require assessment under the standard BAM. A 'yes' to any of these questions requires the vegetation to be assigned to a plant community type (PCT) and assessed using the standard BAM.

If all responses are 'no', the remainder of the questions apply, with Questions 4–6 used to evaluate the reasons for application of D.2. Under D.2, the planted native vegetation is assessed for threatened species habitat only and biodiversity credits are not calculated.

Regardless of the outcome of the decision-making key, avoid and minimise (BAM Chapter 7), prescribed impacts (BAM Chapter 6), and any SAII (BAM Section 9.1) must be considered.

For the purposes of the Module, second generation (naturally regenerated) individuals derived from the original planted native vegetation are assessed in the same way as planted native vegetation.

Disclaimer:

The case studies described below are to assist with the interpretation and implementation of the BAM in the context of this decision-making key.

The case studies do not represent sites with proposed development applications, or where development has been undertaken.

Some of the images used are generic images and not of the referenced case study site.

Question 1

Does the planted native vegetation occur within an area that contains a mosaic of planted and remnant native vegetation and which can be reasonably assigned to a PCT known to occur in the same IBRA subregion as the proposal?

Assess whether the planted native vegetation occurs amongst existing native vegetation where this mix of vegetation can be reasonably assigned to a PCT that occurs in the same IBRA subregion as the proposal.

A 'mosaic' refers to a mix of planted and non-planted native vegetation occurring in a patch where the planted native vegetation is likely to account for a minor component.

If the planted native vegetation occurs in a mosaic and a best-fit PCT can be assigned, allocate the best-fit PCT and apply the standard BAM.

No further documentation is required.

Using the 'best-fit' PCT recognises the potential difficulties of assigning PCTs on floristics alone, particularly when other factors are involved (e.g. planted and derived vegetation).

Best-fit allocations should consider the PCTs in the surrounding landscape, historic disturbances and the likely ecosystem credit species in the area that may be utilising the habitats within the planted native vegetation.

If the planted native vegetation cannot be reasonably assigned to a best-fit PCT known to naturally occur in the locality or IBRA subregion, or occurs in an isolated patch (i.e. not a mosaic with existing native vegetation), include an evidence-based justification for this in the BDAR/BCAR.

Justification could include:

- evidence that indicates the vegetation is planted
 - receipts for tubestock or seed purchase
 - plastic tree guards, tags
 - historical aerial photography
 - photos of planted vegetation relative to landscape
 - artificial bunds
 - contour beds
 - furrow lines
 - uniform patterning
 - even-aged stands
 - non-locally native single species stands
- a list of flora species recorded in planted native vegetation with a comparative assessment of potentially suitable PCTs demonstrating dissimilarity
- a comparison of the planted native vegetation to remnant vegetation composition and evidence (photographic and/or aerial) that the planted native vegetation is isolated (i.e. not a mosaic) from remnant vegetation.

Proceed to Question 2 of the decision-making key.

Case study 1. Sugar gum rehabilitation

The subject land contains distinct patches of vegetation dominated by a uniformly aged and distanced stand of sugar gum (*Eucalyptus cladocalyx*). The mid-storey is generally absent and the understorey is dominated by perennial exotic species. The landholder has confirmed they planted the sugar gum 15 years ago to stabilise the soil following ground disturbance. This was not undertaken as a requirement of a consent document. A review of historical aerial imagery supports this account.



Photo: Stephen Bell/University of Newcastle

The surrounding landscape is dominated by box-ironbark eucalypt forest and woodland communities located in the Hunter IBRA subregion. However, review of aerial photography shows this patch to be isolated from existing native vegetation. Sugar gum is a species endemic to South Australia and is known to be widely used in plantations and rehabilitation sites in New South Wales. Following a review of the PCTs occurring in the immediate locality and other potentially suitable PCTs known to occur in the Hunter IBRA subregion (as described in the BioNet Vegetation Classification application (Veg-C)), it was identified that the sugar gum rehabilitation could not be reasonably assigned to a PCT due to a lack of species and stratum specifics characteristic of the PCTs listed on the Veg-C.

In this case, the answer to Question 1 of the Module is 'no'. The following justification is provided in the BDAR:

- photos of the planted native vegetation in the landscape
- aerial photography demonstrating isolation from existing native vegetation
- copies of seedling purchase receipts obtained from the landholder
- provision of the relevant historical aerials showing clearance and subsequent planting
- flora species list and demonstration of dissimilarity against potentially suitable PCTs.

Question 2 of the Module is then applied.

Question 2

Is the planted native vegetation:

- planted for the purpose of environmental rehabilitation or restoration under an existing conservation obligation listed in BAM Section 11.9(2.), and
- the primary objective was to replace or regenerate a plant community type or a threatened plant species population or its habitat?

Assess whether the native vegetation was planted to satisfy a specific conservation obligation for the purposes of ecosystem regeneration or replacement. In some cases, native vegetation may have been planted for purposes other than ecological outcomes such as visual screens or soil stability, even if they provide some ecological or habitat value.

If the primary objective of the planted native vegetation was to rehabilitate or restore:

- a PCT (or an identified vegetation community or threatened ecological community (TEC))
- a threatened flora species
- a threatened species habitat under a conservation obligation listed in Table 1, assign the best-fit PCT and apply the standard BAM.

No further documentation is required.

If the response is 'no', include an evidence-based justification in the BDAR/BCAR such as:

- declaration that the planting was not undertaken under a conservation obligation as outlined in BAM Section 11.9(2.), and (if applicable)
- a copy of documentation (e.g. consent conditions, management plans) to demonstrate that the primary objective of the planting was not to replace or regenerate a PCT or a threatened flora species or its habitat.

