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Final Report

Biodiversity Impact and Offset Requirements Report: 34-54 Clayton Road, Clayton, Victoria

Prepared for

I & K Investments Pty Ltd

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Ecology and Heritage Partners Pty Ltd

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SUMMARY OF CLAUSE 52.17 APPLICATION REQUIREMENTS

Table S1. Application requirements for a permit to remove native vegetation (Victoria Planning Provisions Clause 52.17; DELWP 2017)

No.	Application Requirement	Response
Application requirements under the Basic Assessment Pathway		
1	Information about the native vegetation to be removed, including: <ul style="list-style-type: none"> The assessment pathway and reason for the assessment pathway; A description of the native vegetation to be removed; Maps showing the native vegetation and property in context; and The offset requirement that will apply if the native vegetation is approved to be removed. 	Refer to Section 3.1, Section 3.3 and Appendix 2 (NVR Report)
2	Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.	Refer to Section 1.2 and Figure 1
3	Recent dated photographs of the native vegetation to be removed.	Refer to Section 3.1
4	Details of any other native vegetation that was permitted to be removed on the same property with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before the application to remove native vegetation is lodged.	No removal of native vegetation has been removed by the proponent within the property within the past five years
5	An avoid and minimise statement. The statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.	Refer to Section 5.1
6	A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the <i>Conservation, Forests and Lands Act 1987</i> that applies to the native vegetation to be removed.	Not applicable
7	Where the removal of native vegetation is to create defensible space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required when the creation of defensible space is in conjunction with an application under the Bushfire Management Overlay.	Not applicable as the vegetation clearance is not for defensible space
8	If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.	Not applicable as the application responds to Clause 52.17
9	An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.	Not applicable as no offsets are required

1 INTRODUCTION

1.1 Background

Ecology and Heritage Partners Pty Ltd was commissioned by I & K Investments Pty Ltd to provide a Biodiversity Impact and Offset Requirements Report at 34-54 Clayton Road, Clayton, Victoria. Biodiversity Impact and Offset Requirements report was part of the former native vegetation Guidelines (DEPI 2013), and under the current Guidelines (DELWP 2017), a report with similar outputs is called a Native Vegetation Removal report.

We understand that the existing offices and warehouses within the study area will be demolished and several new buildings, including offices, retail spaces, a hotel and a childcare centre, are to be built on the site instead.

The purpose of this assessment was to identify the extent and type of native vegetation present within the study area and to determine the likely presence of significant flora and fauna species and/or ecological communities. This report presents the results of the assessment and discusses the potential ecological and legislative implications associated with the proposed action.

1.2 Study Area

The study area is located at 34-54 Clayton Road, Clayton and is approximately 18 kilometres south-east of Melbourne's CBD (Figure 1). The study area covers approximately 3.75 hectares and is bound by commercial buildings to the north, sports ovals and facilities to the south, large tanks to the east and Clayton Road to the west.

The study area is currently used for commercial purposes, including offices and warehouses. It is generally flat, with no ridges, crests or waterways within or immediately adjacent to the site.

According to the Department of Environment, Land, Water and Planning (DELWP) NatureKit Map (DELWP 2021a), the study area is located within the Gippsland Plain bioregion, Port Phillip and Westernport Catchment Management Authority (CMA) and Monash City Council.

2 METHODS

2.1 Desktop Assessment

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

- The DELWP NatureKit Map (DELWP 2021a) and Native Vegetation Information Management (NVIM) Tool (DELWP 2021b) for:
 - Modelled data for location risk, native vegetation patches, scattered trees and habitat for rare or threatened species; and,
 - The extent of historic and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DELWP 2021c) for descriptions of EVCs within the relevant bioregion;
- The Victorian Biodiversity Atlas (VBA) for previously documented flora and fauna records within the project locality (DELWP 2020);
- The Illustrated Flora Information System of Victoria (IFLISV) (Gullan 2017) and Atlas of Living Australia (ALA) (ALA 2021) for assistance with the distribution and identification of flora species;
- Relevant listings under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act), including the latest Threatened (DELWP 2019a) and Protected (DELWP 2019b) Lists;
- The online VicPlan Map (DELWP 2021d) to ascertain current zoning and environmental overlays in the study area;
- Aerial photography of the study area; and
- Previous ecological assessments relevant to the study area; including;
 - Arboriculture Assessment and Report. Treemap Arboriculture 2020.

2.2 Field Assessment

A field assessment was undertaken on 25 February 2021 to obtain information on flora and fauna values within the study area. The study area was walked, with all commonly observed vascular flora and fauna species recorded, significant records mapped and the overall condition of vegetation and habitats noted. Ecological Vegetation Classes (EVCs) were determined with reference to DELWP pre-1750 and extant EVC mapping (DELWP 2021a) and their published descriptions (DELWP 2021c).

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

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

(DELWP 2017). The ‘Assessor’s handbook: Applications to remove, destroy or lop native vegetation’ (Assessor’s handbook) (DELWP 2018) provides clarification regarding the application of the Guidelines (DELWP 2017).

2.3.1 Assessment Pathway

The Guidelines manage the impacts on biodiversity from native vegetation removal using an assessment-based approach. Two factors – extent risk and location category – are used to determine the risk associated with an application for a permit to remove native vegetation. The location category (1, 2 or 3) has been determined for all areas in Victoria and is available on DELWP’s NVIM Tool (DELWP 2021b). Determination of assessment pathway is summarised in Table 1.

Table 1. Assessment pathways for applications to remove, destroy or lop native vegetation (DELWP 2017).

Extent		Location		
		1	2	3
Native Vegetation	Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
	Less than 0.5 hectares and including one or more large trees	Intermediate	Intermediate	Detailed
	0.5 hectares or more	Detailed	Detailed	Detailed

Notes: For the purpose of determining the assessment pathway of an application to remove native vegetation the extent includes any other native vegetation that was permitted to be removed on the same contiguous parcel of land with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before an application to remove native vegetation is lodged.

2.3.2 Vegetation Assessment

Native vegetation (as defined in Table 2) is assessed using two key parameters: extent (in hectares) and condition. For the purposes of this assessment, both condition and extent were determined as part of the habitat hectare assessment.

Table 2. Determination of a patch of native vegetation (DELWP 2017).

Category	Definition	Extent	Condition
Patch of native vegetation	<p>An area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native;</p> <p>OR</p> <p>An area with three or more native canopy trees where the drip line of each tree touches the drip line of at least one other tree, forming a continuous canopy;</p> <p>OR</p> <p>any mapped wetland included in the <i>Current Wetlands map</i>, available in DELWP systems and tools.</p>	<p>Measured in hectares.</p> <p>Based on hectare area of the native patch.</p>	<p>Vegetation Quality Assessment Manual (DSE 2004).</p> <p>Modelled condition for <i>Current Wetlands</i>.</p>
Scattered tree	<p>A native canopy tree that does not form part of a native patch.</p>	<p>Measured in hectares.</p> <p>Each Large scattered tree is assigned an extent of 0.071 hectares (15m radius).</p> <p>Each Small scattered tree is assigned a default extent of 0.031 hectares (10 metre radius)</p>	<p>Scattered trees are assigned a default condition score of 0.2 (outside a patch).</p>

Notes: Native vegetation is defined in the Victoria Planning Provisions as ‘plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses’.

2.3.3 Impact Avoidance and Minimisation

All applications to remove native vegetation must demonstrate the three-step approach of avoid, minimise and offset. This is a precautionary approach that aims to ensure that the removal of native vegetation is restricted to what is reasonably necessary, and that biodiversity is appropriately compensated for any native vegetation removal that is approved.

