

Management report to Council

Agenda item 6.1

Planning Permit Application: TP-2023-388 Birraring Marr, Batman Avenue, Melbourne

Council

Presenter: Nick McLennan, Acting Head of Statutory Planning

31 October 2023

Purpose and background

1. The purpose of this report is to advise the Council of a planning permit application seeking approval for the removal of native vegetation at Birraring Marr, Batman Avenue, Melbourne (refer Attachment 2 – Locality Plan and Attachment 3 – Selected Plans).
2. The applicant is City of Melbourne. The proposal is located in Crown Land known as CA2544\PP5514C and CA2051\PP3083 administered by City of Melbourne and the Department of Energy, Environment and Climate Action (DEECA).
3. The site is located within the Public Park and Recreation Zone (PPRZ) and is affected by the Design and Development Overlay Schedules 1 and 10 (DDO1 and DDO10), Land Subject to Inundation Overlay Schedule 1 (LSIO1), City Link Project Overlay (CLPO) and Parking Overlay (PO).
4. The application seeks planning permission for the removal of 0.0103 ha (103 m²) of native vegetation (shrubs) from the river bank area. The application is associated with the delivery of an elevated boardwalk structure and riparian edge planting as part of the Greenline Project Site 1 construction activity.
5. The application has been referred to DEECA, who did not object to the application.

Key issues

6. The key issues are limited to the proposed removal of native vegetation in accordance with the objectives and strategies for managing native vegetation loss as set out in Clause 52.17 (Native Vegetation) of the Melbourne Planning Scheme, and associated *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
7. The applicant commissioned a native vegetation assessment and removal report identifying the likely assumed loss, and required offset. The offset requirement is included as a condition of the planning permit, and requires the acquiring of 0.005 General Habitat Units with a minimum Strategic Biodiversity Value of 0.208.
8. The project will deliver new native vegetation and conditions that will improve the overall ecology and biodiversity along the river and parkland edge which is anticipated to be in excess of the native vegetation removal offset requirements, which are secured via recommended permit conditions.

Recommendation from management

9. That Council resolves to issue a Planning Permit subject to the conditions set out in the delegate report (refer to Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 26)
2. Locality Plan (Page 3 of 26)
3. Selected Plans (Page 4 of 26)
4. Delegate Report (Page 15 of 26)

Supporting Attachment

Legal

1. Pursuant to section 96(1) of the *Planning and Environment Act 1987* (the Act), 'a responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority, unless the planning scheme gives an exemption'.
2. Clause 67.01 of the Melbourne Planning Scheme provides an exemption from the provisions of section 96 of the Act for development of land, including removal of native vegetation.
3. Pursuant to Clause 52.31-2 (Local Government Projects), the application is exempt from the requirements of sections 52(1)(a), (b) and (d) of the Act to give public notice of the application, where the application is to remove, destroy or lop less than 0.5 hectares of native vegetation.

Finance

4. The recommendation to grant the planning permit will result in a condition that City of Melbourne (the applicant) acquire native vegetation offset amount with a quoted value of \$2,035.00 should vegetation be required to be removed. This amount is accommodated within Council's endorsed budget.

Conflict of interest

5. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

6. In assessment of this application, no occupational health and safety issues or opportunities have been identified.

Stakeholder consultation

7. As identified in paragraph 3, the planning permit application is exempt from the public notice requirements of the Act.
8. Separate to the planning application process, extensive community consultation has occurred regarding the overall Greenline Project, including consultation with Traditional Owners.

Relation to Council policy

9. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

Environmental sustainability

9. Environmental sustainability considerations are not relevant to this application as Clause 15.01-2L-01 Energy and Resource Efficiency of the Melbourne Planning Scheme does not apply to applications for removal of native vegetation.

Locality Plan

Birrarung Marr, Batman Avenue, Melbourne



Notwithstanding, the extent of vegetation sought to be permitted for removal under this application is minimal and the offset commitment by the City of Melbourne is therefore likely to exceed the actual amount of native vegetation removed.