Table 1 outlines the existing conservation obligations provided in BAM Section 11.9(2.) and further information on their application in this Module.

Proceed to Question 3 of the decision-making key.

Table 1 Further information on existing conservation obligations

Existing conservation obligations (BAM S 11.9(2.))	Further information
a. a restriction on use or public positive covenant under Part 4A of the Crown Lands Act 1989 or Part 5, Division 5.10 of the Crown Land Management Act 2016	Under the Crown Lands Management Act (and the now repealed Crown Lands Act), the Minister can impose a public positive covenant over Crown land that is to be sold for the purpose of protecting the environment, protecting or managing natural resources or protecting cultural, heritage or other significant values of the land. These conditions may include restoration or planting of native vegetation.
b. a conservation agreement entered into under the National Parks and Wildlife Act 1974	A conservation agreement is an agreement between landholder and the Minister for the Environment for permanent protection of a site. Entering into an agreement is voluntary and the land can be privately or publicly owned or leased from the Crown. The agreement is registered on the title of the land covered by the agreement. A property with a conservation agreement in place should show this on the Certificate of Title. The agreement documentation signed by the landholder and the Minister should detail the primary objective of any regeneration or restoration works undertaken. Note: Following the implementation of the BC Act, the Biodiversity Conservation Trust (BCT) now manages these agreements.
c. a trust agreement entered into under the Nature Conservation Trust Act 2001	Under the (now repealed) Nature Conservation Trust Act, a landowner could choose to manage and protect their land through an agreement with the Nature Conservation Trust. Refer to the Certificate of Title for evidence of a trust agreement. The agreement will include a plan of management that sets out the conservation obligations of the landholder. Note: Following the implementation of the BC Act, the BCT now manages these agreements.
d. a conservation agreement under Part 5 of the BC Act	Conservation agreements are registered on the property title and may be either in-perpetuity or for a fixed term. In some areas of New South Wales, conservation agreements may attract annual management payments or one-off grants for direct costs of management actions such as fencing or weed control. The agreement documentation signed by the landholder and the BCT should detail the primary objective of any regeneration or restoration works undertaken. A register of conservation agreements under the BC Act is available on the BCT website.
e. any agreement entered into with a public authority under	Any other agreement with a public authority where funds are received for biodiversity conservation purposes.

Existing conservation Further information obligations (BAM S 11.9(2.)) which the owner of For example, a Wildlife Refuge Agreement is a partnership the land received, or agreement between the landholder and BCT where financial is entitled to receive. support is available through grant funding for conservation actions. funding for biodiversity conservation purposes f. in the case of publicly Biodiversity conservation on publicly owned land such as national owned land, any parks, Crown land, and state forest land. legislative requirements to manage the land for biodiversity conservation purposes g. a biobanking Biobanking agreements are in-perpetuity agreements and are agreement entered registered on the property title. These sites are the early into under the equivalent of biodiversity stewardship sites and generate **Threatened Species** 'biodiversity credits' that can be sold to offset the impacts of Conservation Act 1995 approved developments elsewhere. Landholders receive ongoing annual management payments and a potential profit from credit sales once the credits are sold. The agreement documentation signed by the landholder and the (then) Office of Environment and Heritage (OEH) should detail the primary objective of any regeneration or restoration works undertaken. A register of biobanking agreements under the Threatened Species Conservation Act is available on the department's website. h. a biodiversity Biodiversity stewardship agreements are in-perpetuity agreements stewardship and are registered on the property title. These sites generate agreement entered 'biodiversity credits' that can be sold to offset the impacts of into under Part 5 of approved developments elsewhere. Landholders receive ongoing the BC Act annual management payments and a potential profit from credit sales once the credits are sold. The agreement documentation signed by the landholder and the BCT should detail the primary objective of any regeneration or restoration works undertaken in the Management Actions Plan and specifically in a Restoration Management Plan. A register of existing biodiversity stewardship agreements under the BC Act is available on the BCT website. Note that from July 2022 biodiversity stewardship agreements are administered by the Biodiversity Credits Supply Fund and

Taskforce.

Existing conservation obligations (BAM S 11.9(2.))

Further information

i. a legal obligation imposed by a statutory body or officer where that officer or body (or the Minister to whom the officer or body is responsible) has advised in writing that the legal obligation was imposed for biodiversity offset purposes

A legal obligation to manage land as a biodiversity offset; for example, a Vegetation Management Area as a development consent condition, biocertification agreement or a biobanking agreement.

j. a property vegetation plan (PVP) under the Native Vegetation Act 2003 that is described as a Conservation PVP (and relates to land that is required to be conserved or in respect of which public funding was provided to improve biodiversity).

A PVP is a voluntary, legally binding agreement between a landholder and the Local Land Services (LLS). PVPs are typically utilised to authorise and offset the clearing of native vegetation. However, a landholder may enter into a PVP to gain native vegetation improvement funding.

The Native Vegetation Act public register includes information about PVPs approved by LLS before the repeal of the Act. Further information can be obtained by contacting the relevant LLS office.

Case study 2. Planting undertaken in a vegetation management area

The subject land contains planted native vegetation in a vegetation management area (VMA) that was established 10 years ago at a mining site to mitigate the loss of vegetation and habitat within the impact footprint.



