Nature Repair (Replanting Native Forest and Woodland Ecosystems) Methodology Determination 2025

I, Tanya Plibersek, Minister for Environment and Water, make the following methodology determination.

Dated 27.02.2025

Tanya Plibersek
Minister for Environment and Water

Contents

Part 1—Preliminary

1 Name

This instrument is the *Nature Repair (Replanting Native Forest and Woodland Ecosystems) Methodology Determination 2025*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information

Column 1	Column 2	Column 3
Provisions	**Commencement**	**Date/Details**
The whole of this instrument	The later of the following: • the day after this instrument is registered; • immediately after the commencement of the *Nature Repair (Biodiversity Assessment) Instrument 2025*. However, the provisions do not commence at all if that instrument does not commence.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 45 of the *Nature Repair Act 2023*.

4 Schedules

Any provision in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: A number of expressions used in this instrument have the meaning given by the Act, including the following:

(a) activity period;

(b) biodiversity certificate;

(c) biodiversity project;

(d) biodiversity project report;

(e) permanence period;

(f) project;

(g) project area;

(h) project plan;

(i) project proponent;

(j) Register;

(k) Regulator;

(l) registered biodiversity project.

(1) In this instrument:

Act means the *Nature Repair Act 2023.*

activity area has the meaning given by section 22.

application date, for a project, means the date on which an application is made under section 11 of the Act for the registration of the project.

benchmark value, for an indicator or sub-indicator for the ecosystem condition of an activity area in relation to a reference ecosystem of the activity area, means the value determined in the SSA in accordance with paragraph 30(1)(b).

Approved benchmark source list means the document titled 'Approved benchmark sources for the Replanting Native Forest and Woodlands Ecosystems Method' published on the Department's website, as it exists from time to time.

BAI means the *Nature Repair (Biodiversity Assessment) Instrument 2025.*

category A plant has the meaning given by section 12.

certificate application means an application under section 67 of the Act for a biodiversity certificate.

comprehensively cleared has the meaning given by section 19.

crown cover means the proportion of ground area covered by the vertical projection of tree and shrub crowns and the stem and foliage of vines.

canopy layer, in a forest or woodland, means the tree layer.

counterfactual scenario means the counterfactual scenario for a replanting project set out in section 9.

culturally sensitive area means an area that:

(a) is listed under cultural heritage laws of the Commonwealth or the relevant State or Territory; or

(b) is identified as culturally sensitive or significant to relevant Aboriginal persons or Torres Strait Islanders for the project area in accordance with section 28.

culturally significant entity, for a replanting project, has the meaning given by section 45.

Data Submission Guidelines means the document of that name published on the Department's website as it exists from time to time.

ecosystem condition has the meaning given by section 11.

ecosystem condition state has the meaning given by section 12.

eligible land has the meaning given by section 19.

eligible region has the meaning given by Schedule 1.

exclusion area has the meaning given by section 21.

environmental planting has the meaning given by section 17.

fixed biodiversity project characteristic has the meaning given by section 7.

forecast aggregate contribution to biodiversity persistence score for the project has the meaning given by Schedule 8.

forecast aggregate ecosystem condition score, for a project, has the meaning given by Schedule 8.

forecast contribution to biodiversity persistence score for an activity area has the meaning given by Schedule 8.

forecast ecosystem condition score, for an activity area has the meaning given by Schedule 8.

forest means land of a minimum area of 0.2 hectares on which trees and shrubs:

(a) have attained, or have the potential to attain, a crown cover of at least 20% across the area of land; and

(b) have reached, or have the potential to reach, a height of at least 2 metres.

forest cover—land has ***forest cover*** if the vegetation on the land includes trees and shrubs that:

(a) are 2 metres or more in height; and

(b) provide crown cover of at least 20% of the land.

forest cover potential—land has ***forest cover potential*** if it is likely to be able to support trees and shrubs that:

(a) are from the reference ecosystem identified as applicable for the land; and

(b) are over 2m in height and provide crown cover equal to or greater than 20%, defined at the 0.2 hectare scale.

ground layer means the assemblage of grasses and other herbaceous vascular plants, woody plants less than 1 metre tall and vines (woody and non-woody) whose highest point is within 1 metre of the land surface, but does not include cryptogamic soil crusts and non-vascular plants such as mosses.

IBRA subregion means a subregion defined by the Interim Biogeographic Regionalisation for Australia (IBRA) landscape classification framework version 7.0, as in effect at the relevant time (whether or not it is also an eligible region listed in Schedule 1).

Note: The IBRA could, in 2024, be viewed on the Department's website (https://www.dcceew.gov.au)

indicator:

(a) for the ecosystem condition of an area, has the meaning given by section 11; and

(b) for a culturally significant entity, means an indicator for the entity nominated in the project plan in accordance with subsection 41(3).

indicator or sub-indicator for the ecosystem condition of an area, has the meaning given by section 11.

Indigenous data means data or other information, in any format or medium, that:

(a) is about or may affect Aboriginal persons or Torres Strait Islanders, either individually or collectively; or

(b) is generated as a result of using Indigenous knowledge or values.

