



NSW Biodiversity Offsets Policy for Major Projects: Practice note

Offset threshold for vegetation below a certain condition level

Overview

The purpose of this practice note is to make a correction to the Framework for Biodiversity Assessment (FBA) to confirm the circumstances where an offset is not required due to vegetation being below a certain condition level. This change makes the FBA consistent with the NSW Biodiversity Offsets Policy for Major Projects (the policy).

Background

The policy defines the circumstances where a biodiversity offset is not required (page 17). These include where vegetation is either:

- below a certain condition level, or
- not an endangered or critically endangered ecological community, or threatened species habitat.

The policy states that an offset is required for threatened species, populations, ecological communities and their habitat (provided the ecological community or habitat is above the condition threshold).

The condition threshold for where an offset is not required for impacts on native vegetation is set out in section 9.4.1 of the FBA. The condition threshold is defined as vegetation that has a site value score of less than 17 when compared to vegetation that is in benchmark condition (i.e. vegetation that has a site value score of 100).

However, the FBA further states in paragraph 9.4.1.1(b) that the condition threshold does not apply where the vegetation is also an endangered or critically endangered ecological community. This means that the application of the offset threshold in the FBA is not consistent with the policy.

What does the condition threshold mean?

Vegetation that is below the condition threshold is vegetation that is in a poor condition state. Typically this is vegetation where the majority of the site condition attributes are substantially outside of benchmark condition. Any offset requirements for vegetation in this condition state are low in comparison to impacts on vegetation in good condition. Where a development site includes areas of vegetation in good condition and in poor condition, it is preferable that the development site is configured to avoid impacts on vegetation in good condition.

Application of the condition threshold

To ensure consistent application of the policy and the FBA during the transition period, this practice note makes a correction to the FBA to confirm that a biodiversity offset is not required for impacts on native vegetation below the condition threshold.

This means that an offset is not required for an impact on native vegetation that has a site value score of less than 17, including native vegetation that is an endangered or critically endangered ecological community, and/or vegetation that is associated with threatened species habitat (as represented by ecosystem credits). An offset may still be required for impacts on species credit species.

The condition threshold applies to any vegetation zone on the development site with a site value score of less than 17 following an assessment of the vegetation according to section 5 of the FBA.

Example of how the offset threshold applies

Native vegetation on a proposed development site is assessed to identify the plant community types present. An area of vegetation on the development site is in poor condition. This area of vegetation consists of the same plant community type and is defined as a vegetation zone as per section 5 of the FBA. Information collected by the assessor determines that the site value score for this vegetation zone is less than 17.

Scenario 1:

The assessment confirms that the plant community is also an endangered ecological community. Threatened species surveys undertaken on the development site reveal that the plant community is not habitat for any threatened species. Accordingly, no ecosystem credits or species credits are required for the impact of development on this vegetation zone.

Scenario 2:

An assessment of the native plant community determines that it is not an endangered community. However, threatened species surveys undertaken on the development site reveal that the plant community is habitat for an endangered flora species. As a result, no ecosystem credits are required for the impact of the development on this vegetation zone. However, species credits are required for the impact of development on the flora species.

Next steps

OEH will monitor the application of the condition threshold during the transition period of the policy to assess the frequency that the offset threshold is triggered by a major project, the context of its use in the planning and design of a development and the extent of area to which the threshold applies.

Authorised by:

Director – Conservation and Development Policy Branch,
NSW Office of Environment and Heritage

Director – Environmental Programs Branch,
NSW Office of Environment and Heritage

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