Photo: Susan Jackson/DCCEEW

Management actions in the VMA include assisted regeneration through supplementary plantings in a previously cropped paddock historically used as pasture. This planting aimed to restore the existing PCTs in the locality, specifically PCT1334 – Yellow Box grassy woodland of the northern Monaro and Upper Shoalhaven area, South Eastern Highlands Bioregion. The planted native vegetation included *Eucalyptus melliodora*, *Eucalyptus bridgesiana* and *Eucalyptus pauciflora*, which has shown moderate success in growth and retention.

Following a review of consent documents, the management of this area was found to be a requirement in a historic consent condition; however, the area was not secured in a formal offsetting agreement. The consent states that:

'The Applicant shall:

- a. rehabilitate the site in a manner that is generally consistent with the concept final landform for the VMA, and
- b. implement the proposed Vegetation Management Area to PCT1334 Yellow Box grassy woodland of the northern Monaro and Upper Shoalhaven area, South Eastern Highlands Bioregion to the satisfaction of the Director-General.'

The VMA can therefore be interpreted as conforming to S 11.9(2.i) 'a legal obligation imposed by a statutory body or officer where that officer or body (or the Minister to whom the officer or body is responsible) has advised in writing that the legal obligation was imposed for biodiversity offset purposes.'

In this case, the answer to Question 2 of the Module is 'yes'. The best-fit PCT was assigned and the BAM was applied.

Question 3

Is the planted or translocated native vegetation individuals of a threatened species or other native species planted or translocated for the purpose of providing threatened species habitat under one of the following:

- a species recovery project
- Saving our Species project
- other types of government funded restoration project
- condition of consent for a development approval that required those species to be planted or translocated for the purpose of providing threatened species habitat
- legal obligation as part of a condition or ruling of court
- ecological rehabilitation to re-establish a PCT or TEC that was, or is carried out under a mine operations plan, or
- approved vegetation management plan?

Assess whether native vegetation was planted (or translocated) as part of a project to restore a threatened flora species population or to provide habitat for threatened flora or fauna species as part of a legal obligation.

If the response is 'yes', assign the best-fit PCT and apply the standard BAM. In the case where the native vegetation was planted to restore a specified PCT, assign this PCT in the Biodiversity Assessment Method Calculator (BAM-C). No further documentation is required.

If the planted native vegetation was not planted under the above listed projects, include an evidence-based justification in the BDAR/BCAR such as either:

- a declaration that the planting was not undertaken as part of a funded conservation action, legal obligation or condition of consent and (if applicable)
- a copy of documentation (e.g. consent conditions, management plans) to demonstrate that the purpose of the planting was not to provide threatened species habitat.

Table 2 below outlines examples of the projects listed above.

Proceed to Question 4 of the decision-making key.

 Table 2
 Examples of projects relevant to Question 3

Projects	Examples
A species recovery project	In this context, a species recovery project refers to projects that are formally endorsed and documented by government, such as programs, strategies and projects in national or state recovery plans, but may not be funded by government; for example, resource tree planting for threatened bird habitat recovery.
A Saving our Species (SoS) project	SoS strategies are developed for threatened species and ecological communities, and many key threatening processes. SoS delivers the Biodiversity Conservation Program (BCP) – Part 4, Division 6 under the BC Act. SoS strategies can be searched on the department's website.
Other types of government funded restoration project	Examples include native planting and translocation projects under: NSW Environmental Restoration and Rehabilitation program NSW Environmental Trust funded projects Commonwealth Blue Carbon Ecosystem Restoration grants local government community environment grants Local Land Services restoration and wildlife projects NSW Landcare grants and funded programs.
Condition of consent for a development approval that required those species to be planted or translocated for the purpose of providing threatened species habitat	 Examples include: translocation of threatened orchid species to reduce impacts on existing habitat to be cleared for a development planting of feed trees targeting koala habitat recovery. Conditions of consent are found on the relevant authority's websites: local council development application registers NSW Government - Major Projects list Environment Protection and Biodiversity Conservation Act 1999 referrals list.
Legal obligation as part of a condition or ruling of court	Any legal obligation as a result of a court ruling whereby planting or translocation is required to provide threatened species habitat. Court judgments can be found on the NSW Case Law and Australian Federal Court websites.
Ecological rehabilitation to re-establish a PCT or TEC that was, or is, carried out under a mine operations plan, or	Ecological rehabilitation is becoming a standard of ecological restoration for mine sites across New South Wales. The requirements are usually outlined in the conditions of consent and further detailed in the mine operations plan. Example:

Projects	Examples
	'The Applicant must rehabilitate the offset area required in Table 10 above to a level that meets the EEC listing criteria for the White Box Yellow Box Blakely's Red Gum Woodland EEC'
	The mine operations plan should clearly state whether the rehabilitation was undertaken to re-establish a specific PCT or TEC. In the case where the planted native vegetation was planted to re-establish a specified PCT, this PCT should be assigned in the BAM-C.
	This section would be relevant for any vegetation established for the purpose of re-establishing PCTs using the Ancillary Rules for Ecological Mine Rehabilitation (DCCEEW in prep.) as allowed for under the BC Regulation.
Approved vegetation management plan	A vegetation management plan is intended to assist landholders in managing the impacts of development (planned, previous or existing) and outlines the objectives, techniques and actions specific to the management of vegetation on a site. A vegetation management plan may be required by a local council as part of a development application as a condition of consent, following unauthorised land clearing, or in addition to a landscape plan and/or weed management plan.

Case study 3. Threatened orchid translocation

A site in the Upper Hunter IBRA subregion includes an area of previous disturbance where pine donkey orchid (*Diuris tricolor*) has been translocated. The recipient site of the translocation is generally devoid of an overstorey and mainly consists of sparse groundcovers and exotic species. Despite this, annual monitoring has indicated that the translocation has been successful with new recruiting individuals recorded around the site.