2.3.4 Offsets

Biodiversity offsets are required to compensate for the permitted removal of native vegetation. Offset obligations and offset site criteria are determined in accordance with the Guidelines (DELWP 2017) and are divided into two categories, being General Habitat Units and Species Habitat Units.

The offset requirements for native vegetation removal are calculated by DELWP and presented in a Native Vegetation Removal (NVR) Report, which are based on the vegetation condition scores determined during the biodiversity assessment.

2.4 Assessment Qualifications and Limitations

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

The ‘snapshot’ nature of a standard biodiversity assessment meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In

addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent.

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

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

The terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered to adequately inform an accurate assessment of the ecological values present within the study area.

3 RESULTS

3.1 Vegetation Condition

Apart from one small patch of native vegetation and two individual native herbs, the study area comprised introduced and planted vegetation, present as specimen trees, exotic grass and ornamental gardens.

A list of all flora species recorded during the field assessment are provided in Appendix 1.1.

3.1.1 Patches of Native Vegetation

Native vegetation in the study area was assigned the EVC of Grassy Woodland (EVC 175) for the purpose of determining any offset requirements, as this EVC was modelled to have occurred within the study area pre-1750 (DELWP 2021c). The patch was located towards the study area's south-western corner (Figure 2). Grassy Woodland is characterised by an open woodland to 15 metres tall. The shrub layer is typically sparse; however, the grass and herb layers are a diverse mix of species (DELWP 2021c). The native vegetation patch lacked a canopy and shrub layer, only consisting of an approximately eight square metre area of Variable Willow-herb *Epilobium billardierianum*, which is a common Victorian herb species (Plate 1).

Two individual Cotton Fireweed *Senecio quadridentatus* plants were also observed towards the study area's south-western corner (Plate 2), however these did not contribute to the patch area of native vegetation due to their small size. Other indigenous species within the study area (Appendix 1.1) were either planted or present in very small numbers and extent and therefore did not contribute to patches of native vegetation.



Plate 1. Patch of Grassy Woodland EVC in the form of Variable Willow-herb towards the study area's south-western corner (Ecology and Heritage Partners Pty Ltd 25/02/2021).



Plate 2. A Cotton Fireweed (fine silver herb in the middle of this photo) towards the south-western corner of the study area (Ecology and Heritage Partners Pty Ltd 25/02/2021).

3.1.2 Large Trees in Patches

There were no Large Trees in patches.

3.1.3 Scattered Trees

There were no scattered trees.

3.1.4 Introduced and Planted Vegetation

The study area is almost entirely composed of exotic grasses and ornamental garden species, apart from the areas/plants identified in Figure 2. The larger trees within the study area are indigenous and non-indigenous planted eucalypts, including Narrow-leaf Peppermint *Eucalyptus nicholii*, Brittle Gum *Eucalyptus mannifera* and Blakely's Red Gum *Eucalyptus blakelyi* (Plate 3). The garden beds contained an assortment of indigenous, native (non-indigenous) and exotic species, including Lilly pilly *Syzygium smithii*, Snow-in-Summer *Melaleuca linariifolia*, Willow-leaf Hakea *Hakea salicifolia* and Sexton's Bride *Rhaphiolepis umbellata* (Plate 4).

There were some areas dominated by exotic weedy grasses and herbs, particularly towards the study area's south-western corner. Typical species included Kikuyu *Cenchrus clandestinum*, Tall Fleabane *Conyza sumatrensis*, Ribwort *Plantago lanceolata* (Plate 5).

Three noxious weeds, as defined under the CaLP Act, were present within the study area, with one to three specimens of Blackberry *Rubus fruticosus* spp. agg., Flax-leaf Broom *Genista linifolia* scattered and Spear Thistle *Cirsium vulgare* (Plate 6) scattered across the study area. Blackberry and Flax-leaf Broom are also a Weed of National Significance (WoNS).



Plate 3. A planted Brittle Gum along the study area's eastern boundary (Ecology and Heritage Partners Pty Ltd 25/02/2021).



Plate 4. Planted garden beds around the entrance to an office (Ecology and Heritage Partners Pty Ltd 25/02/2021).



Plate 5. Exotic pasture grasses towards the study area's south-western corner (Ecology and Heritage Partners Pty Ltd 25/02/2021).



Plate 6. A small Spear Thistle along the study area's eastern boundary (Ecology and Heritage Partners Pty Ltd 25/02/2021).

3.2 Fauna Habitat

Grassy areas and planted vegetation in the form of specimen trees and ornamental gardens are located throughout the study area. These areas provide foraging, nesting and roosting habitat for mobile generalist fauna, including locally common birds. The only bird observed to occupy the study area during the field assessment was a pair of Masked Lapwings *Vanellus miles*.

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

The below clearing scenario is based on the removal of the Grassy Woodland patch towards the study area's south-western corner as a result of the development construction works.

3.3.1 *Vegetation proposed to be removed*

The study area is within Location 1, with 0.001 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Basic assessment pathway (Table 3).

Condition scores for vegetation proposed to be removed are based on modelled scores available in the NVIM system (DELWP 2021b).

Table 3. Removal of Native Vegetation (the Guidelines) (DELWP 2017).

Assessment pathway	Basic
Location Category	1
Total Extent (past and proposed) (ha)	0.001
Extent of past removal (ha)	0.000
Extent of proposed removal (ha)	0.001
Large Trees (scattered and in patches) to be removed (no.)	0
Small scattered trees to be removed (no.)	0
EVC Conservation Status of vegetation to be removed	Endangered

3.3.2 Offset Targets

There are no offset requirements associated with the removal of vegetation within the study area due to the patch of native vegetation being very small.

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

Table 4. Offset Targets.

General Offsets Required	0.000 General Habitat Units
Large Trees	0
Vicinity (catchment/council)	Port Phillip and Westernport CMA / Monash City Council
Minimum Strategic Biodiversity Value*	0.080

*The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

3.4 Significance Assessment

3.4.1 Flora

No national significant flora was recorded during the site assessment. One FFG Act listed (protected) species (DELWP 2019b), Black Wattle *Acacia mearnsii*, was recorded within the study area, however it was believed to be planted. The Giant Honey-myrtle *Melaleuca armillaris* subsp. *armillaris* is classified as Rare in Victoria (DEPI 2014) and has been recorded within five kilometres of the study area on seven occasions since 1985 (Figure 3). This species occurs naturally in far East Gippsland and is therefore not indigenous to the Greater Melbourne region, and has been planted within the study area.

Based on the highly modified nature of the study area, landscape context and the proximity of previous records, non-planted significant flora species are considered unlikely to occur within the study area due to the and high levels of disturbance and absence of suitable habitat.

3.4.2 *Fauna*

No national or State significant fauna were recorded during the site assessment. Species previously recorded within five kilometres of the study area (Figure 4) have typically either been water-loving birds, or bird and bat species that may occasionally fly over the study area but would not be expected to utilise the study area for any more than opportunistic and temporary foraging or roosting activities. Based on the highly modified nature of the study area and landscape context amongst a highly urbanised environment, significant flora species are considered highly unlikely to rely on habitat within the study area for foraging or breeding purposes due to the lack of suitable and/or important habitat features.

3.4.3 *Ecological Communities*

Two nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DAWE 2021):

- Natural Damp Grassland of the Victorian Coastal Plains; and
- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland.

However, vegetation within the study area did not meet the condition thresholds that define any national or State-significant communities due to the absence of native vegetation patches that meet the criteria for these communities.

4 LEGISLATIVE AND POLICY IMPLICATIONS

4.1 *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*

The EPBC Act establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES). The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.