The native vegetation comprises 14 patches (as defined under the *Guidelines for the removal, destruction or lopping of native vegetation*, DELWP 2017), varying in size between 0.5m² to 25m².

The extent of native vegetation is shown in Figure 5 below. Please refer to the accompanying *Native Vegetation Removal Report* (NVR) prepared by E2Designlab dated 21 August 2023 for a full assessment of the native vegetation proposed for removal.

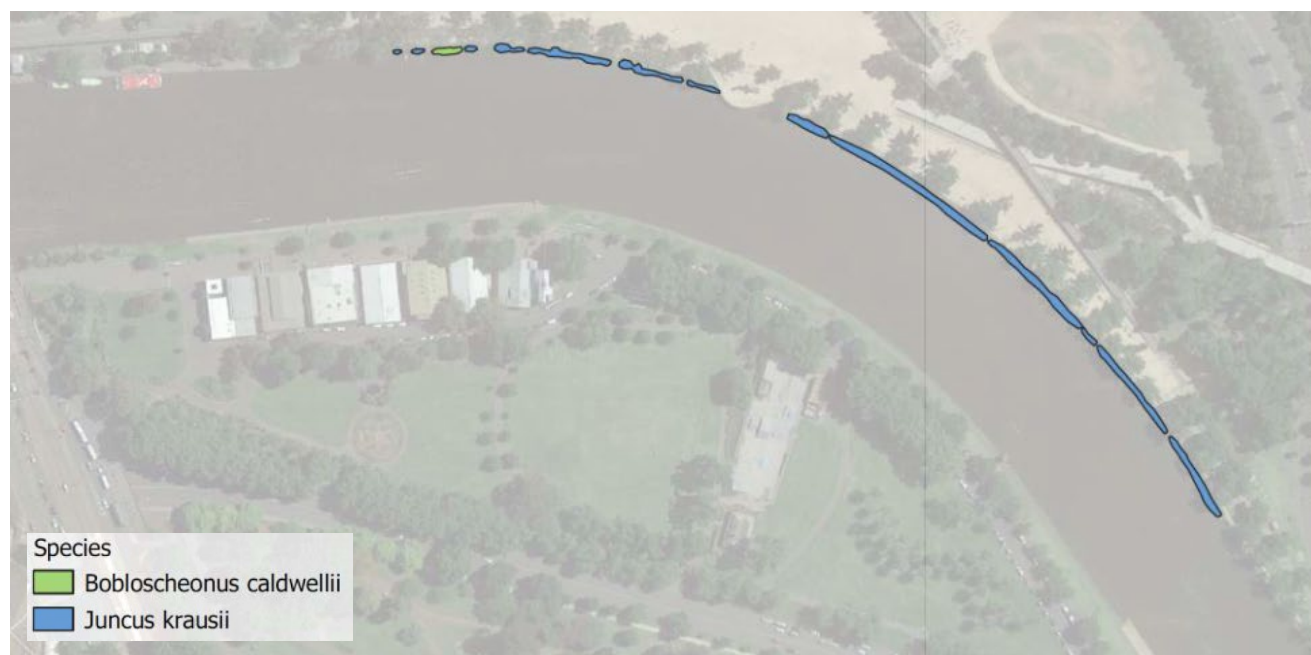


Figure 3. Extent of native vegetation (E2Designlab 2023)

Vegetation condition has been assessed as poor, and consists of only two species of native vegetation, namely:

- *Juncus kraussii* – Sea Rush
- *Bobloscheaonus caldwellii* – Sea Club-rush



Figure 4. *Juncus kraussii* (Patch 11) (E2Designlab 2023)



Figure 5. *Bobloscheaonus caldwellii* (Patch 12) (E2Designlab 2023)