Note: This definition follows section 6 of the BAI.

local area, in relation to an activity area or sub-area and its reference ecosystem, means any area of land that:

(a) is within the same IBRA subregion as the activity area or sub-area; and

(b) either:

(i) is within 100 km of the activity area or sub-area; or

(ii) has the reference ecosystem.

life form, in relation to a plant or species of plant, means the growth expression of an individual flora species within a vegetation community as one of the following:

(a) tree;

(b) shrub;

(c) vine;

(d) grass;

(e) herbaceous vascular plant other than grass.

Mapping Guidelines means the document of that name published on the Department's website for the purposes of the Act, as it exists from time to time.

mid-storey layer means the assemblage of trees, shrubs and vines at a particular site, other than the plants that form part of the canopy or ground layers. For the avoidance of doubt, vines are considered to be part of the canopy layer where they are found in the crowns of canopy trees.

NBAS means the National Biodiversity Assessment System maintained by the Department and accessible through PLANR, as it exists from time to time.

nominated restoration target:

(a) for an indicator for ecosystem condition in an activity area, means the restoration target nominated in accordance with section 39; and

(b) for an indicator for the condition of a culturally significant entity, means the restoration target nominated in accordance with section 41.

permanent sampling plot, for an activity area, means a sampling plot established when assessing its starting ecosystem condition state for paragraph 30(1)(c).

photo survey has the meaning given by subsection 48(4).

planting means:

(a) as a verb: to put or set in the ground native species that are eligible under this methodology determination using:

(i) propagated seedling stock; or

(ii) direct seeding, including in rows or broadcast; or

(iii) a combination of those methods;

for the purposes of growing plant species native to the local area;

(b) as a noun: an area of native species established by planting.

PLANR means the Department's Platform for Land and Nature Repair database available at planr.gov.au, as it exists from time to time.

point intercept method has the meaning given by Schedule 3.

Prescribed Vegetation Classification System means the database of that name published by the Department on the Department's website, as it exists from time to time.

prescribed vegetation map means a spatial data product that forms part of the Prescribed Vegetation Classification System.

project activities has the meaning given by section 14.

project outcome, for a replanting project, means the biodiversity outcome that is specified in the registration application.

quadrat method has the meaning given by Schedule 4.

reference ecosystem, in relation to an activity area or sub-area, means an ecosystem that will serve as the model or benchmark for restoration, against which to compare the ecosystem condition of the activity area or sub-area.

Note: The reference ecosystems are selected in accordance with Division 2.8.

registration, in relation to a project, means the registration of the project on the Register under subsection 15(2) of the Act.

registration application, in relation to a replanting project, means an application for approval of registration under section 11 of the Act.

relevant Aboriginal persons and Torres Strait Islanders, for a project area, means the Aboriginal persons and Torres Strait Islanders who have a demonstrated connection to the land or waters on or in which the project area is located.

Note: This definition follows the BAI.

relevant Indigenous representatives for a project area means:

(a) if the project area is or includes a native title area and there is a registered native title body corporate for the native title area—the registered native title body corporate for the native title area; or

(b) if the project area is or includes a native title area and there is no registered native title body corporate for the native title area—the persons, or group of persons, who hold the common or group rights comprising the native title in relation to the native title area; or

(c) if the project area is or includes an area of land in relation to which a claimant application (within the meaning of the *Native Title Act 1993*) has been made but not yet determined—the native title claim group (within the meaning of that Act); or

(d) if the project area is or includes land rights land—the Aboriginal land council that holds an eligible interest in the land; or

(e) if the project area is or includes an area that is subject to an Indigenous land use agreement—a person who is a party to the agreement.

Note: This definition follows the BAI.

relevant persons, in relation to a culturally significant entity for a replanting project has the meaning given by section 45.

relevant to a replanting project: a culturally significant entity is ***relevant to a replanting project*** if the enhancement or protection of the culturally significant entity will contribute to achieving the biodiversity outcome for the project.

Note: This definition follows the BAI definition of ***relevant to a biodiversity project***.

remedial planting has the meaning given by subsection 17(3).

replanting project has the meaning given by subsection 6(2).

restoration target level in relation to an indicator or sub-indicator, has the meaning given by Schedule 6.

Note: The project proponent must set nominated restoration targets in the project plan in terms of the restoration target levels—see section 39.

Rules means the *Nature Repair Rules 2023*.

shrub means a woody plant that is not a tree or a vine.

site assessment report has the meaning given by section 26.

staggered planting has the meaning given by subsection 17(2).

starting aggregate contribution to biodiversity persistence score**,** for a project, has the meaning given by Schedule 8

starting aggregate ecosystem condition score, for a project, has the meaning given by Schedule 8.

starting contribution to biodiversity persistence score**,** for an activity area, has the meaning given by Schedule 8.

starting ecosystem condition score, for an activity area, has the meaning given by Schedule 8.

starting ecosystem condition state, of an activity area, has the meaning given by section 12. It is determined in the SSA in accordance with paragraph 30(1)(f).

Note: The classification into State A, State B, State C and State D, is set out in section 12.

starting state assessment, or ***SSA***, has the meaning given by section 26**.**

starting value, of an indicator for the ecosystem condition of an activity area, is the value determined in the SSA in accordance with paragraph 30(1)(e).