4.2 *Flora and Fauna Guarantee Act 1988 (Victoria)*

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. Proponents are required to apply for an FFG Act Permit to 'take' threatened and/or protected flora species, listed vegetation communities and listed fish species in areas of public land (e.g. within road reserves, drainage lines and public reserves/parks). An FFG Act permit is generally not required for removal of species or communities on private land, or for the removal of habitat for a listed terrestrial fauna species.

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

4.3 *Planning and Environment Act 1987 (Victoria)*

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

4.3.1 *Local Planning Scheme*

The study area is located within the Monash City Council. The following zoning and overlay applies (DELWP 2021d):

- Special Use Zone – Schedule 6 (SUZ6)
- Design and Development Overlay – Schedule 1 (DDO1)

4.3.2 *The Guidelines*

The State Planning Policy Framework and the decision guidelines at Clause 12.01 Biodiversity and Clause 52.17 Native Vegetation require Planning and Responsible Authorities to have regard for the Guidelines (DELWP 2017).

4.3.3 Implications

The study area is within Location 1, with 0.001 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Basic assessment pathway.

There are no offset requirements associated with the removal of vegetation within the study area.

A planning permit from the Monash City Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme. In this instance, the application is not required to be referred to DELWP.

4.4 Catchment and Land Protection Act 1994 (Victoria)

Three weeds listed as noxious under the *Catchment and Land Protection Act 1994* were recorded during the assessment (Blackberry, Flax-leaf Broom, Spear Thistle). Listed noxious weeds/pests should be appropriately controlled throughout the study area.

4.5 Wildlife Act 1975 and Wildlife Regulations 2013 (Victoria)

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

5 MITIGATION MEASURES

5.1 Avoid and Minimise Statement

Given that the vegetation observed on site that is not planted consisted of one approximately eight square metre patch of Variable Willow-herb and two Cotton Fireweed plants, is it not practical or feasible to avoid impacting these plants. It is expected that they will be removed during the construction process.

5.2 Best Practice Mitigation Measures

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

- Tree Protection Zones (TPZs) should be implemented to prevent indirect losses of trees proposed to be retained during construction activities. A TPZ applies to a tree and is a specific area above and below the ground, with a radius 12 x the Diameter at Breast Height (DBH). At a minimum standard a TPZ should consider the following:
 - A TPZ of trees should be a radius no less than two metres or greater than 15 metres;
 - Construction, related activities and encroachment (i.e. earthworks such as trenching that disturb the root zone) should be excluded from the TPZ;
 - Where encroachment is 10% or more of the total area of the TPZ, the tree should be considered as lost and offset accordingly (unless an arboricultural report specifies otherwise);
 - Directional drilling may be used for works within the TPZ without being considered encroachment. The directional bore should be at least 600 millimetres deep;
 - The above guidelines may be varied if a qualified arborist confirms the works will not significantly damage the tree (including stags / dead trees). In this case the tree would be retained, and no offset would be required; and,
 - Where the minimum standard for a TPZ has not been met an offset may be required.
- Removal of any habitat trees or shrubs (particularly hollow-bearing trees or trees/shrubs with nests) should be undertaken between February and September to avoid the breeding season for most fauna species. If any habitat trees or shrubs are proposed to be removed, this should be undertaken under the supervision of an appropriately qualified zoologist to salvage and translocate any displaced fauna. A Fauna Management Plan may be required to guide the salvage and translocation process;
- Where possible, construction stockpiles, machinery, roads, and other infrastructure should be placed away from the TPZs of trees; and,
- As indigenous flora provides valuable habitat for indigenous fauna, it is recommended that any landscape plantings that are undertaken as part of the proposed works are conducted using indigenous species sourced from a local provenance, rather than exotic deciduous trees and shrubs.

6 FURTHER REQUIREMENTS

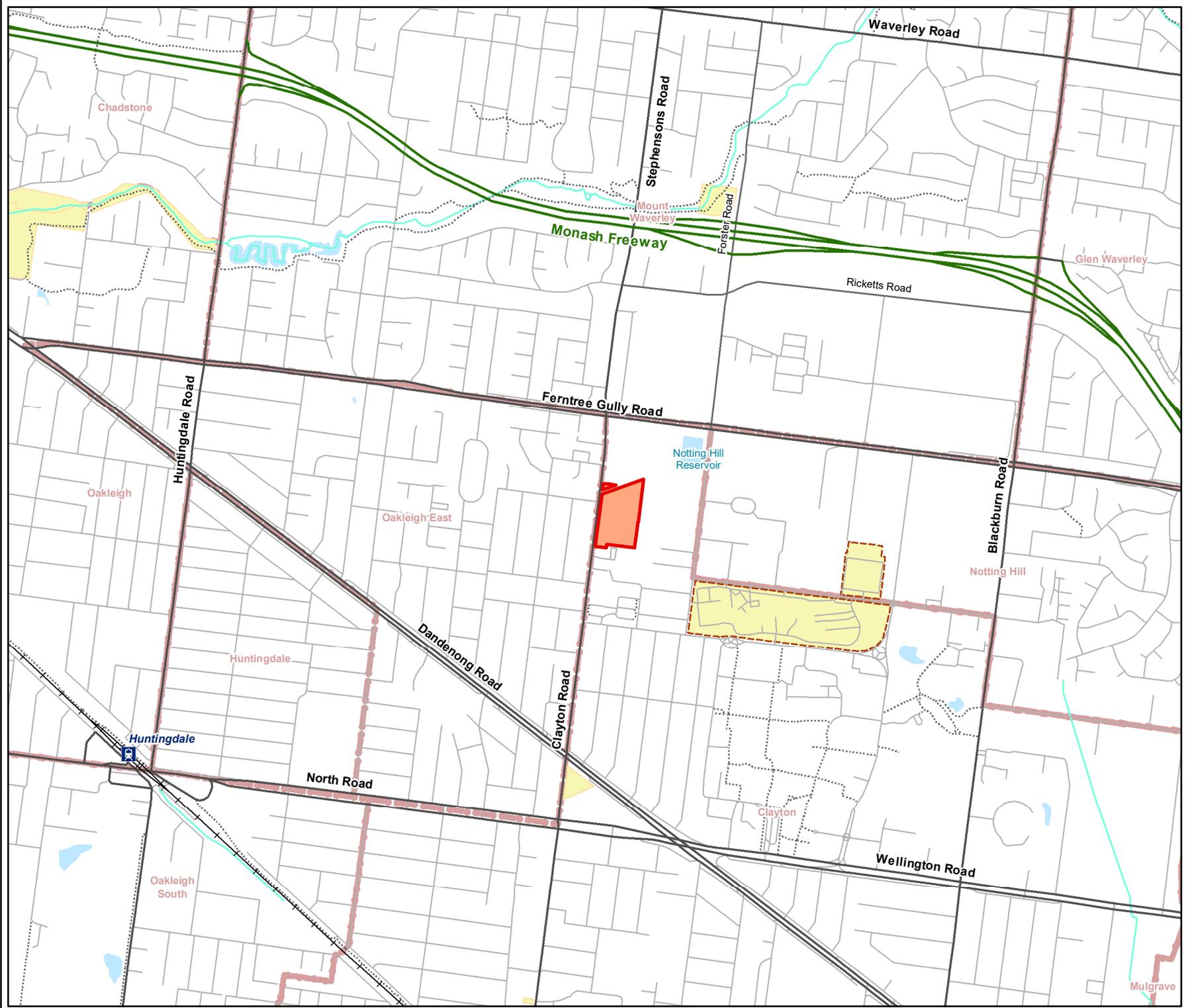
Further requirements associated with development of the study area, as well as additional studies or reporting that may be required, are provided in Table 5.