Photo: Ryan Parsons/Umwelt

Pine donkey orchid is vulnerable under the BC Act and approval was granted to disturb individuals of this species as part of a proposed development. These individuals were salvaged and translocated as per the requirement outlined in the consent documentation.

Given planting was a requirement under a condition of consent for a development approval that required the species to be planted or translocated for the purpose of providing threatened species habitat, in this case the answer to Question 3 is 'yes'. The vegetation in this site was assigned to the best-fit PCT by reviewing the adjacent PCTs in the locality and the PCTs associated with pine donkey orchid. The BAM was then applied.

Case study 4. Canopy planting to restore coastal floodplain forests

The subject land for a BAM assessment includes an area of grassland recently planted with saplings of coastal floodplain forest canopy species, including swamp oak (*Casuarina glauca*), swamp mahogany (*Eucalyptus robusta*) and broad-leaved paperbark (*Melaleuca quinquenervia*).



Photo: Robert Virtue/ABC Newcastle

The saplings are generally under 50 cm in height and are still protected by plastic tree guards. No mid-storey is present and the existing groundcover is primarily exotic grasses.

Further investigation of this work uncovers that the planting was undertaken by volunteers and organised by a local wetland group. The project was funded by the Federal Government as part of the 20 Million Trees Program.

As this planting was undertaken as part of a government-funded program, in this case the answer to Question 3 is 'yes'. The vegetation in this site was assigned to the best-fit PCT by reviewing the adjacent PCTs in the locality and the PCT proposed to be re-established by the planting. The BAM was then applied.

Case study 5. Regent honeyeater resource tree planting in Capertee Valley

The subject land for a BAM assessment includes an area of grassland recently planted with saplings of feed trees for the threatened regent honeyeater, including yellow box (*Eucalyptus melliodora*) and mugga ironbark (*Eucalyptus sideroxylon*). The saplings are generally under 50 cm in height and are still protected by plastic tree guards. No mid-storey is present and the existing groundcover is primarily exotic grasses.



Photo: Kelly Leedham/DCCEEW

A review of the Important Habitat Mapping Tool in the Biodiversity Offsets and Agreement Management System (BOAMS) does not show important habitat mapping for the species on the site; however, it occurs nearby. The site is within the Capertee Valley IBRA subregion.

Further investigation of this work reveals that the planting was undertaken by volunteers and organised by Birdlife Australia and Capertee Valley Landcare, with funding and support from Central Tablelands Local Land Services.

As this planting was undertaken as part of a government-funded program and a species recovery project, in this case the answer to Question 3 is 'yes'. The vegetation in this site was assigned to the best-fit PCT by reviewing the adjacent PCTs in the locality and the PCT proposed to be re-established by the planting. The BAM was then applied.

Beyond this point in the key, provided adequate justification is provided to support the 'no' answers to Questions 1–3 above, the standard BAM does not apply and credits are not generated for impacts to the vegetation.

The remaining questions in the key, Questions 4–6, describe when to apply D.2 of the Module to assess threatened species within the planted native vegetation.

Question 4

Was the planted native vegetation (including individuals of a threatened flora species) undertaken voluntarily for revegetation, environmental rehabilitation or restoration without a legal obligation to secure or provide for management of the native vegetation?

Assess whether the native vegetation was planted in a voluntary manner; for example, landowners or proponents planting native vegetation to manage or improve their land, improvements to existing remnant vegetation for erosion control, or under a management plan that has no legal requirement.

If the native vegetation was planted voluntarily, include an evidence-based justification in the BDAR/BCAR such as:

- documentation indicating that planting was undertaken voluntarily, without legal obligation or funding (e.g. personal receipts for purchased seedlings/seeds)
- evidence that the planting was undertaken for the purposes of revegetation, rehabilitation or restoration (e.g. discussion on the native species planted and how this contributes to the restoration or improvement of the native vegetation and habitats in the locality).

Next, proceed to D.2 of the Module to assess the planted native vegetation for threatened species habitat value.

If the answer is 'no', proceed to Question 5 of the decision-making key.

Case study 6. Landholder voluntary planting for wildlife corridors

The subject land for a BAM assessment includes an area of native vegetation planted by the landholder 10 years ago for the purposes of providing forest links between existing patches of intact forest vegetation in the NSW North Coast Bioregion. The vegetation was planted in areas previously cleared for agriculture to enhance the natural habitats on the property. The landholder has a keen interest in the native birds and wildlife on and adjacent to their property.



Photo: Kelly Leedham/DCCEEW

The landholder focused on planting species that were known in the locality, but also species that provide food resources for local fauna (e.g. fig trees, eucalypts, callistemons). This has resulted in a species mix that cannot be reasonably attributed to a locally occurring PCT. While the landholder sought advice from local environmental and bush regeneration groups, the planting was undertaken voluntarily and without any government funding or legal obligation to carry out this work.

This planting was undertaken for the purposes of establishing a wildlife corridor and undertaken voluntarily; therefore the answer to Question 4 is 'yes'. The assessor included the following in the Biodiversity Assessment Report (BAR):

- photos of the planted vegetation and its position in the landscape
- historical aerial photography showing the area before and after planting works
- copies of receipts for seedlings purchased by the landholder
- a description of the purposes of the planting (enhancing wildlife corridors).

D.2 of the Module was then applied.

Question 5

Is the native vegetation (including individuals of a threatened flora species) planted for functional, aesthetic, horticultural or plantation forestry purposes?