Shrub Data Capture Birrarung Marr

City of Melbourne

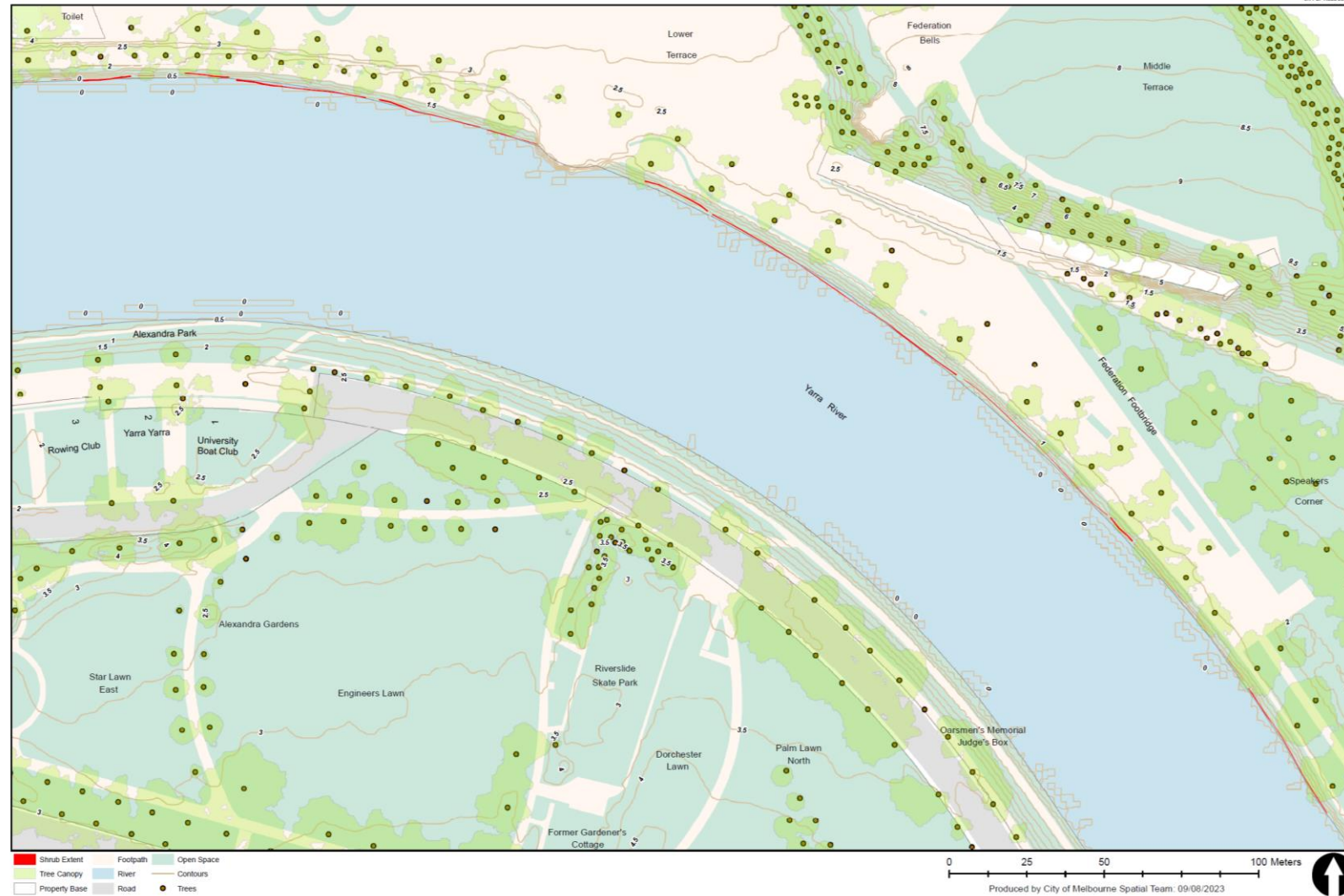


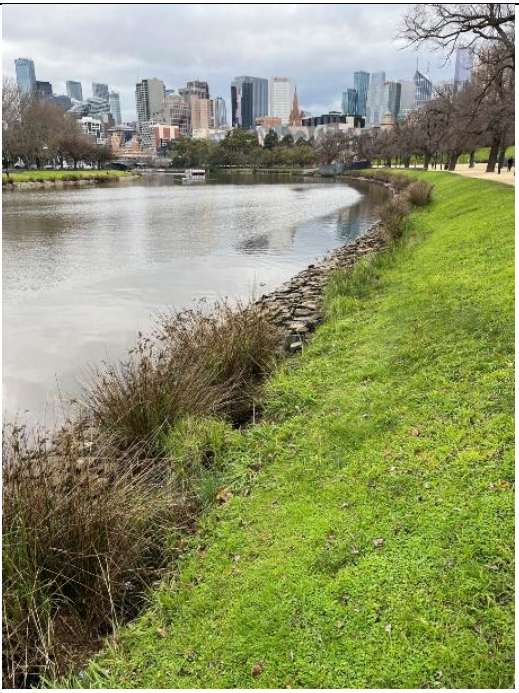




Figure 3 Topographical and land features of the property

Appendix 2 – Native vegetation images

Table 4 Native vegetation patches, species and corresponding images

Patch	Species	Images
1	<i>Juncus krausii</i>	
2	<i>Juncus krausii</i>	

Patch	Species	Images
		
3	<i>Juncus krausii</i>	




Patch	Species	Images
		
4	<i>Juncus kraussii</i>	




Patch	Species	Images
5	<i>Juncus kraussii</i>	

Patch	Species	Images
6	<i>Juncus kraussii</i>	

Patch	Species	Images
7	<i>Juncus krausii</i>	

Patch	Species	Images
8	<i>Juncus krausii</i>	
9	<i>Juncus krausii</i>	

Patch	Species	Images
10	<i>Juncus krausii</i>	
11	<i>Juncus krausii</i>	
12	<i>Bobloschenous caldwellii</i>	

Patch	Species	Images
		
13	<i>Juncus kraussii</i>	
14	<i>Juncus kraussii</i>	

PLANNING PERMIT APPLICATION DELEGATE REPORT

Application number:	TP-2023-388
Applicant:	City of Melbourne
Address:	Birrarung Marr, Batman Avenue, MELBOURNE VIC 3000
Proposal:	Removal of native vegetation
Date of application:	19 June 2023
Responsible officer:	Leanne Stockley

1 SUBJECT SITE AND SURROUNDS

The subject site can be described as the river edge area of the “Lower Terrace” section of the Birrarung Marr Precinct. The area subject to the proposed vegetation removal is distributed between Speakers Corner (east) and ArtPlay (west).



Figure 1: Aerial of subject site with location of vegetation highlighted. Source: Compass image dated May 2023