State A, ***State B***, ***State C***, ***State D*** have the meanings given by section 12.

stratify has the meaning given by section 21, and ***stratification*** has a cognate meaning.

sub-area, of an activity area with multiple reference ecosystems, means the part of the activity area to which a particular reference ecosystem is assigned in accordance with subsection 46(7), (12) or (14).

subcategory A1, ***subcategory A2***, ***subcategory A3***, ***subcategory A4*** and ***subcategory A5*** plant have the meaning given by section 12.

subject to Indigenous land interests: a project area is ***subject to Indigenous land interests*** if the project area is or includes any of the following:

(a) a native title area;

(b) land rights land;
(c) an area that is subject to an Indigenous land use agreement;
(d) an area of land in relation to which a claimant application (within the meaning of the *Native Title Act 1993*) has been made but not yet determined.

Note: This definition follows the BAI.

suitably qualified person, for a replanting project, means a person who:
(a) has an appropriate qualification in ecology or botany, or in another subject relevant to the replanting project; and
(b) has at least 3 years post-qualification experience working as an ecologist or botanist, or in another profession relevant to the replanting project; and
(c) has worked as an ecologist or botanist, or in another profession relevant to the replanting project, within the previous 3 years.

threatened species or ecological community means a species or ecological community that is categorised as threatened (however described) under applicable law of the Commonwealth or the relevant State or Territory.

threshold value:
(a) for an indicator for the ecosystem condition of an activity area, has the meaning given by Schedule 7; and
(b) for an indicator for a culturally significant entity, means the threshold value nominated in the project plan in accordance with subsection 41(3).

tree means a woody plant that:
(a) is, or has the potential to become, more than 2 metres tall; and
(b) has either a single trunk or lower branches well above the base.

variable biodiversity project characteristic has the meaning given by section 8.

6 Biodiversity projects covered by this instrument

Note: See paragraph 45(1)(a) of the Act.

(1) This instrument applies to a biodiversity project that is designed to enhance or protect biodiversity in native species by replanting native forest and woodland ecosystems in the project area on historically cleared land in modified landscapes in a way that will improve the extent and condition of native vegetation or support ecological connectivity.

(2) A project covered by subsection (1) is a ***replanting project***.

7 Fixed biodiversity project characteristics for a replanting project

Note: See section 10 of the BAI.

(1) For this instrument, the ***fixed biodiversity project characteristic*** of a replanting project is the set of reference ecosystems for each of the activity areas.

(2) There are no additional fixed biodiversity project characteristics under paragraph 10(1)(c) of the BAI for a replanting project.

8 Variable biodiversity project characteristic for a replanting project

Note: See section 11 of the BAI.

(1) For this instrument, the ***variable biodiversity project characteristics*** of a replanting project are:

(a) the ecosystem condition of each of the activity areas; and

(b) if the replanting project has any culturally significant entities— those culturally significant entities.

(2) There are no additional variable biodiversity project characteristics under paragraph 11(1)(c) of the BAI for a replanting project.

(3) The variable biodiversity characteristics mentioned in subsection 11(2) of the BAI are not applicable to a replanting project.

Note: These are:

(a) the removal or reduction of the impact of threats to biodiversity in native species in the project area;

(b) the commitment to protection of biodiversity in native species in the project area;

(c) the capability of the project area to support threatened species.

9 Counterfactual scenario for a replanting project

Note: See section 9 of the BAI.

For this instrument, the counterfactual scenario against which any change, or forecast change, in the variable biodiversity characteristics of a replanting project is to be assessed is the following:

In the absence of the project, the condition of the land would remain static and the land would remain clear of forest cover.

10 Period for achievement of project outcome

Note: See section 18 of the BAI.

It is intended that the project outcome for a replanting project will be achieved within 25 years after the initial plantings.

11 Meaning of *ecosystem condition*, *indicator* and *sub-indicator*

(1) In this instrument, the ***ecosystem condition*** of an activity area or sub-area is the quality of its ecosystem, measured in in terms of its biotic and abiotic characteristics, in comparison with the reference ecosystem for the activity area or sub-area.

Note: The ecosystem condition of an activity area at the beginning of the replanting project is categorised by the starting ecosystem condition state—see section 12

(2) In this instrument, the changes in the ecosystem condition of an activity area are measured by changes in the values of each of the following ***indicators*** for the ecosystem condition:

(a) canopy height of native vegetation (in metres);

(b) crown cover from native plants in the canopy layer (as a percentage);

(c) crown cover from native plants in the mid-storey layer (as a percentage);

(d) crown cover from plants in the canopy layer provided by non-native plants (as a percentage);

(e) crown cover from plants in the mid-storey layer provided by non-native plants (as a percentage);

(f) ground cover from sub-category A1, A2 and A3 plants as a proportion of total ground cover from category A plants;

(g) ground cover from sub-category A4 and A5 plants as a proportion of total ground cover from category A plants;
(h) native species richness index by life form (native tree, shrub, vine, grass and herbaceous vascular plant species other than grasses).