Table 5. Further requirements associated with development of the study area.

Relevant Legislation	Implications	Further Action
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	The EPBC Act establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES). The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.	No further action required.
<i>Flora and Fauna Guarantee Act 1988</i>	There are confirmed records of one species (Black Wattle) listed as threatened and/or protected under the FFG Act. However, the study area is privately owned, and as such a permit under the FFG Act is not required.	No further action required.
<i>Planning and Environment Act 1987</i>	The study area is within Location 1, with 0.001 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Basic assessment pathway. There are no offset requirements associated with the removal of vegetation within the study area. A planning permit from the Monash City Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme. In this instance, the application is not required to be referred to DELWP.	Prepare and submit a Planning Permit application.
<i>Catchment and Land Protection Act 1994</i>	Three weed species listed under the CaLP Act were recorded within the study area (Blackberry, Flax-leaf Broom, Spear Thistle). To meet requirements under the CaLP Act, listed noxious weeds should be appropriately controlled throughout the study area.	Listed noxious weeds should be appropriately controlled throughout the study area.
<i>Wildlife Act 1975</i>	Any persons engaged to conduct salvage and translocation or general handling of terrestrial fauna species must hold a current Management Authorisation.	Ensure wildlife specialists hold a current Management Authorisation.

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Legend

- Study Area
- Railway
- Freeway
- Major Road
- Collector Road
- Minor Road
- Walking Track
- Minor Watercourse
- Permanent Waterbody
- Commonwealth Land
- Crown Land
- Localities



Figure 1
Location of the study area
Biodiversity Assessment for
34-54 Clayton Road, Clayton

0 250 500
 Metres

Map Scale: 1:20,000 @ A4
 Coordinate System: GDA2020 MGA Zone 55



VicMap Data: The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

14863 Fig01 StudyArea G20 23/02/2021 chutchison

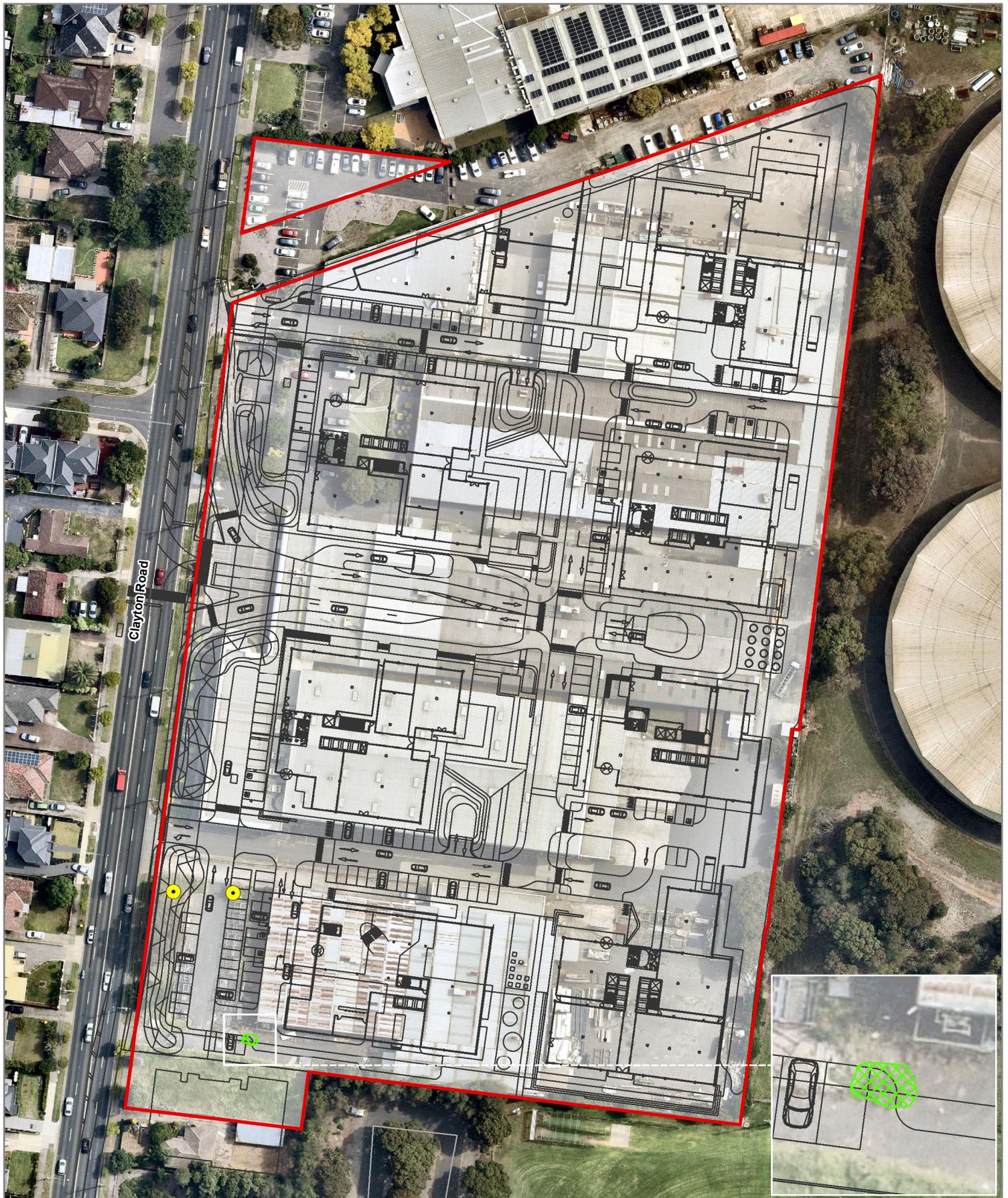
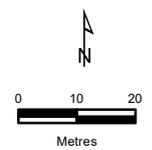


Figure 2
Ecological features
Biodiversity Assessment
 for 34-54 Clayton Road,
 Clayton

- Legend**
- Study Area
 - Proposed development plan
 - Cotton Fireweed
 - Grassy Woodland (EVC 175)



Map Scale: 1:1,300 @ A4
 Coordinate System:
 GDA2020 MGA Zone 55

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Legend

 Study Area

Significant flora

-  Benambra Club-sedge
-  Black Roly-poly
-  Giant Honey-myrtle
-  Green-leaf Mallee
-  Grey Billy-buttons
-  Melbourne Yellow-gum
-  Rosemary Grevillea
-  Smooth Nardoo
-  Snowy River Wattle
-  Spotted Gum
-  Sticky Wattle
-  Studley Park Gum
-  Velvet Apple-berry
-  Water Parsnip



Figure 3
Previously documented significant
flora within 5km of the study area
Biodiversity Assessment for 34-54
Clayton Road, Clayton

