

Assessment protocol for where a minor variation is made to the EOAM to reclassify the percent cleared threshold for a Mitchell landscape or vegetation type or to vary the regional value of vegetation

Assessment protocol under clause 27(3)(b) and clause 27(3A)(b) of the *Native Vegetation Regulation 2005* for where a minor variation is made to the Environmental Outcomes Assessment Methodology (EOAM) to vary the percent cleared threshold(s) for the vegetation type and/or Mitchell landscape type which results in a reclassification of the vegetation type and/or landscape type from "overcleared" to "not overcleared", or to vary the regional value of vegetation.

Clause 27 of the *Native Vegetation Regulation 2005* allows an accredited expert to make an assessment that proposed clearing will improve or maintain environmental outcomes if there has been an assessment in accordance with the EOAM which does not result in a determination that the proposed clearing will improve or maintain environmental outcomes, and the accredited expert is of the opinion that:

- a minor variation to the EOAM will result in a determination that the proposed clearing will improve or maintain environmental outcomes , and
- strict adherence to the EOAM is, in the particular case, unreasonable and unnecessary.

Clause 27(2A) of the *Native Vegetation Regulation 2005* provides that a variation in relation to the following aspects of the EOAM is only allowable if an accredited expert is also of the opinion that the proposed clearing will have additional conservation benefits on a landscape scale:

- classification of the condition of vegetation,
- classification of the vegetation type or landscape type as overcleared,
- assessment of the regional value of vegetation.

In determining that the proposed clearing will improve or maintain environmental outcomes, the accredited expert must comply with this protocol (cl.27(3)). In determining that the proposed clearing will have additional conservation benefits on a landscape scale, an accredited expert must comply with this protocol (cl.27(3A)). For the purposes of this protocol, landscape scale is defined as approximately 1,000 hectares (10 square kilometres) up to approximately 200,000 hectares (2,000 square kilometres) in area.

This protocol does not apply where a minor variation is made to the EOAM in relation to marine vegetation.

1. Determining whether proposed clearing will have additional conservation benefits on a landscape scale

An accredited expert must be satisfied that actions which have conservation benefits on a landscape scale and which are additional to those required as offsets under the EOAM will be undertaken before he or she can determine that proposed clearing will have additional conservation benefits on a landscape scale.

Additional actions are over and above the offset requirements as specified in the EOAM. Areas managed to offset losses due to the clearing of native vegetation plus the additional actions must be secured by the PVP for at least the duration of the negative impact of the proposed clearing (usually in perpetuity). In order to provide additional conservation benefits on a landscape scale, additional actions will usually:

- improve connectivity; and/or
- improve riparian areas; and/or

- enhance vegetation of a type(s) that is highly cleared and in moderate-good condition that provides conservation benefits on a landscape scale; and/or
- improve soil function and groundcover (including in grazing and cropping areas) on a landscape scale.

Additional actions should contribute to meeting conservation priorities or catchment targets on a landscape scale in a relevant Catchment Action Plan. Results of the additional actions and their conservation benefits on a landscape scale should be monitored.

2. Circumstances which must be satisfied in order for the accredited expert to determine that the proposed clearing will improve or maintain environmental outcomes

(2.1) More up to date information is available

More up to date or relevant information is available that would vary the percent cleared threshold(s) for the vegetation type and/or Mitchell landscape type which would result in a reclassification of the vegetation type and/or landscape type from "overcleared" to "not overcleared", or would vary the regional value (as defined in the EOAM) of the vegetation type(s). For example, the CMA has undertaken relevant survey and mapping, or more up to date or relevant data is available as a result of an expert review or other process approved by the Department of Environment and Climate Change (DECC).

AND

(2.2) The EOAM is complied with (other than the minor variation(s))

The accredited expert must be satisfied that, other than the minor variation to the percent cleared threshold(s) for the vegetation type(s) and/or Mitchell landscape type(s) which results in a reclassification of the vegetation type and/or landscape type from "overcleared" to "not overcleared", or varies the regional value (as defined in the EOAM) of the vegetation types, the proposed clearing will improve or maintain environment outcomes as assessed in accordance with the EOAM, including offsets required by the EOAM.

Note: This Protocol will be reviewed following the 2007/08 review of Chapter 5 of the EOAM.

Approved



VERITY FIRTH MP
Minister for Climate Change and the Environment

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