(3) For the purposes of setting benchmark values, and comparing against benchmark values, the following ***sub-indicators*** are used in place of the index mentioned in paragraph (2)(h):
(a) number of native tree species;
(b) number of shrub species;
(c) number of native vine species;
(d) number of native grass species;
(e) number of native herbaceous vascular plant species other than grasses.

(4) In this instrument, a reference to an ***indicator or sub-indicator*** is a reference to:
(a) an indicator mentioned in subsection (2) other than the index mentioned in paragraph (2)(h); or
(b) a sub-indicator.

12 Meaning of *starting ecosystem condition state*

(1) In this instrument, the ***starting ecosystem condition state*** of an activity area, or a proposed activity area, is one of the following states, assessed as part of the SSA in accordance with paragraph 30(1)(f).

State A: land is in ***State A*** if:
(a) ground cover from category A plants is primarily from a diverse suite of subcategory A1, A2 and A3 plants; and
(b) the number of plant species from subcategories A1 and A2 is at least 80% of the benchmark value for the reference ecosystem identified for the activity area; and
(c) no more than 5% of ground cover from category A plants is from plants from subcategories A4 and A5.

State B: land is in ***State B*** if:
(a) it is not in State A; and
(b) ground cover from category A plants is comprised of a simple mix of native species, which may include species that are not native to the local area; and
(c) no more than 50% of ground cover from category A plants is from plants from subcategories A4 and A5.

State C: land is in ***State C*** if:
(a) it is not in State A or State B; and
(b) more than 50% of ground cover from category A plants is from plants that are from sub-category A4 and that have not been cultivated for cropping in the past 5 years.

State D: land is in ***State D*** if it is not in State A, State B or State C.

(2) In this instrument:

category A plant means a living ground layer vascular plant.

subcategory A1 plant means a living grass from a species that is native to the local area;

subcategory A2 plant means a living herbaceous vascular plant, other than a grass, from a species that is native to the local area.

subcategory A3 plant means a living woody plant within the ground layer (less than 1 metre tall) from a species that is native to the local area; this may be a seedling, a vine or a small plant of a native tree or shrub species.

subcategory A4 plant means a living ground layer plant from a species that is not native to the local area, other than a non-pasture crop species.

subcategory A5 plant means a living ground layer plant from a non-native non-pasture crop species.

Part 2—Project requirements

Division 2.1—General

13 Conditions for registration as registered biodiversity project

Note: See paragraph 45(1)(b) of the Act.

A replanting project must not be registered as a registered biodiversity project to which this instrument applies unless:

(a) the conditions for a project set out in this Part are satisfied; and

(b) any actions that this Part requires to be taken before registration have been completed; and

(c) the information and documents required under section 52 have been provided.

Division 2.2—Project activities

Note: See paragraph 45(1)(h) of the Act.

14 Activities to be carried out in the replanting project

The replanting project activities

(1) The replanting project must involve the following (the ***replanting project activities***):

(a) environmental planting on land within the project area; and

(b) the maintenance of the plantings for the permanence period of the project, (which may require staggered plantings or remedial plantings); and

(c) appropriate complementary activities and management actions to:

(i) support the establishment and maintenance of the plantings; and

(ii) minimise threats to the plantings and to the achievement of the project outcome.

Use of fire

(2) Where appropriate management actions involve the use of fire, the project proponent must ensure the following:

(a) that burning does not take place within an activity area where the plantings are less than 5 years old;

(b) that no more than 20% of an activity area is deliberately burnt in a calendar year, unless limited to the ground layer for the express purpose of removing weed seedbanks;

(c) that burning does not take place within an activity area more than once every 7 years;

(d) that areas burnt by bushfire, or by a burn conducted in response to an imminent threat from bushfire (a bushfire event), is not deliberately burnt for 5 years following the bushfire event.

(3) Subsection (2) does not prevent the appropriate use of fire to mitigate risks to life, property or biodiversity (including risks from a bushfire or potential bushfire) that are taken in accordance with relevant Commonwealth, State or Territory laws.

Grazing pressure

(4) The project proponent must ensure that all livestock are excluded from an activity area until the plantings in the activity area have become established so that 90% of individual trees that comprise the plantings in the activity area have reached 1.5 m.

(5) Where total grazing pressure (including from livestock, vertebrate pests and overabundant native species such as kangaroos and wombats) presents a threat either to the establishment of plantings prior to or during planting or direct seeding, or to the achievement of the project outcome—the project proponent must manage the grazing pressure appropriately, in a manner that is consistent with any applicable Commonwealth, State or Territory laws or policies.

Thinning

(6) The appropriate management actions may include thinning, but the project proponent must ensure that no thinning is carried out during the 10 years following registration.

Civil penalties

(7) Subsections (2), (4), (5) and (6) are imposed for the purposes of paragraphs 45(3)(a) and (b) of the Act (which imposes a civil penalty for a breach).

15 Activity period

There is no activity period for paragraph 45(1)(i) of the Act.

16 Prohibited activities

Note: See paragraph 45(3)(b) of the Act.