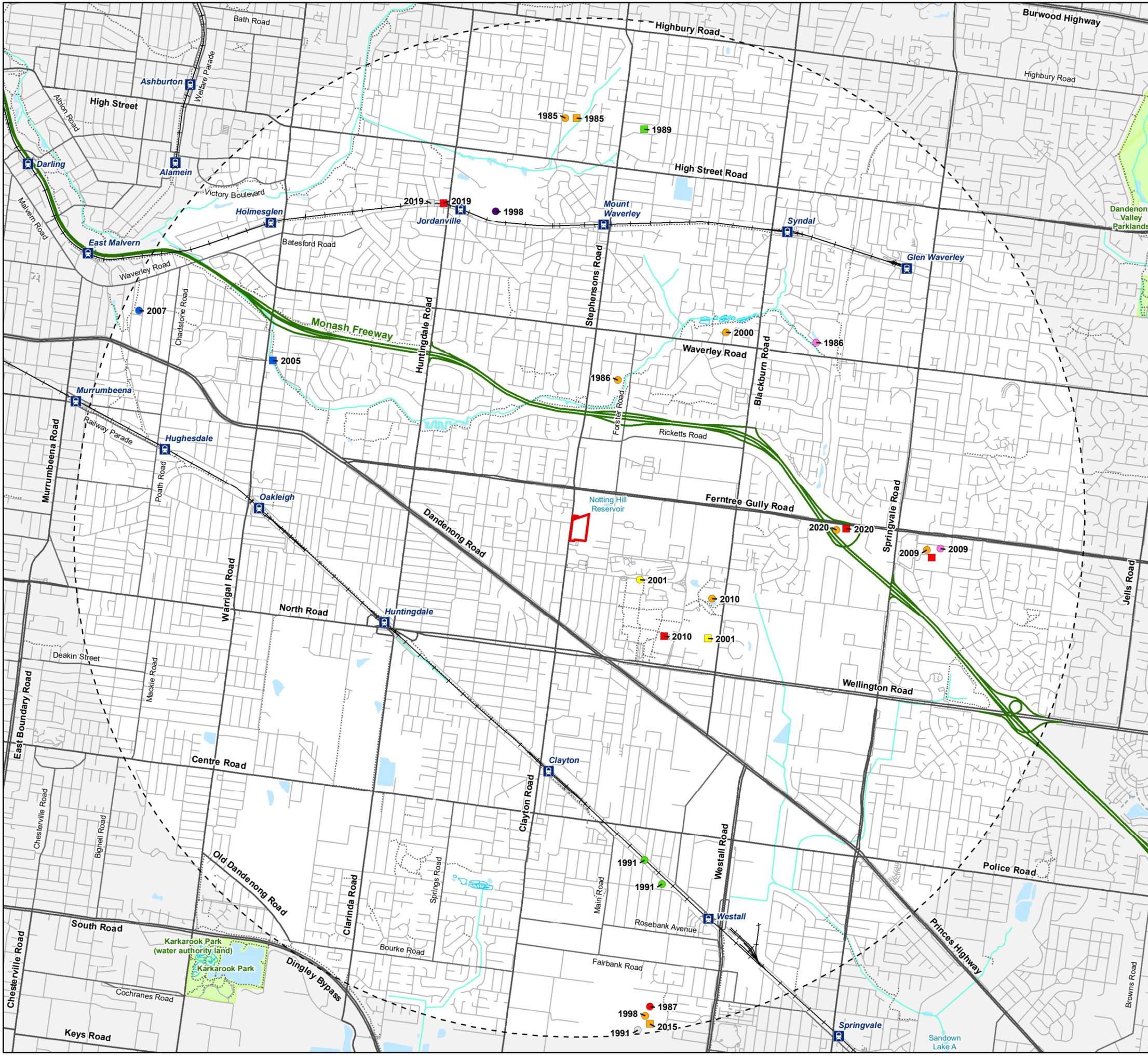


Map Scale: 1:37,000 @ A3
 Coordinate System: GDA2020 MGA Zone 55



Victorian Biodiversity Atlas (VBA) // Sourced from: 'VBA_FLORA25', 'VBA_FLORA100', 'VBA_FAUNA25' and 'VBA_FAUNA100'. Updated August 2020 © The State of Victoria, Department of Environment, Land, Water and Planning. Records prior to 1949 not shown.

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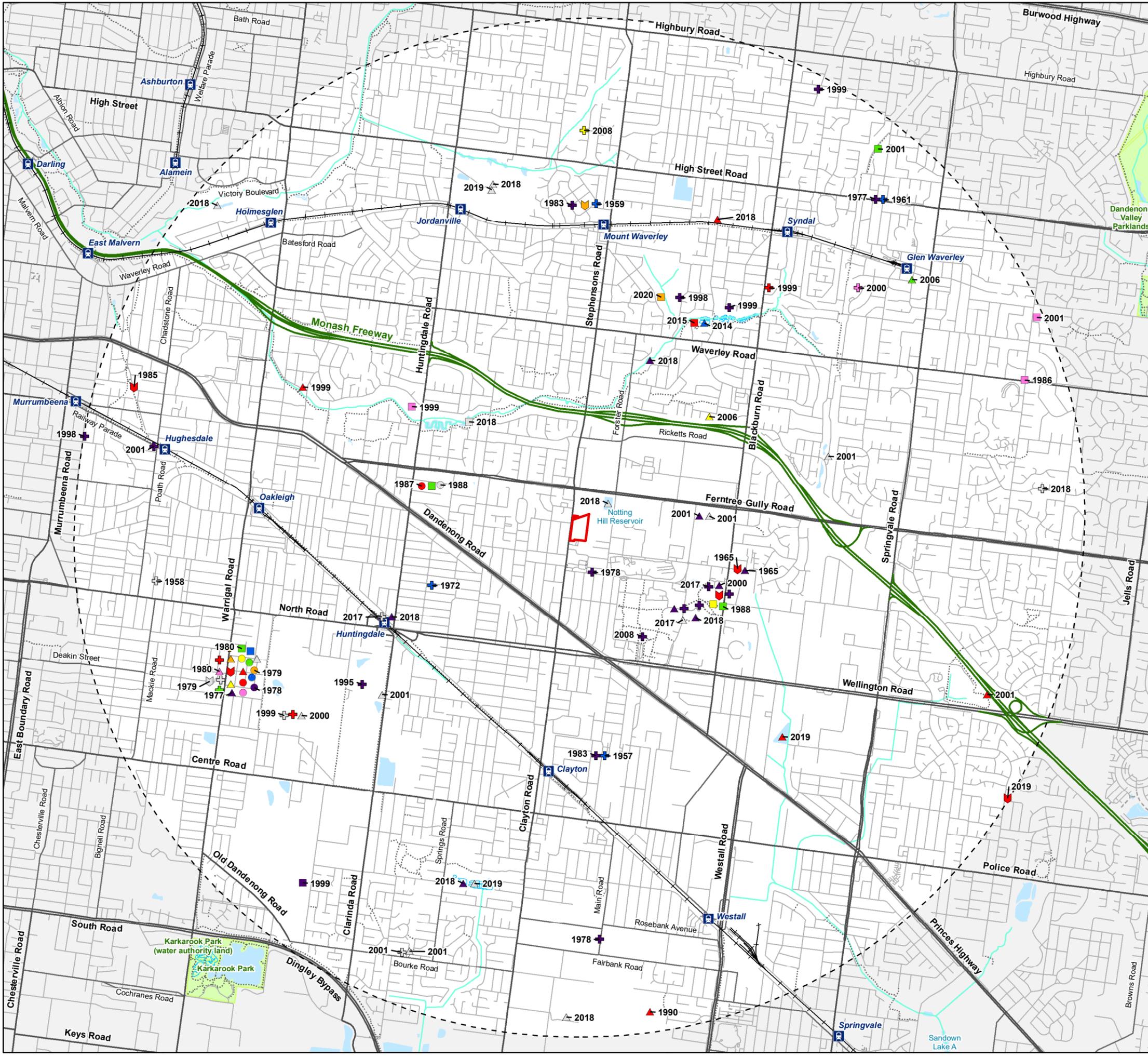
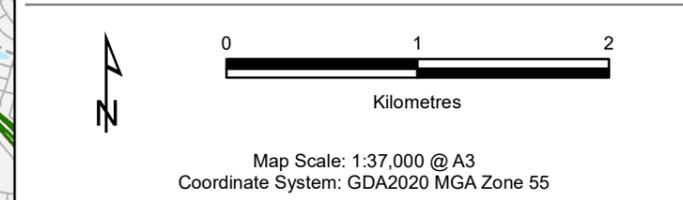