Figure 2: General location and context of vegetation for removal. Source: Application documents



Figure 3 and 4: Examples of vegetation for removal. Source: Application documents

The vegetation subject to the planning application is scattered through the river edge batter and bluestone pitchers.

2 BACKGROUND AND HISTORY

The proposed native vegetation removal is associated with Council's Greenline Project which seeks to deliver an uninterrupted pedestrian-focused promenade along the north side of the Birrarung, from Birrarung Marr (east) to the Bolte Bridge (west).

Birraring Marr is the location of the first stage of the project, where the design process has identified that there is potential to impact the vegetation during the construction process. The location is generally where pilings for the elevated walkway will be located, and there is likely to be construction disturbance which may cause loss in the vicinity of where the pilings are located.

The project team do not have the exact detail of the location of the pilings at this time. As such, the application is a cautious and pre-emptive approach to ensure the program of works is undertaken in accordance with the Native Vegetation Removal Framework of the Melbourne Planning Scheme and the *Planning and Environment Act 1987*.

3 PROPOSAL

The application seeks approval for the removal or destruction of 0.0103 ha of non-contiguous native rushes - Sea Rush (*Juncus kraussii*) and Sea Club-Rush (*Bobloscheonus caldwellii*).

The application does not include the removal or destruction of native trees.