(1) The project proponent must ensure that the following activities are not carried out in the project area by the project proponent or by any other person, except to the extent necessary for the purposes of the project activities:

(a) activities that involve the destruction or removal, including by harvesting, of native plant biomass including woody debris and standing dead trees, rocks and soil, fruits, nuts or seeds, other than permitted activities;

(b) activities that involve the disposal, dumping or burning of rubbish;

(c) activities that involve ground and rock disturbance, including ploughing or ripping.

(2) The following are permitted activities for paragraph (1)(a).

(a) after the project has been registered for 10 years:

(i) activities that involve the removal of no more than 10% of fallen timber in a calendar year for personal use;

(ii) activities that involve thinning across no more than 10% of any activity area for ecological purposes;

(b) activities that involve the removal of fruits, nuts or seeds (whether for personal or commercial purposes) provided that no more than 10% of the fruits, nuts or seeds of any native species in an activity area are removed in a calendar year;

(c) activities that are consistent with:

(i) traditional Indigenous practices; or

(ii) native title rights under the *Native Title Act 1993*.

Civil penalties

(3) Subsection (1) is imposed for the purposes of paragraphs 45(3)(b) of the Act (which imposes a civil penalty for a breach).

17 Environmental planting

(1) A planting of one or more species in an activity area or sub-area is an ***environmental planting*** if it satisfies the following:

(a) the species are native to the local area;

(b) the species are appropriate to the biophysical characteristics of the activity area or sub-area;

(c) the planting:

(i) introduces an appropriate combination of species from the canopy layer, mid-storey layer and ground layer that collectively are capable of achieving forest cover within 25 years after the initial planting; and

(ii) is likely to result in a structure and composition of a forest that is consistent with the reference ecosystem for the activity area or sub-area;

(d) the planting is carried out through direct seeding, broadcast seeding, the establishment of a tube stock or a combination of these methods;

(e) the planting is consistent with the nominated restoration targets for the ecosystem condition of the activity area.

(2) If the project proponent considers that it would be beneficial to plant at intervals during the life of the replanting project in order to achieve the project outcome, such plantings (***staggered plantings***) may be undertaken.

(3) If an event occurs (whether by a natural disturbance or as a result of conduct by the project proponent or another person) that either reduces the likelihood of the project outcome being met, or involves a reversal of the project outcome, the project proponent may undertake such additional planting as the project proponent considers necessary in order to respond to the event or to achieve the biodiversity outcome (***remedial plantings***).

Division 2.3—Land and location

18 Project area must be in eligible region and include eligible land

(1) The project area must be wholly within 1 or more eligible regions.

Note: For eligible regions, see Schedule 1.

(2) The project area must include eligible land.

19 Meaning of *eligible land*

(1) Land is ***eligible land*** for carrying out the project activities if it satisfies this section.

(2) At the application date, the land must not have forest cover, defined at the 10m x 10m scale.

(3) The land must have been comprehensively cleared:
  (a) if there was a change of ownership in the land within the previous 7 years—at a time more than 5 years before the application date; or
  (b) otherwise—at a time more than 7 years before the application date.

(4) Prior to being comprehensively cleared, the land must have supported, or be likely to have supported, native woody vegetation that provided forest cover across the entirety of the area, defined at 0.2 hectare scale.

(5) In this instrument, land is taken to have been ***comprehensively cleared***:
  (a) at a particular time within 15 years before the application date—if the canopy layer of native trees had been removed by mechanical or chemical means from at least 90% of the land, defined at 10m x 10m scale; or
  (b) at a particular time more than 15 years before the application date—if:
    (i) there is no canopy layer of native trees on at least 90% of the land, defined at 10m x 10m scale; and
    (ii) the reference ecosystem for the land generally has forest cover across its natural distribution; and
    (iii) having regard to relevant characteristics of the land, including its soil type, slope and aspect, the land has forest cover potential.

(6) Within the 3 years preceding the application date, any native vegetation on the land must not have been damaged or destroyed by mechanical or chemical means.

(7) At the application date, the land must have forest cover potential.

(8) At the application date, the land must not contain existing woody biomass unless:
  (a) the species are native to the local area; and
  (b) the native species are consistent with the reference ecosystem for the area; and

Note: The reference ecosystem for the area will only be definitively known after the process of identifying the reference systems for a proposed activity area that includes the area in accordance with section 46.

  (c) the stems of any trees and shrubs have a diameter of less than 5cm at breast height; and
  (d) the density of saplings of native canopy tree species more than 50 cm tall is no more than 3 stems per 10m x 10m of land.

20 Project area boundaries

The boundaries of the project area must be mapped in accordance with the Mapping Guidelines.

Division 2.4—Stratification of the project area

Note: In practice, activity areas are likely to be settled by the project proponent in conjunction with the making of the starting state assessment. Originally proposed activity areas may need to be revised as the assessments are made of the qualities that relate to the requirements of this Division.

21 Initial stratification of project area

(1) The project proponent must ***stratify*** the project area, by dividing the project area into 1 or more separate areas, of which;

(a) at least one is designated an activity area; and
(b) any other area is designated an exclusion area.

(2) The stratification must also divide activity areas into sub-areas, where this is required for the assignation of reference ecosystems under section 30.