Legend

- Study Area
- Significant fauna**
- Australasian Bittern
- Australasian Shoveler
- Australian Painted-snipe
- Black Falcon
- Black-faced Cormorant
- Blue-billed Duck
- Caspian Tern
- Common Sandpiper
- Eastern Great Egret
- Eastern Snake-necked Turtle
- Foothill Burrowing Crayfish
- Golden Perch
- Great Egret
- Grey-crowned Babbler
- Grey-headed Flying-fox
- Growling Grass Frog
- ▲ Hardhead
- ▲ Latham's Snipe
- ▲ Lewin's Rail
- ▲ Little Egret
- ▲ Major Mitchell's Cockatoo
- ▲ Murray River Turtle
- ▲ Musk Duck
- ▲ Nankeen Night Heron
- + Pacific Gull
- + Pied Cormorant
- + Plumed Egret
- + Powerful Owl
- + Royal Spoonbill
- + Southern Brown Bandicoot
- + Superb Parrot
- + Swift Parrot
- + Whiskered Tern
- + White-throated Needletail
- + Yellow-bellied Sheath-tail Bat



Figure 4
Previously documented significant fauna within 5km of the study area
Biodiversity Assessment for 34-54 Clayton Road, Clayton



APPENDIX 1 FLORA

Appendix 1.1 Flora Results

Legend:

I Protected under the FFG Act (DELWP 2019b);

* Listed as a noxious weed under the CaLP Act;

w Weed of National Significance;

** Planted indigenous species in the study area;

Planted Victorian and non-Victorian species.

Table A1.1. Flora within the study area.

Scientific Name	Common Name	Notes
INDIGENOUS SPECIES		
<i>Acacia dealbata</i>	Silver Wattle	**
<i>Acacia mearnsii</i>	Black Wattle	I **
<i>Dianella longifolia</i> s.l.	Pale Flax-lily	**
<i>Epilobium billardierianum</i>	Variable Willow-herb	
<i>Juncus amabilis</i>	Hollow Rush	**
<i>Portulaca oleracea</i>	Common Purslane	
<i>Senecio quadridentatus</i>	Cotton Fireweed	
NON-INDIGENOUS OR INTRODUCED SPECIES		
<i>Acacia baileyana</i>	Cootamundra Wattle	#
<i>Acca sellowiana</i>	Feijoa	#
<i>Agapanthus praecox</i> subsp. <i>orientalis</i>	Agapanthus	#
<i>Arbutus unedo</i>	Irish Strawberry Tree	#
<i>Avena barbata</i>	Bearded Oat	
<i>Betula pendula</i>	Silver Birch	#
<i>Callistemon</i> 'Kings Park Special'	King's Park Special Bottlebrush	#
<i>Callistemon salignus</i>	Willow Bottlebrush	#
<i>Callistemon viminalis</i>	Weeping Bottlebrush	#
<i>Cenchrus clandestinus</i>	Kikuyu	
<i>Cirsium vulgare</i>	Spear Thistle	*
<i>Coleonema pulchellum</i>	Pink Diosma	#
<i>Convolvulus sabatius</i>	Blue Rock Bindweed	#
<i>Conyza sumatrensis</i> var. <i>sumatrensis</i>	Tall Fleabane	

Scientific Name	Common Name	Notes
<i>Coprosma repens</i>	Mirror Bush	
<i>Cordyline australis</i>	New Zealand Cabbage-tree	#
<i>Cotoneaster glaucophyllus</i> var. <i>serotinus</i>	Large-leaf Cotoneaster	
<i>Cynodon dactylon</i>	Couch	
<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass	
<i>Eucalyptus blakelyi</i>	Blakely's Red-gum	#
<i>Eucalyptus botryoides</i>	Southern Mahogany	#
<i>Eucalyptus mannifera</i> subsp. <i>mannifera</i>	Brittle Gum	#
<i>Eucalyptus nicholii</i>	Narrow-leaf Peppermint	#
<i>Ficus rubiginosa</i>	Port Jackson Fig	#
<i>Fraxinus excelsior</i>	English Ash	#
<i>Galenia pubescens</i> var. <i>pubescens</i>	Galenia	
<i>Genista linifolia</i>	Flax-leaf Broom	* w
<i>Hakea salicifolia</i> subsp. <i>salicifolia</i>	Willow-leaf Hakea	#
<i>Lactuca serriola</i>	Prickly Lettuce	
<i>Melaleuca armillaris</i> subsp. <i>armillaris</i>	Giant Honey-myrtle	#
<i>Melaleuca bracteata</i>	Black Paperbark	#
<i>Melaleuca linariifolia</i>	Snow-in-Summer	#
<i>Melaleuca styphelioides</i>	Prickly Paperbark	#
<i>Musa</i> spp.	Banana	#
<i>Nandina domestica</i>	Sacred Bamboo	#
<i>Olea europaea</i>	Olive	#
<i>Osteospermum</i> spp.	African Daisy	
<i>Paspalum dilatatum</i>	Paspalum	
<i>Pennisetum setaceum</i> 'Rubrum'	Purple Fountain Grass	#
<i>Photinia serratifolia</i>	Chinese Hawthorn	#
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Plantago lanceolata</i>	Ribwort	
<i>Rhaphiolepis umbellata</i>	Sexton's Bride	#
<i>Rhododendron</i> spp.	Azalea	#
<i>Robinia pseudoacacia</i>	Locust Tree	#
<i>Rubus fruticosus</i> spp. agg.	Blackberry	* w
<i>Solanum nigrum</i> s.l.	Black Nightshade	
<i>Sonchus asper</i> s.l.	Rough Sow-thistle	

Scientific Name	Common Name	Notes
<i>Sonchus oleraceus</i>	Common Sow-thistle	
<i>Stellaria media</i>	Chickweed	
<i>Strelitzia reginae</i>	Bird of Paradise	#
<i>Syzygium smithii</i>	Lilly Pilly	#
<i>Taraxacum officinale</i> spp. agg.	Garden Dandelion	
<i>Yucca attenuata</i>	Swan Neck Yucca	#
<i>Yucca</i> spp.	Yucca	#

APPENDIX 2 NATIVE VEGETATION REMOVAL (NVR) REPORT

Native vegetation removal report

A report to support an application to remove, destroy or lop native vegetation in the **Basic Assessment Pathway** using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report is not an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

Date and time: 15 March 2021 14:13 PM

Lat./Long.: -37.9037545038927,145.124187164627

Native vegetation report ID:

Address: 42-44 CLAYTON ROAD CLAYTON 3168
34-40 CLAYTON ROAD CLAYTON 3168
46-48 CLAYTON ROAD CLAYTON 3168
50-54 CLAYTON ROAD CLAYTON 3168

348-20210315-010

Assessment pathway

The assessment pathway and reason for the assessment pathway

Assessment pathway	Basic Assessment Pathway
Extent of past plus proposed native vegetation removal	0.001 hectares
No. large trees	0 large tree(s)
Location category	Location 1 The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

Offset requirement

The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.000 general habitat units
Offset attributes	
Vicinity	Port Phillip And Westernport Catchment Management Authority (CMA) or Monash City Council
Minimum strategic biodiversity value score	0.080
Large trees	0 large tree(s)

Biodiversity information about the native vegetation

Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.001 hectares
Condition score of all mapped native vegetation	0.200
Strategic biodiversity value score of all mapped native vegetation	0.100
Extent of patches native vegetation	0.001 hectares
1	0.001 hectares
Extent of scattered trees	0 hectares
No. large trees within patches	0 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	0 small tree(s)

Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
N/A				

Other information

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed must be provided with the application. All photographs must be clear, show whether the vegetation is a patch of native vegetation or scattered trees, and identify any large trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Topographical and land information

Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. **This is an application requirement and your application will be incomplete without it.**

Refer to the main report

Avoid and minimise statement

This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. **This is an application requirement and your application will be incomplete without it.**

Refer to the main report

Defendable space statement

Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.