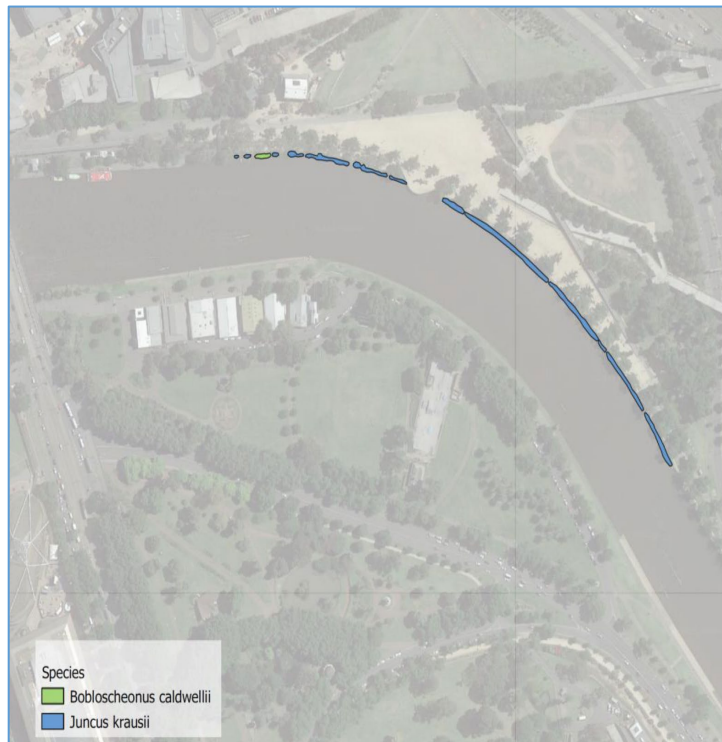


Figure 5: Areas of vegetation extent to be impacted. Source: Application documents

4 STATUTORY CONTROLS

4.1 Aboriginal Cultural Heritage

The Aboriginal Heritage Regulations 2018 specify the circumstances in which a cultural heritage management plan is required for an activity or class of activity.

Division 2 of the Aboriginal Heritage Regulations 2018 specifies exempt activities which do not require a cultural heritage management plan. The proposal is not listed as an exempt activity.

Areas of cultural heritage sensitivity are defined within Divisions 3 and 4 of the *Aboriginal Heritage Regulations 2018*. Division 3 does identify the site as within an area of cultural heritage sensitivity.

High impact activities are defined within Division 5 of the *Aboriginal Heritage Regulations 2018*. Division 5 does not list the proposal as a high impact activity.

The site has been the subject of significant ground disturbance which is defined as 'disturbance of (a) the topsoil or surface rock layer of the ground or (b) a way - by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping. In this location the river bank environ has been altered from its natural state by urban landscaping activities including the installation of bluestone pitchers, which would have required an extent of excavation to the river bank area.

Given the activity to remove the vegetation is not a high impact activity, and the location has been subject to significant ground disturbance, a cultural heritage management plan for this proposal is not required.

4.2 Melbourne Planning Scheme

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Clause	Permit Trigger
Clause 36.02 Public Park and Recreation Zone	A permit is <u>not required</u> for the removal, destruction or lopping of vegetation under Clause 36.02.
Clause 43.02 Design and Development Overlay, Schedules 1 and 10	A permit is <u>not required</u> to remove, destroy or lop vegetation under Clause 43.02.
Clause 44.04 Land Subject to Inundation Overlay	A permit is <u>not required</u> to remove, destroy or lop vegetation under Clause 44.04
Clause 45.07 City Link Project Overlay	A permit is <u>not required</u> to remove, destroy or lop vegetation under Clause 45.07
Clause 45.09 Parking Overlay	A permit is <u>not required</u> to remove, destroy or lop vegetation under Clause 45.09
Clause 52.17 Native Vegetation	Pursuant to Clause 52.17-1 a <u>permit is required</u> to remove, destroy or lop native vegetation. Native vegetation is defined at Clause 73.01 as plants that are indigenous to Victoria including trees, shrubs, herbs and grasses.