Assess whether the native vegetation was planted for a non-ecological purpose. While this planted native vegetation may provide some ecological and habitat value, it is unlikely the vegetation would require the generation of biodiversity credits; examples are provided in Table 3.

Table 3 Examples of native vegetation planted for functional, aesthetic, horticultural or plantation forestry purposes

Purpose	Examples
Functional – vegetation planted for non-ecological purposes such as preventing soil erosion, stabilising landforms, windbreaks or providing visual screens	 Swamp oak (Casuarina glauca) planted on bunds for structural stability and visual screening Lilly pillies (Syzygium sp. Waterhousea sp.) as screening hedges Acacia sp. planted as windbreaks
Aesthetic – vegetation planted for ornamental and display purposes such as roadside gardens, median strips, street/driveway trees or landscaping in parks	 Tallowwood (Eucalyptus microcorys) street and parkland trees Bottlebrush (Callistemon sp.) street trees Coastal rosemary (Westringia fruticosa) plantings in coastal urban settings Planted native palm trees (Archontophoenix and Howea sp.) Any vegetation in private gardens or planting in recreational parklands Couch (Cynodon dactylon) lawns
Horticultural – agricultural planting of garden crops, fruits, vegetables, and ornamental plants for commercial enterprises	 Macadamia (<i>Macadamia</i> sp.) farms Tea tree (<i>Leptospermum</i> sp.) oil farms Eucalypt (<i>Eucalyptus</i> sp.) oil farms
Plantation forestry – planting of trees managed for commercial timber production or environmental purposes	• Eucalypt forest timber plantations (such as E. globulus, E. polybractea, or E. radiata)

If the native vegetation was planted as per Table 3, include an evidence-based justification for this in the BDAR/BCAR such as:

- documentation that indicates the vegetation is planted for the above purposes (e.g. historical aerial photography, photos of planted vegetation relative to landscape (artificial bunds, contour beds, furrow lines, uniform patterning/age))
- land-use contextual information (e.g. forestry land, horticultural land use, recreational parks, road verges, driveways, visual aspects that indicate screen trees).

Proceed to D.2 of the Module to assess the planted native vegetation for threatened species habitat value.

If the answer is 'no', proceed to Question 6 of the decision-making key.

Case study 7. Swamp oak tree screens

The subject land for a BAM assessment includes a large bund with a row of planted swamp oaks (*Casuarina glauca*) operating as a tree screen near a waste management facility. This contains a sparse canopy 8–10 m in height, dominated by planted swamp oak. There is no mid-storey present; however, minor occurrences of common sowthistle (*Sonchus oleraceus*), paspalum (*Paspalum dilatatum*), bitou bush (*Chrysanthemoides monilifera* subsp. *rotundata*) and castor oil plant (*Ricinus communis*) occur sporadically in the understorey. It is likely that this area is routinely treated for weeds.



Photo: Umwelt

The site is located in the Wyong IBRA subregion and while swamp oak PCTs are known to occur in this subregion and the wider locality, vegetation assessments of this bund indicate it does not contain the suite of species expected to be present in naturally occurring PCTs. Furthermore, the swamp oak is located on a high bund, whereas remnant swamp oak is known for occupying lower elevations alongside brackish water bodies on floodplains.

This planting was undertaken for the purposes of functionality and aesthetics and therefore the answer to Question 5 is 'yes'. The assessor included the following in the BAR:

- photos of the bund and the swamp oaks' position in the landscape
- historical aerial photography showing construction of the bund and planting of swamp oak
- description of the land-use history and functional objectives of the planting.

D.2 of the Module was then applied.

Case study 8. Blue mallee plantations for eucalyptus oil production

The subject land for a BAM assessment includes an area dominated by blue mallee (*Eucalyptus polybractea*) planted for the purposes of eucalyptus oil production in the NSW South Western Slopes Bioregion. Some areas in the locality are known to contain Mallee and Mallee-Broombush dominated woodland and shrubland, lacking Triodia, in the NSW South Western Slopes Bioregion critically endangered ecological community (CEEC), which is also dominated by *E. polybractea*. The monospecific stand of *E. polybractea* could not be reasonability assigned to a PCT.

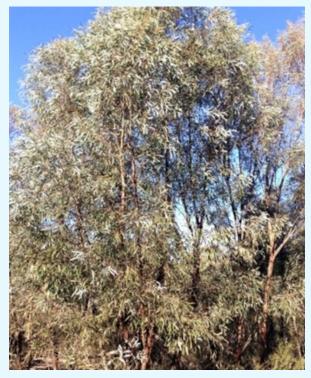


Photo: Diversity Native Seeds

This planting was undertaken for the purposes of horticulture and therefore the answer to Question 5 is 'yes'. The assessor included the following in the BAR. However, they acknowledged the potential for the plantation to conform to the CEEC:

- photos of the plantation position in the landscape
- historical aerial photography showing planting of blue mallee
- a description of the land-use history and horticultural objectives of the planting
- discussion on the potential for the plantation to conform to the CEEC.

D.2 of the Module was then applied. Of particular focus for the D.2 assessment was whether the plantation provides habitat for species known to occur in the CEEC, such as bush stone-curlew (*Burhinus grallarius*), malleefowl (*Leipoa ocellata*), Gilbert's whistler (*Pachycephala inornata*), shy heathwren (*Hylacola cauta*) and southern scrub-robin (*Drymodes brunneopygia*).

Question 6

Is the planted native vegetation a species listed as a widely cultivated native species on a list approved by the Secretary of the department (or an officer authorised by the Secretary)?