Refer to the main report

Offset statement

An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. **This is an application requirement and your application will be incomplete without it.**

Refer to the main report

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report* must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering into an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal is not in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

www.delwp.vic.gov.au

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This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

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

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

Figure 1 – Map of native vegetation to be removed, destroyed or lopped

Mapped native vegetation to be removed, lopped or destroyed



Legend

-  Mapped native vegetation
-  Property boundary

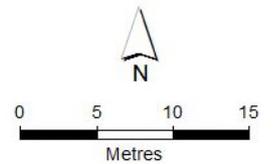


Figure 2 – Map of property in context

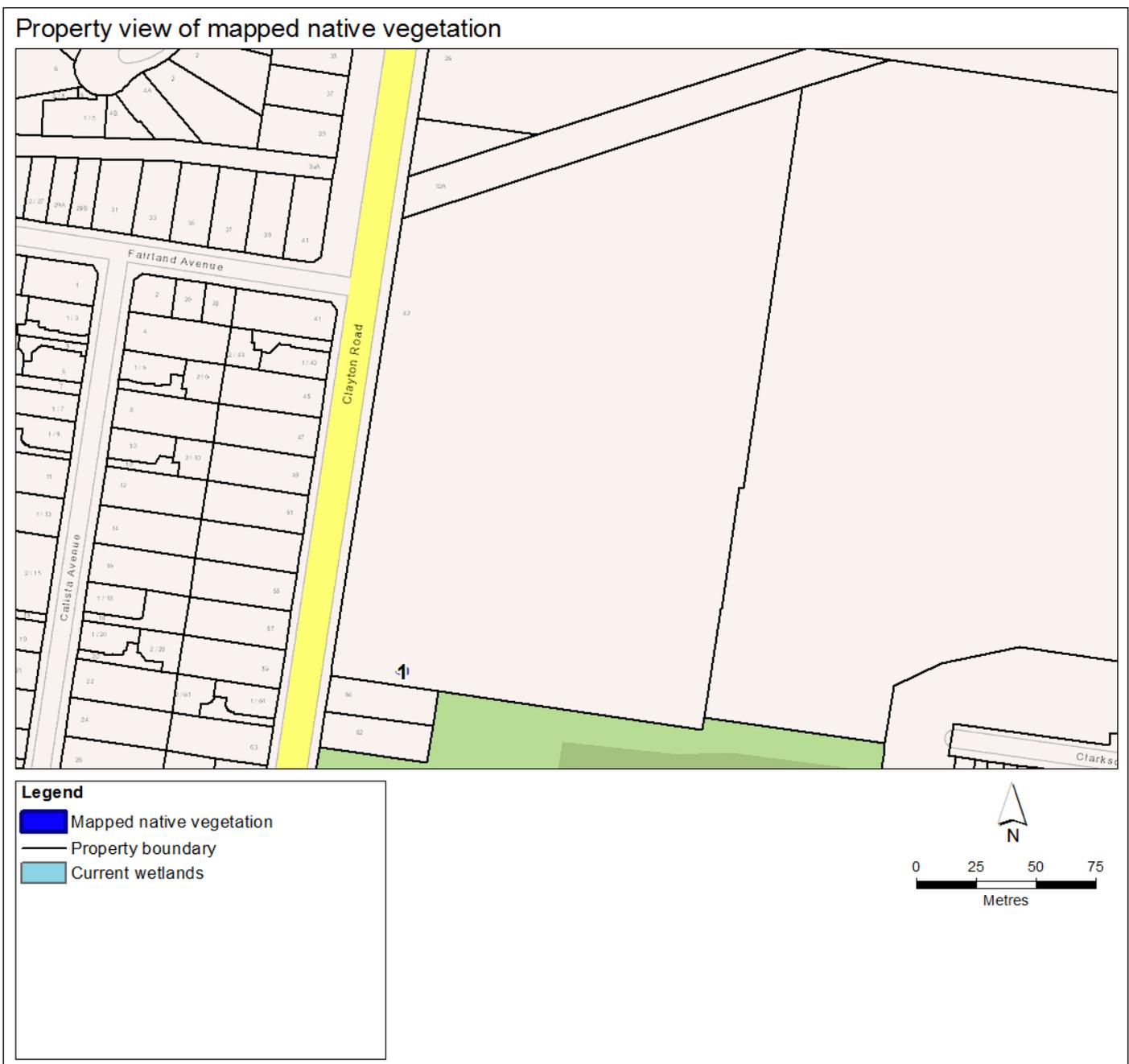


Figure 3 – Biodiversity information maps

Mapped native vegetation and the *Native vegetation location map*

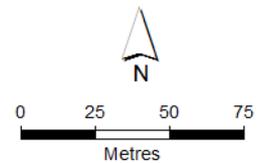


Legend

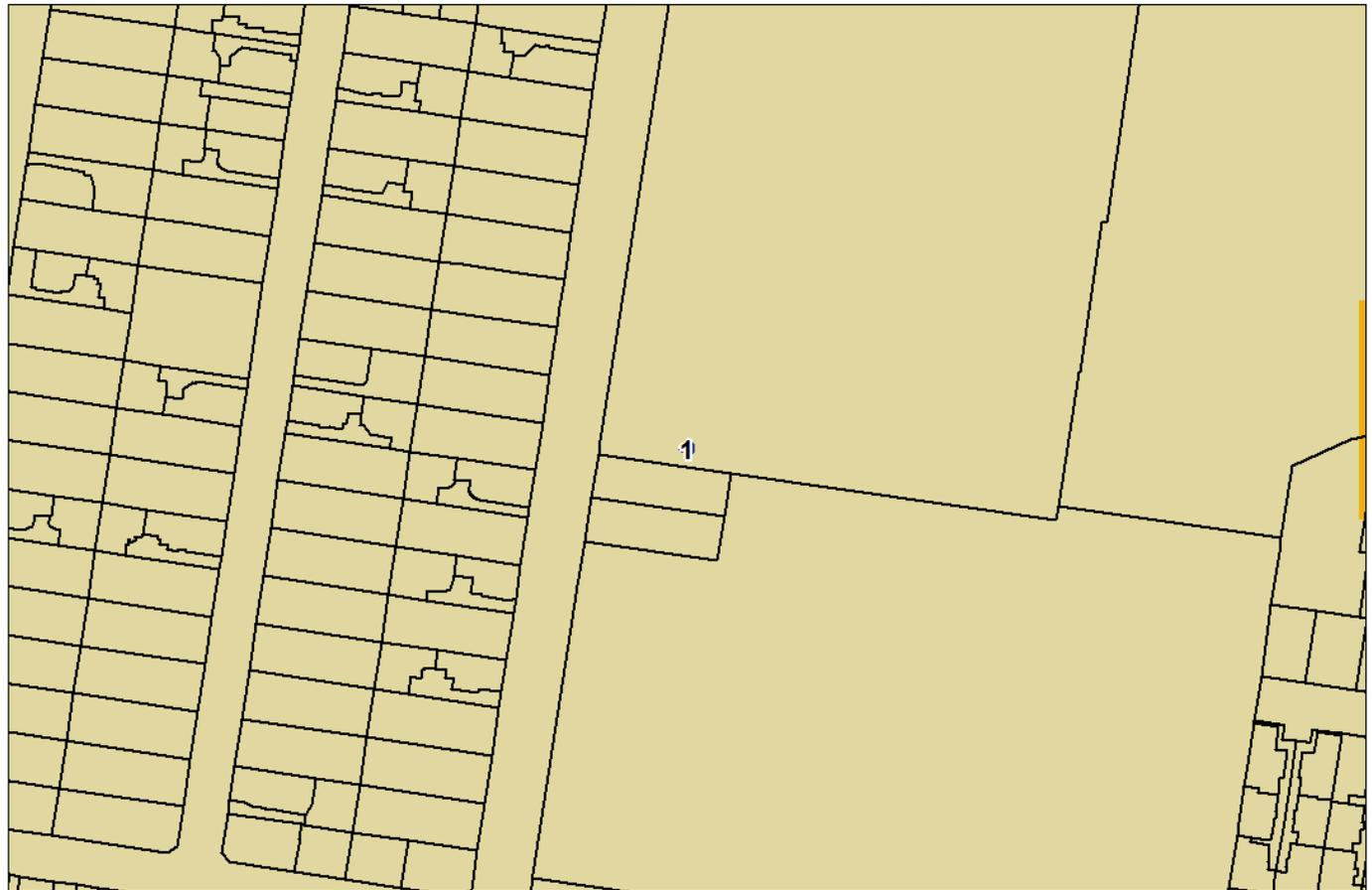
-  Mapped native vegetation
-  Property boundary