<p>Clause 52.31</p> <p>Local Government Projects</p>	<p>Pursuant to Clause 52.31-1 the application is not exempt from requiring a permit. The clause may exempt proposals from requirements of the <u>zone</u> (not any other provision of the scheme).</p> <p>Given the application is required under Clause 52.17, and not the zone, the exemption from requiring a permit does not apply to this application.</p> <p>Pursuant to Clause 52.31-2 the application is exempt from notice requirements (see section 8.2 and 11).</p>

5 STRATEGIC FRAMEWORK

The relevant provisions of the Planning Policy Framework are summarised as follows:

- Clause 02.03-2 (Environmental and landscape values)
- Clause 02.03-8 (Infrastructure)
- Clause 12.01-15 (Protection of biodiversity)
- Clause 12.01-25 (Native vegetation management)
- Clause 12.03-15 (River and riparian corridors, waterways, lakes, wetlands and billabongs)
- Clause 12.03-1 R (Yarra River protection)
- Clause 19.02-65 (Open space)
- Clause 19.02-6R (Open space - Metropolitan Melbourne)

6 PARTICULAR PROVISIONS

The following particular provisions apply to the application:

6.1 Clause 52.17 - Native Vegetation

The particular provision has the purpose:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

6.2 Clause 52.31 - Local Government Projects

The particular provision has the purpose:

To facilitate the development of land by or on behalf of municipal councils.

Clause 52.31-1 includes an exemption from requiring a planning permit under the relevant zone provisions. The exemption does not apply here where the permit trigger is not under the zone, but under the Native Vegetation provision at Clause 52.17.

Clause 52.31-2 the policy includes an exemption from notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

The exemption applies to this application where the proposal is to remove, destroy or lop less than 0.5 hectares of native vegetation.

7 GENERAL PROVISIONS

7.1 Clause 67 - Land Owned or Permit Required by Responsible Authorities

Clause 67 addresses the matter of who is the “responsible authority” for particular types of applications where the application is submitted for or on land owned by the responsible authority.

The Clause has the effect of exempting particular classes of application from the general requirements of Section 96(1) and (2) of the *Planning and Environment Act 1987*. Section 96 otherwise directs that permits for the responsible authority must be obtained from the Minister for Planning.

The application is of a class that is exempted under Clause 67.01, and as such the City of Melbourne is the responsible authority for the assessment and issue of a planning permit.

8 PUBLIC NOTIFICATION

Pursuant to Clause 52.31-2, an application to remove, destroy or lop less than 0.5 hectares of native vegetation (other than a tree) is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

Therefore notice of the application was not required.

9 REFERRALS

The application was referred externally to Department of Energy, Environment and Climate Action in accordance with Clause 66.02-2. The authority is a “recommending referral authority”.

The Department responded to the referral with no objection to the proposal, identifying to Council the responsibility to apply permit conditions (and offset

amounts) in accordance with the intermediate pathway for assessment identified in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).

In accordance with the Department's direction the Department of Energy, Environment and Climate Action, recommended conditions have been included at condition 3 of the officer recommendation.

10 ASSESSMENT

The application seeks approval for the removal (assumed loss) of native vegetation in an area of Birrarung Marr which is likely to be impacted by initial works for the City of Melbourne Greenline Project.

The Greenline project includes the installation of an elevated walkway along portions of the Birrarung water edge, with the project team identifying there is potential impact directly where pilings are likely to be located, or in the vicinity where the construction works will cause impact to the identified native vegetation. The exact location of pilings are not confirmed at this stage.

The application will ensure that any native vegetation impacted is appropriately assessed and off-set in accordance with the native vegetation management framework of the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) (the Guidelines), and Clause 52.17 of the Melbourne Planning Scheme.

It is understood that there is potential that the Greenline Project works may not impact the identified native vegetation, however the project team are unable to categorically determine the impact at this point of the project development. As such the project team have sought assessment and offset through the planning permit process for the avoidance of doubt.

The vegetation identified as potentially impacted is of two species of "patch" vegetation where a "patch" is defined as *an area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native* (the Guidelines).