Assess whether the native vegetation is listed as a 'widely cultivated native species'. Widely cultivated native species are native species developed in cultivation, usually for the purposes of agriculture, forestry or horticulture, and which, when reproduced retain their distinguishing features. This also includes any native species listed on the high threat weeds list published in the BAM-C (none at the time of writing).

An Excel power query of the high threat weeds list and widely cultivated native species list is published on the BAM-C homepage.

Questions 1–5 of the Module must be completed with an evidence-based justification prior to applying Question 6 regardless of whether the site contains species on the widely cultivated native species list.

Widely cultivated native species list

If a species on the 'widely cultivated native species' list is found outside its accepted natural range, it is likely to have been planted and can be justified as a widely cultivated native species for the purposes of Question 6 without additional evidence; for example, a silky oak (*Grevillea robusta*) occurring outside the NSW North Coast IBRA Bioregion.

If the species is found planted within its natural range, provide evidence that the species is planted using some or all of the following justifications in the BDAR/BCAR:

- planted in lines/rows/other formal patterns
- hybrid cultivars of a native species known to be from a horticultural source
- landholder records of seed/seedling purchases, or pasture improvement activities
- historic photos/aerial photos showing land-use history
- local planting guides identifying the species as a local landscaping or street tree species.

Widely cultivated native species not on the published list

The 'widely cultivated native species' list includes a selection of species that are known to be widely cultivated in New South Wales. The species list is not considered comprehensive and additional species that could be considered 'widely cultivated' may be identified according to certain scenarios, varying environments and specific locations. For species not published on the widely cultivated native species list, use the criteria provided in Table 4 to assess whether the planted native vegetation is widely cultivated.

If the planted native vegetation is assessed as 'widely cultivated', apply D.2 and assess the planted native vegetation for threatened species habitat value.

If the planted native vegetation does not meet the criteria for a 'widely cultivated native species' D.2 may not be required. In this case, contact the BOS Help Desk for advice and confirmation of the approach.

Table 4 Widely cultivated native species criteria

Criteria	Justification/information required in the BDAR/BCAR
 A native species that is cultivated (for agriculture, forestry or horticulture) AND: when reproduced retains its distinguishing features. This means it can be reasonably identified to species level OR 	 Description of genus and species identification Notes on whether the species is a cultivated hybrid
 b. is known to proliferate (i.e. be invasive or quickly multiply) outside its accepted natural distribution OR 	 Evidence of proliferation (e.g. species on a list of invasive native species in the region, published or peer-reviewed scientific literature on the species) The species' natural distribution (e.g. PlantNET)
c. is known to naturalise into new environments. 'Naturalise' refers to non-locally native species that have successfully reproduced and become self-sustaining (i.e. natural regeneration)	 Evidence of any natural regeneration on site, or in other nearby locations The species' natural distribution (e.g. PlantNET)
Any native species listed on the high threat weeds list published in the BAM-C	 Refer to the high threat weed list available on the BAM-C

2.2 D.2 Assessment of planted native vegetation for threatened species habitat

If the application of D.1 justifies the application of the streamlined assessment under D.2 of the Module, the planted native vegetation is not required to be assessed under the standard BAM. However, the vegetation may still provide habitat for threatened flora and fauna species. If the answer to any one of Questions 4–6 is 'yes', assess the suitability of the planted native vegetation for use by threatened species (both ecosystem and species-credit species).

While it is not required to survey these areas strictly in accordance with the BAM, it is expected that a reasonable understanding of habitat suitability for threatened species is provided in the BDAR/BCAR. This may require rapid vegetation and habitat assessments and walking transects to identify any notable habitat features or evidence

of threatened species occupation. Record any incidental sightings or evidence of threatened fauna species using, inhabiting or being part of the planted native vegetation.

The BDAR/BCAR must include the following:

- a summary of the survey effort undertaken in planted native vegetation (site inspection, habitat searches, walking transects, survey dates)
- a description of any habitat features in the planted native vegetation (e.g. hollows/nest boxes, fissures, stags, hollow logs, feeding resources, leaf litter)
- a description of any evidence of potential threatened species occupation (e.g. scats, stick nests, scratchings, tracks, pellets)
- a summary of the threatened species (ecosystem and species credit) recorded in the locality and the likelihood of their occupation in the planted native vegetation.

2.3 Impact assessment

2.3.1 Prescribed impacts

The application of D.2 does not preclude the requirement to assess the area for prescribed impacts as per clause 6.1 of the BC Regulation. These can be direct or indirect impacts and are additional to the impacts of native vegetation clearing.

Assess prescribed impacts for areas of planted native vegetation according to Chapter 6 of the BAM and document the assessment in a BDAR/BCAR according to BAM Appendix L Table 28.

Note: BAM Appendix L Table 28 refers to BAM Appendix K (Table 24) to describe the minimum information requirements for prescribed impact assessment in a BDAR/BCAR.

2.3.2 Avoid and minimise

The application of D.2 does not preclude the application of the avoid and minimise hierarchy for assessing direct, indirect or prescribed impacts on biodiversity values as per BAM Chapter 7.

Apply the avoid and minimise hierarchy for areas of planted native vegetation according to BAM Chapter 7 and document the assessment in a BDAR/BCAR according to BAM Appendix L Table 28.

2.3.3 Assessment of impacts and serious and irreversible impacts

The application of D.2 does not preclude the requirement to assess the impacts on threatened species habitat and SAII in accordance with the BAM.