22 Requirements for activity areas

(1) An area of a stratification may be designated an ***activity area*** if:
(a) it consists of eligible land; and
(b) the project proponent proposes to carry out environmental plantings in the area as part of the replanting project.

(2) An activity area must not include any 10m x 10m area of land within the area:
(a) for which no environmental plantings are proposed for the purposes of the replanting project; or
(b) that has forest cover; or
(c) that does not have forest cover potential; or
(d) that is excluded water.

(3) An activity area may consist of a single contiguous area, or multiple disconnected areas.

(4) Each activity area or sub-area must be at least 0.2 hectares, and the activity areas together must be at least 5 hectares.

(5) Subject to subsections (6) and (7), any $900m^2$ section of an activity area must have an average width of at least 30m, measured on the narrowest side.

(6) For the purposes of subsection (5), the project proponent may treat a group of contiguous activity areas as a single activity area.

(7) If the activity area, or group of contiguous activity areas, directly adjoins:
(a) inland water; or
(b) native forest; or
(c) an area that:
(i) has been planted; and
(ii) has forest cover potential;
any $900m^2$ section of the area must have an average width of at least 10m, measured on the narrowest side.

(8) The whole of an undivided activity area must have the same reference ecosystem.

Note: See section 46 for the identification of the reference ecosystems

(9) The whole of each sub-area of a divided activity area must have the same reference ecosystem, and all the sub-areas must have reference ecosystems from the same major vegetation group.

Note: See section 46 for the identification of the reference ecosystems

(10) The whole of an activity area must:
(a) have the same starting ecosystem condition state; and
(b) be the subject of proposed environmental plantings with the same nominated restoration target.

(11) In this section:

excluded water means inland water or sea, including mangrove areas, but does not include:

(a) ephemeral or vegetated (palustrine) wetlands (such as riparian areas, floodplains, swamps and marshes); or

(b) coastal land on the landward side of the low water mark.

23 Exclusion areas

A part of the project area that is not an activity area must be designated an ***exclusion area***.

24 Stratification boundaries

The activity areas, and any sub-areas, for the project area must be mapped in accordance with the Mapping Guidelines.

Division 2.5—Starting state assessment (SSA)

Note: See sections 10 and 11 of the BAI.

25 References to activity areas and project outcomes

In this Division:

(a) a reference to an activity area includes a reference to a proposed activity area; and

(b) a reference to a project outcome includes a reference to a proposed project outcome.

26 Starting state assessment and site assessment report

Starting state assessment

(1) The project proponent must make an assessment, in accordance with this Division, of the project area as it stands when application for registration is made (the ***starting state assessment*** or ***SSA***).

Site assessment report

(2) The project proponent must prepare a report in accordance with section 35 (the s***ite assessment report***) that demonstrates that the starting state assessment complied with this Division.

Field survey

(3) The SSA must include a field survey undertaken at, or as close as practicable to, the time of optimal plant growth for the relevant Natural Resource Management region, in order to maximise potential to identify species.

(4) The field survey must cover:

(a) each activity area; and

(b) where possible, a buffer area of at least 500 metres in width around the perimeter of each activity area.

Involvement of suitably qualified persons

(5) The field survey, and the ecosystem assessment process described in section 30, must be undertaken by a suitably qualified person.

(6) The remainder of the SSA, and the preparation of the site assessment report, must be either undertaken by a suitably qualified person, or certified by a suitably qualified person.

27 Assessment of the eligibility of the land

As part of the SSA, the project proponent must make an assessment of the project area and each activity area to:

(a) confirm that:

(i) the project area complies with Division 2.3; and

(ii) each activity area consists only of eligible land; and

(b) identify and describe any covenants or other legal interests that apply to each activity area.

28 Engagement with relevant Indigenous representatives

(1) The project proponent must identify any areas within the project area that are subject to Indigenous land interests (***land interest areas***).

(2) If there are any land interest areas, the project proponent must, as part of the SSA, engage appropriately with the relevant Indigenous representatives for the project area in relation to the design and implementation of the replanting project, including in relation to the following:

(a) the planning and conduct of the initial field survey;

(b) using Indigenous knowledge and values, or Indigenous data (including any data generated during the planning or implementation of the replanting project) relating to enhancing or protecting biodiversity in native species, in a culturally appropriate way;

(c) identifying whether there are areas within the project area that are considered culturally sensitive or significant to relevant Aboriginal persons or Torres Strait Islanders.

(3) To avoid doubt, whether or not there are any land interest areas, the project proponent may engage with relevant Aboriginal persons or Torres Strait Islanders for the project area in relation to the design and implementation of the replanting project, in the way set out subsection (2).

29 Use of Indigenous knowledge and values or Indigenous data

(1) If:

(a) it is proposed that the replanting project will include, or be informed by, Indigenous knowledge or values, or Indigenous data, in relation to the project's design or implementation; and

(b) that knowledge was, or those values or Indigenous data were, informed by engagement with:

(i) relevant Indigenous representatives for the project area; or

(ii) relevant Aboriginal persons or Torres Strait Islanders for the project area;

the project proponent must, as part of the SSA:

(c) obtain the appropriate attribution for, and consent for the use of, that knowledge or those values or data; and

(d) use culturally appropriate approaches for the collection, interpretation, use, recording and governance of that knowledge or those values, or data; and

(e) document how the project design and implementation includes or is informed by Indigenous knowledge and values, or Indigenous data.