The native vegetation assessment report (E2DesignLab, 21/08/2023) identified 14 patches of predominantly *Juncus kraussii* and *Bobloscheonus caldwellii* (as seen in figures 3 and 4) with condition rating of either medium or poor.

The Ecological Vegetation Class (EVC) attributed to the area is EVC 641 Riparian Woodland (Riparian Scrubs or Swampy Scrubs and Woodlands subgroups). The EVC is used in the assessment criteria and calculation of offsets should a permit be granted for the removal. The assessment report notes that this EVC occurs by permanent streams, with typical vegetation and characteristics not representative of Birrarung Marr.

An EVC must be identified (to the best achievable, considering the vegetation and location attributes) in order to appropriately assess and determine the value of potential loss and offset of the vegetation.

The proposal is required to be assessed in accordance with the "intermediate" assessment pathway due to the site location category (category 2). The key consideration is the compliance with the application requirements and intermediate

assessment pathway identified in the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017).

Table 1 below provides the decision guidelines to be considered and the assessment of the proposed removal (loss).

Table 1.

Decision guidelines (summarised where appropriate)	Application response	Guideline compliance
<p>Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Consider whether:</p> <ul style="list-style-type: none"> - the site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation - the proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation - feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal 	<p>The proposal forms part of a broader strategic plan (Greenline Implementation Plan), spanning the length of the Birrarung from the Bolte Bridge (Salt Water Wharf Precinct) through to Birrarung Marr.</p> <p>The GIP endeavours to create an uninterrupted pedestrian-focused promenade along the Birrarung that strengthens biodiversity values along the river's edge.</p> <p>The project's design is guided by a vision to enhance ecological diversity and connectivity along the Birrarung.</p> <p>The proposal has therefore been designed with ecological values – including native vegetation – front-of-mind. While some native vegetation is inevitably likely to be impacted by the proposal in the short-term, the overall landscape response includes substantial revegetation with comprehensive planting schemes designed to strengthen and enhance local biodiversity.</p> <p>Every reasonable effort has been made to avoid and minimise the impacts on native vegetation within the Project Area. The vision of the Birrarung Marr Precinct is to activate the river edge through improved ecology and habitat value. Indeed, one of the three key improvements guiding the</p>	<p>The application satisfies the guideline objective to avoid and minimise where appropriate.</p> <p>The Greenline project is a strategic project seeking to achieve a higher activation and integration with the Birrarung along with providing extensive re-vegetation with native species.</p> <p>The potential or assumed loss due to the works to achieve the Greenline project is considered reasonable in this context where the extent of loss is mitigated, offset, and will result in overall biodiversity gain through the project delivery.</p> <p>The strategic outcome of overall gain satisfies the decision guideline.</p>

	<p>Greenline Project for the Birrarung Marr Precinct is 'ecological edge', which includes improving the ecology and habitat value for the Birrarung's edge and bank.</p> <p>While the exact location of future boardwalk pilings and foundations are yet to be determined, this application has considered the full extent of native vegetation potentially impacted by the future proposal to ensure that appropriate offsets have been secured. As previously mentioned, the offsets have been based on 'worst-case' extent of native vegetation removal and every effort will be made during the detailed design phase to avoid and minimise native vegetation removal or impacts as far as practicable.</p>	
<p>The role of native vegetation to be removed in:</p> <ul style="list-style-type: none"> - Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994. - Preventing land degradation, including soil erosion, salination, acidity, instability and water logging. - Preventing adverse effects on groundwater quality. 	<p>The NVRR accompanying this application notes that while native vegetation may play an important role in land and water protection, the extent of native vegetation present on the Site is insufficient to make any notable difference.</p>	<p>As noted in the application documents, the vegetation identified is of medium to poor condition and is not in sufficiently contiguous areas to provide any significant biodiversity value to the waterway, or in the prevention of degradation.</p> <p>The decision guideline is satisfied due to the low quality of value in this context.</p>
<p>The need to manage native vegetation to</p>	<p>The broader proposal for the Birrarung Marr Precinct will result in significant revegetation</p>	<p>The existing native vegetation context is scattered and therefore</p>