Assess the impacts on threatened species habitat for areas of planted native vegetation according to BAM Chapter 8, Sections 8.1, 8.2 and BAM Appendix K. Document the assessment in a BDAR/BCAR according to BAM Appendix L Table 28.

BAM Section 8.1(3) provides for additional information to be covered for entities at risk of SAII. For any entity at risk of SAII, the BDAR/BCAR must include the extra information set out in Section 9.1.

2.3.4 Mitigation and management of impacts

The application of D.2 does not preclude the requirement to identify measures to mitigate or manage impacts in accordance with the recommendations in BAM Section 8.4. Species credits are not required to offset the proposed impact.

Identify mitigation and management measures for the areas of planted native vegetation in accordance with BAM Chapter 8, Section 8.4. Document the assessment in a BDAR/BCAR according to BAM Appendix L Table 28.

Case study 9. Old man saltbush as grazing fodder

The subject land for a BAM assessment includes paddocks with rows of old man saltbush (*Atriplex nummularia*), which serves as an emergency fodder crop for stock. Other species have also emerged accidentally, including grasses and smaller chenopod species. The site is in the Lachlan IBRA subregion where Old Man Saltbush communities exist naturally (PCT 158). In some locations the planted area occurs higher in the landscape than would be expected naturally, where it usually occurs in lower-lying areas. The saltbush plants are also in artificial lines rather than randomly distributed. The area was assessed through the decision-making key and answered 'yes' on Question 5 as native vegetation planted for agricultural purposes. D.2 of the Module applies to this situation.



Photo: NSW Local Land Services

Old man saltbush is known to be habitat for the vulnerable white-fronted chat (*Epthianura albifrons*) in the central and western areas of New South Wales. The species is highly mobile and likely to take advantage of plantation habitat, which is similar to naturally occurring saltbush habitat throughout their range. The species may also nest in this habitat. As part of D.2 of the Module, the assessor undertook walking transects and targeted habitat searches in the subject land containing planted *Atriplex nummularia*. Notes, photos and locations of evidence of species

occupation was recorded (nests, records, etc.). Opportunistic observations were recorded for any other potentially occurring threatened species. Reference was made to the predicted species in the BAM-C and known records on BioNet. The following was provided in the BDAR:

- a description of the survey effort
- photos of the rows of old man saltbush and the position in the landscape and any particular habitat features recorded
- historical aerial photography showing that the site has previously been devoid of large saltbushes
- a map showing the location of walking transects and any recorded habitat features and species records
- discussion of suitable habitat in the planted native vegetation
- conclusion on whether Section 8.4 of the BAM is required.

3. Documentation

BAM Appendix L Table 28 provides the minimum information requirements, maps and tables, and data to be supplied in the BDAR for the application of the Planted Native Vegetation Module.

If the entire subject land is considered to be planted native vegetation (i.e. the Scheme is triggered for a site containing planted native vegetation only), prepare a BDAR that meets the minimum reporting requirements provided in BAM Appendix L Table 28.

In the case where planted native vegetation occurs on part of the subject land, prepare a standard BDAR/BCAR, with additional information provided as needed for the planted native vegetation assessment.

Provide evidence in the BDAR/BCAR that the vegetation in question is planted, in accordance with the Module, and justify any conclusions reached in its application. Examples of evidence are included in section 2.1 of this Manual.

Unlike other streamlined assessment modules in the BAM, the Planted Native Vegetation Module does not require a **separate** case to be created in BOAMS.

If application of the decision-making key results in a requirement to apply the BAM, incorporate the assessment into the existing BAM-C case and document in the BDAR or BCAR.

Submit the final BDAR/BCAR, evidence, and digital data using the 'Upload Files' function in the BOAMS where applicable.

Digital files include:

- final BDAR or BCAR and appendices
- ESRI-compatible spatial datasets for all map components generated for the assessment (in single Zip file or geodatabase)

- digital copies (scanned hardcopies) of all field datasheets for the assessment
- Excel spreadsheets with survey results.

If a BOAMS case is not required (for a site containing planted native vegetation only), the BDAR/BCAR outlining the minimum reporting requirements of Table 28 of BAM Appendix L and this Manual should be sent directly to the relevant consent authority.

3.1 Resources

Key online resources in the application of the Planted Native Vegetation Module are described here – see Appendix A for weblinks to these and other useful resources.

BioNet Atlas

- A publicly accessible online database that contains biodiversity observation data for New South Wales.
- Ecological consultants need to request a login that gives access to full location data and the ability to submit species sightings and survey data.
- Supporting manuals, quick guides, information sheets and datasheets are available on the BioNet Resources webpage (Appendix A).

BioNet Threatened Biodiversity Data Collection (TBDC)

- The database contains information for listed threatened species, populations and ecological communities such as survey requirements and habitat constraints that can guide identification of species polygons.
- It houses the information and data used in the BAM-C, including the biodiversity credit class of a species.

BioNet Systematic Flora Survey

- Systematic vegetation survey data for New South Wales, including full floristic survey sites, rapid sites and site vegetation condition information known as Veg-C.
- The database contains information on PCTs described for New South Wales, including general location (including known occurrence in IBRA subregions), floristic composition and structure, condition benchmarks and percent cleared information.
- Veg-C is the primary source for defining equivalent or part equivalent associations between PCTs and TECs.

BioNet Web Services

- NSW biodiversity data held in BioNet that has been made available via an Open Application Programming Interface (API).
- It enables organisations and individuals to directly integrate biodiversity data into their software systems.

Historical Imagery Viewer

 The Historical Imagery Viewer allows users to search and download historical aerial imagery from the NSW Spatial Services library, dating back to the 1930s. Users can search an area of interest, and view thumbnails of each available frame and download a 600 dpi version of a chosen image, free of charge.