(2) This section applies whether the Indigenous knowledge or values, or Indigenous data, resulted from the engagement for the purposes of section 28 or otherwise.

30 Ecosystem assessment

Note: The ecosystem assessment must be done by a suitably qualified person—see subsection 26(5).

Assessment of each activity area

(1) As part of the SSA, the project proponent must do the following for each activity area:

(a) identify and describe the reference ecosystem or ecosystems for the activity area in accordance with Division 2.8;

(b) for each reference ecosystem, and for each indicator or sub-indicator, either:

(i) select the appropriate benchmark value from the Approved benchmark source list (if it gives one that is appropriate); or

(ii) establish a benchmark value in accordance with Schedule 2;

(c) establish permanent sampling plots for the activity area in accordance with section 2 of Schedule 5;

(d) take 6 photos of each permanent sampling plot in accordance with section 3 of Schedule 5:

(e) determine the value of each indicator for the ecosystem condition of the activity area (the ***starting value*** of the indicator) in accordance with sections 5 to 10 of Schedule 5;

(f) determine the starting ecosystem condition state of the activity area in accordance with section 11 in Schedule 5.

Note: The whole of the activity area must have the same starting ecosystem condition state—see subsection 22(8).

Starting scores and forecast scores for each activity area

(2) As part of the SSA, the project proponent must calculate the following scores for each activity area, in accordance with Schedule 8:

(a) the starting ecosystem condition score;

(b) the forecast ecosystem condition score;

(c) the starting contribution to biodiversity persistence score;

(d) the forecast contribution to biodiversity persistence score;

Aggregate scores and aggregate forecast scores for the replanting project

(3) As part of the SSA, the project proponent must calculate the following scores for the replanting project, in accordance with Schedule 8:

(a) the starting aggregate ecosystem condition score for the project;

(b) the forecast aggregate ecosystem condition score for the project;

(c) the starting aggregate contribution to biodiversity persistence score for the project;
(d) the forecast aggregate contribution to biodiversity persistence score for the project.

31 Assessment of historic drivers of change

Note: See section 8 of the BAI.

(1) As part of the SSA, the project proponent must make an assessment of the relevant historic drivers of change associated with biodiversity in native species in the project area.

(2) The assessment of the relevant historic drivers of change must be informed by, but is not limited to, the following:
(a) any clearing that was undertaken in any of the activity areas within the 10 years prior to the date of the assessment;
(b) any damage or destruction of native vegetation by mechanical or chemical means undertaken in any of the activity areas within the 3 years prior to the date of the assessment;
(c) any cultivation or other activities involving significant soil disturbance in any of the activity areas within the 3 years prior to the date of the assessment;
(d) any natural disturbances (such as fire, flood or drought) that have materially affected the condition of the ecosystem or ecosystems of any of the activity areas within 10 years prior to the date of the assessment.

(3) The assessment of the historic drivers of change must be done by methods that include visual inspection of the project area using remote imagery and on-ground inspection of the project area.

32 Assessment of the project context

As part of the SSA, the project proponent must also do the following for each activity area:
(a) identify and describe any potential threats to the project outcome being achieved, in accordance with section 34;
(b) identify and describe those parts of the project area (if any) that, based on one or more projections, may be vulnerable to the reasonably expected effects of climate change in a way that could affect the likelihood of the project outcome being achieved;
(c) identify and describe any significant hydrological features within the activity area, and in the surrounding landscape, that may affect, or be affected by, the project activities;
Examples: flood prone areas;
features that materially affect plant water availability.
(d) identify and describe any threatened species or ecological communities that occur, or are likely to occur, within the activity area and in the surrounding landscape;
(e) identify and describe any areas within the activity area that contain native trees and shrubs that:
(i) have regenerated from natural sources (soil seed stock, root stock or lignotubers); and

(ii) have stems with a diameter at breast height of less than 5 centimetres;

recording appropriate age and approximate number of such plants of each species or genus.

33 Relevant data and information for the assessment

Note: See section 8 of the BAI.

(1) The SSA must be informed by:

(a) data obtained from the permanent sampling plots; and

(b) data obtained from virtual (desktop) assessments (using remote imagery) of the project area and any other areas covered by the field survey; and

(c) data obtained from the field survey.

(2) The assessment of threats for paragraph 32(a) must also be informed, where relevant, by records of pest treatments from the past 10 years.

(3) The assessment of vulnerability to climate change for paragraph 32(b) must also be informed, where relevant, by regionally relevant information for determining potential future climate change effects.

(4) The assessment of:

(a) significant hydrological features for paragraph 32(c); and

(b) threatened species and ecological communities for paragraph 32(d);

must also be informed, where relevant, by information from the Protected Matters Search Tool, which is published by the Department on the Department's website, as it exists from time to time.