<p>preserve identified landscape values.</p>	<p>of the area, strengthening landscape values through groundcover, shrub and tree planting, offering high value habitat and beneficial ecological and biodiversity outcomes.</p>	<p>inappropriate for ongoing retention and successful management in the urban context. The application notes the overall biodiversity and landscape outcomes to be achieved by the broader project and it is expected that the management of the project in the future will provide for an improved native vegetation presence in the landscape.</p>
<p>Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.</p>	<p>The application has not provided an assessment.</p>	<p>The vegetation proposed for removal in the application is not identified as being of cultural significance and therefore is not protected under the Act.</p>
<p>The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.</p>	<p>N/A – the Site is not within a Bushfire Management Overlay or within a bushfire prone area.</p>	<p>Not applicable to the application.</p>
<p>Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site.</p>	<p>N/A – the Site is not subject to any Property Vegetation Plan.</p>	<p>Not applicable to the application.</p>
<p>Whether 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.</p>	<p>A NVIM Native Vegetation Removal Report has been prepared to accompany the application which determines an offset requirement of 0.005 general habitat units within the Port Phillip and Westernport Catchment Management Authority with a minimum strategic biodiversity value of 0.208.</p>	<p>The application has provided advice from a Native Vegetation Offset Broker confirming that the offset required can be acquired.</p>

	Written confirmation has been provided by Abzeco demonstrating that the required offsets can be secured for purchase in accordance with the Guidelines.	
<p>Consider the impacts on biodiversity based on the following values of the native vegetation to be removed:</p> <ul style="list-style-type: none"> - The extent. - The condition score. - The strategic biodiversity value score. - The number and circumference of any large trees. - Whether it includes an endangered Ecological Vegetation Class. - Whether it includes sensitive wetlands or coastal areas. 	<p>Having regard to the extent of native vegetation to be removed (0.0103 ha), condition (poor), condition score (0.498 –0.576), and strategic biodiversity value score (0.26), and as demonstrated by the accompanying NVRR, the proposal would not result in an unreasonable impact on biodiversity.</p>	<p>It is considered that the removal (assumed loss) of the native vegetation will not unreasonably impact the biodiversity of the place where:</p> <ul style="list-style-type: none"> - The extent of the removal is relatively small and is not contiguous to a larger native vegetation stand or patch. - The native vegetation assessment submitted has recorded and advised that the relative value of the vegetation as defined by the condition and strategic biodiversity value score are of medium to low categorisation. - No endangered species have been identified in the assessment. - The location is a riparian environment but it is not located in an area identified as sensitive via inclusion in a RAMSAR wetland site.

The above assessment is the key decision making criteria for this proposal however it is noted that the proposal is supported more broadly under the planning policy framework, in context with the greater Greenline project delivery. This includes improvements to open space provisions and landscape quality and biodiversity through sensitive revegetation.

11 CONCLUSION

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that a Planning Permit be issued for the proposal subject to conditions.

12 RECOMMENDATION

That the Future Melbourne Committee resolves to issue a Planning Permit subject to the following conditions:

1. The vegetation removal as shown on the endorsed plan(s) must not be altered or modified unless with the prior written consent of the Responsible Authority.
2. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
3. To offset the removal of 0.010 hectares of native vegetation, as identified in Native Vegetation Removal Report GEN_2023_582, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

General offset

A general offset of 0.005 general habitat units:

- a) located within the Port Phillip and Westernport Catchment Management Authority boundary or Melbourne City Council municipal district.
 - b) with a minimum strategic biodiversity score of at least 0.208.
4. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
 - a) credit extract(s) allocated to the permit from the Native Vegetation Credit Register, and/or
 - b) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site.

A copy of the offset evidence must be endorsed by the responsible authority and will form part of this permit.

At the conclusion of the project, offset requirements are to be reconciled with agreement by the responsible authority and the Department of Energy, Environment and Climate Action.

5. This permit will expire if one of the following circumstances applies:
 - a) the removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
 - b) the removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.