PlantNET NSW

- An online database of the flora of New South Wales that contains the currently accepted taxonomy for plants found in the state, both native and exotic.
- Online keys for plant identification, as per the published Flora of NSW (Harden 1990–2002) and updates.
- Plant taxonomy and naming in BARs must be consistent with the Flora of NSW, as per PlantNET.

Public registers of private land conservation agreements

• The BCT is required (under a delegation from the Environment Agency Head) to maintain a public register of private land conservation agreements. As required by the regulations the register includes, for all agreements: an identification number, the type of agreement, the commencement date, the local government area, the IBRA subregion, the area of the agreement in hectares and the terms of the agreement.

Sharing and Enabling Environmental Data (SEED)

- SEED is a shared resource for environmental data that includes public access to the department's datasets.
- Available spatial datasets include:
 - NSW (Mitchell) Landscapes version 3.1
 - Interim Biogeographic Regionalisation for Australia (IBRA regions and subregions) – version 7
 - NSW soil profiles
 - hydrogeological landscapes
 - acid sulfate soils risk maps
 - digital cadastral database
 - BioNet Vegetation Map Collection (previously called the Vegetation Information System Maps).

4. Further support

There may be unforeseen types of planted native vegetation that do not easily fit into the decision-making key in Appendix D of the BAM. In those circumstances the assessor is encouraged to contact the BOS Help Desk (Appendix A) for further advice.

5. Glossary

Term	Description
Aesthetic purpose	Vegetation planted for ornamental and display purposes such as roadside gardens, median strips, street/driveway trees or landscaping in parks
Best-fit PCT	It is not always possible to assign PCTs floristically (e.g. sugar gum rehabilitation) and best-fit should consider the PCTs in the surrounding landscape and the likely ecosystem credit species in the area that may be using the habitats within the planted native vegetation. Justification should be provided in the BDAR/BCAR
Conservation obligation	Any measure or action required to be carried out under obligations listed in BAM Section 11.9(2.). These do not include actions undertaken voluntarily and not secured by any legal obligation
Functional purpose	Vegetation planted for non-ecological purposes such as preventing soil erosion, stabilising landforms, windbreaks or providing visual screens
Horticultural purpose	Agricultural planting of garden crops, fruits, vegetables and ornamental plants for commercial enterprises (e.g. macadamia farms, tea tree farms)
Mosaic	A mix of planted and remnant native vegetation occurring in a patch
Natural regeneration	Recovery or recruitment of species from a germination or resprouting event
Planted	Describes a seed, bulb or plant put in the ground so that it can grow
Plantation forestry	Planting of trees managed for commercial timber production or environmental purposes (e.g. eucalypt plantations)
Planted native vegetation	Native vegetation, as defined in section 1.6 of the BC Act and section 60B of the LLS Act, that has been planted
Primary objective	The key driver for the conservation action or outcome
Rehabilitation	Treatment or management of disturbed land or water for the purpose of establishing a safe and stable environment
Restoration	The process of assisting the recovery of an ecosystem that has been degraded, damaged or destroyed
Saving our Species	A statewide government-funded program that aims to secure threatened plants and animals in the wild in New South Wales

Term	Description
Species recovery project	A project that is formally endorsed and documented by government, such as programs, strategies and projects in national or state recovery plans, but may not be funded by government
Translocation	The intentional, human mediated movement of living organisms from one location to another location
Voluntary	Actions undertaken without direct benefit, obligation or payment

Appendix A – Websites and online resources

- Application for login access to BioNet
- Assessor resources
- Biobanking agreements under the former Threatened Species Conservation Act
- Biobanking public registers
- Biodiversity Assessment Method 2020
- Biodiversity Assessment Method 2020 Operational Manual Stage 1
- Biodiversity Assessment Method 2020 Operational Manual Stage 3
- Biodiversity Assessment Method Calculator (BAM-C)
- Biodiversity Assessment Method Calculator User Guide
- Biodiversity Assessment Method Operational Manual Stage 2
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Biodiversity Credits Supply Fund and Taskforce
- Biodiversity experts
- Biodiversity Offsets and Agreement Management System (BOAMS)
- Biodiversity stewardship agreements
- Biodiversity Offsets Scheme (BOS) Helpdesk
- BioNet Atlas Species sightings
- BioNet resources
- BioNet Systematic Flora Survey data collection
- BioNet Threatened Biodiversity Data Collection (TBDC)
- BioNet Vegetation Classification
- BioNet Vegetation Classification user manual
- BioNet vegetation maps
- <u>BioNet Web Services How to access the BioNet Web Service using Excel and</u> Power Query: A BioNet Quick Guide [PDF 1MB]
- BioNet web services
- Conservation agreements under the BC Act
- <u>Directory of Important Wetlands in Australia (DIWA)</u>
- Environment and Heritage public registers
- Environment Protection and Biodiversity Conservation Act referrals list
- Historical Imagery Viewer
- Native Vegetation Act public register
- NSW Government Major Projects
- NSW Interim Biogeographic Regions of Australia (IBRA region and subregions) Version 7
- NSW (Mitchell) Landscapes Version 3.1
- NSW threatened species

- PlantNET NSW
- Property vegetation plans (PVPs) under the former Native Vegetation Act
- Saving our Species program
- SEED data portal (Sharing and Enabling Environmental Data)
- Spatial Data Catalogue digital cadastral database
- State Vegetation Type Map
- Threatened species profile search
- Vegetation Condition Benchmarks