Native vegetation location category

-  Location 3
-  Location 2
-  Location 1



Mapped native vegetation and the *Native vegetation condition map*



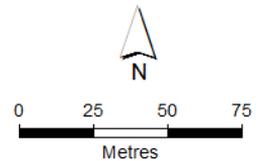
Legend

-  Mapped native vegetation
-  Property boundary

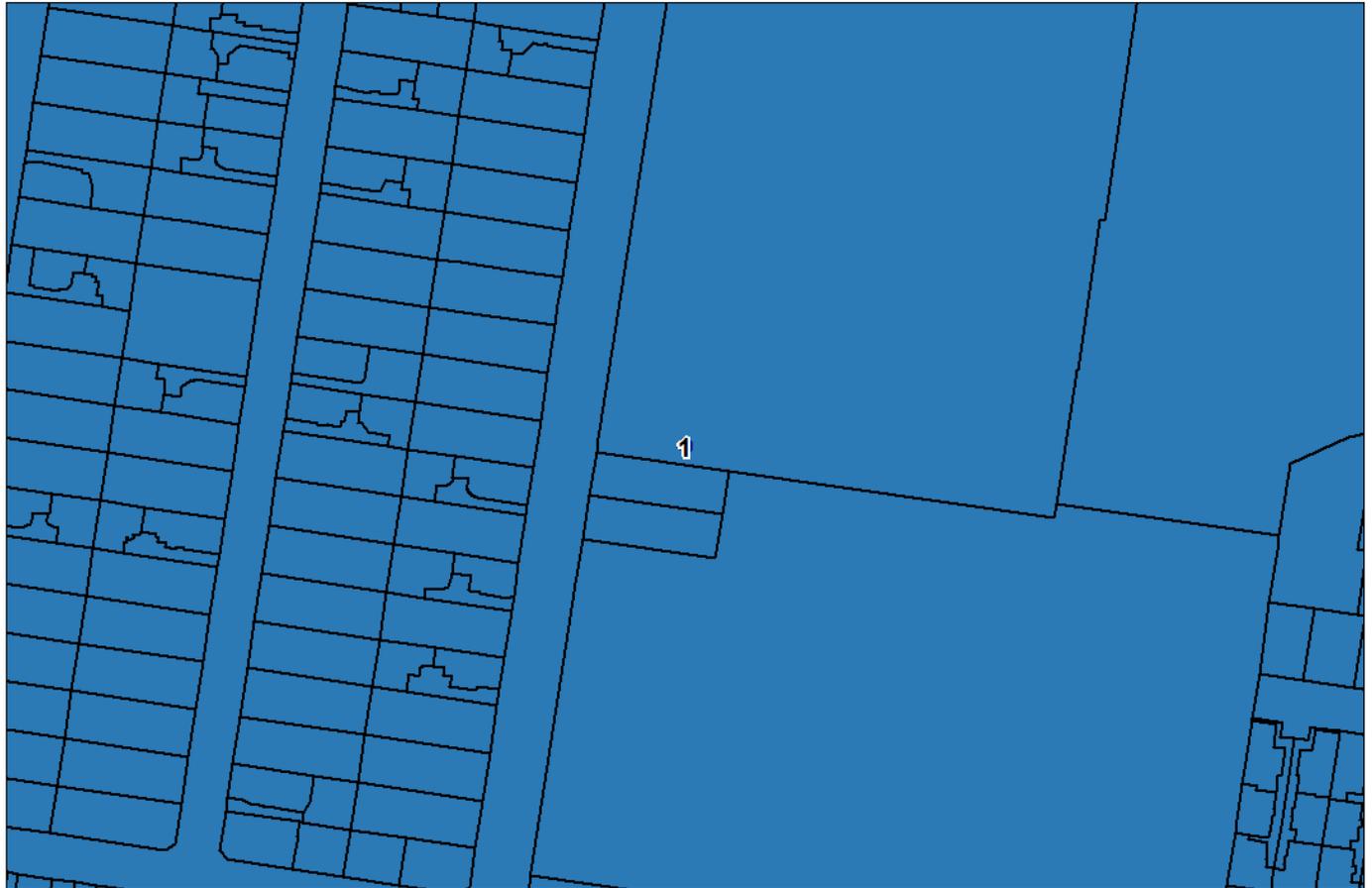
Native vegetation condition*

-  0.81 - 1.00
-  0.61 - 0.80
-  0.41 - 0.60
-  0.21 - 0.40
-  0.00 - 0.20

* These classes are for display purposes only



Mapped native vegetation and the *Strategic biodiversity value map*



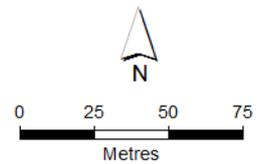
Legend

-  Mapped native vegetation
-  Property boundary

Strategic biodiversity value*

-  0.81 - 1.00
-  0.61 - 0.80
-  0.41 - 0.60
-  0.21 - 0.40
-  0.00 - 0.20

* These classes are for display purposes only



Appendix 1 - Details of offset requirements

Native vegetation to be removed

Extent of all mapped native vegetation (for calculating habitat hectares)	0.001	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius. The extent of all mapped native vegetation is an input to calculating the habitat hectares.
Condition score*	0.200	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
Habitat hectares	0.000	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score: Habitat hectares = extent x condition score
Strategic biodiversity value score	0.100	The strategic biodiversity value score represents the complementary contribution to Victoria's biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
General landscape factor	0.550	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
General habitat score	0.000	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows: General habitat score = habitat hectares x general landscape factor

* **Offset requirements for partial removal:** If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

Offset requirements

Offset type	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
Offset multiplier	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
Offset amount (general habitat units)	0.000	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation. General habitat units required = general habitat score x 1.5
Minimum strategic biodiversity value score	0.080	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
Vicinity	Port Phillip And Westernport CMA or Monash City Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
Large trees	0 large tree (s)	The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.