(5) The identification of covenants and other legal encumbrances for paragraph 27(b) must be informed by:

(a) a search of the applicable land title register; and

(b) a search of any applicable state or territory register relating to cultural heritage; and

(c) a search of the Register established under the *Carbon Credits (Carbon Farming Initiative) Act 2011*; and

(d) a signed statement from the owner of the land (if relevant and available).

34 Threats to success of the replanting project

For paragraph 32(a), the project proponent must identify and describe any potential threats within the activity area, and in the surrounding landscape, of the following kinds:

(a) non-native plant and animal species;

(b) contaminants (including, but not limited to, biological and chemical contaminants) or contaminant sources;

(c) significant natural disturbances (including wildfire, drought, flood or disease);

where they could adversely affect the likelihood of the project outcome being achieved.

35 Content of the site assessment report

(1) The site assessment report must include the following information and any relevant supporting evidence:

Site details

(a) details of the project area, including:
  (i) the name and address of the property or properties included in the project area;
  (ii) the lot and file numbers of the land parcels included in the project area;

(b) a map of the project area that:
  (i) shows the activity areas and any sub-areas that are within the project area; and
  (ii) is consistent with the Mapping Guidelines;

(c) details of how each activity area satisfies the criteria for an activity area and the data relied upon to establish this;

Indigenous matters

(d) a description of any engagement with relevant Indigenous representatives or other relevant Aboriginal persons or Torres Strait Islanders for the project area that was undertaken for the purposes of section 28;

(e) any areas of the project area that:
  (i) are subject to Indigenous land interests; or
  (ii) are culturally sensitive areas;

(f) a description of any other engagement with relevant Aboriginal persons or Torres Strait Islanders for the project area as part of the SSA, including in relation to culturally significant entities;

Starting ecosystem condition state

(g) for each activity area—the starting ecosystem condition state;

Starting values and scores

(h) for each activity area:
  (i) the starting values for each indicator for ecosystem condition;
  (ii) the starting ecosystem condition score;
  (iii) the forecast ecosystem condition score;
  (iv) the starting contribution to biodiversity persistence score;
  (v) the forecast contribution to biodiversity persistence score;

(i) for the replanting project as a whole;
  (i) the starting aggregate ecosystem condition score;
  (ii) the forecast aggregate ecosystem condition score;
  (iii) the starting aggregate contribution to biodiversity persistence score;
  (iv) the forecast aggregate contribution to biodiversity persistence score;

Evidence for starting ecosystem condition state and starting values and scores

(j) the data obtained from the assessment that was relied upon to determine the starting ecosystem condition state of each activity area;

(k) the data obtained from the assessment that was relied upon to determine starting values of each indicator for the ecosystem condition of each activity area;

(l) details of the permanent sampling plots for each activity area, including:
  (i) the location of each sampling plot;
  (ii) a map of the activity area that:

(A) shows the sampling plots; and
(B) is consistent with the Mapping Guidelines;

(iii) the location of the permanent markers for each sampling plot;

(iv) the location of the centre line for each sampling plot;

(v) a description of how the plots were determined;

(vi) the 6 photos of each plot taken in accordance with section 3 of Schedule 5;

(m) the reference ecosystem identified for each activity area or sub-area, including:

(i) details of the process undertaken to identify the applicable reference ecosystem for each activity area or sub-area; and

(ii) the data obtained from this process and relied upon to identify the applicable reference ecosystem for each activity area or sub-area.

(n) the benchmark values determined in accordance with paragraph 30(1)(b), including:

(i) details of how these benchmark values were selected or established, including the process and, where relevant, the sources used; and

(ii) if the benchmark values were established in accordance with Schedule 2;

(A) evidence demonstrating the process in Schedule 2 was complied with;

(B) details of the survey sites used in this process; and

(C) justification for why a benchmark value for the indicator or sub-indicator from the Approved benchmark source list was not appropriate;

Relevant features

(o) details of any potential threats to the likelihood of the project outcome being achieved that were identified as part of the SSA;

(p) details of any significant hydrological features that were identified as part of the SSA;

(q) details of any threatened species or ecological communities that were identified as part of the SSA;

(r) details of the historic drivers of change associated with biodiversity in native species in the project area, including any significant disturbances to any of the activity areas;

(s) details of any natural regeneration that was identified as part of the SSA;

(t) details of any covenants or other legal encumbrances that were identified as part of the SSA;

Suitably qualified persons

(u) a statement that the site assessment report was prepared by, or certified by, a suitably qualified person;

(v) a statement that the person responsible for undertaking the field survey for SSA is a suitably qualified person;

(w) the names and contact details of the person or persons;

(x) evidence of their relevant qualifications or experience.

(2) The data in the site assessment report, and its presentation, must be consistent with the Data Submission Guidelines.

Division 2.6—Project plan

Note: See subsection 45(7) of the Act, and the definition of project plan in section 7 of the Act.

See also section 7 of the Rules for required information.

36 Requirements for project plan

(1) Before applying for approval of registration, the project proponent must create a project plan for the replanting project, that sets out, in accordance with this Division:

(a) a program of actions in relation to each activity area of the replanting project that, if implemented, is likely to:

(i) achieve the project outcome; and

(ii) result in a biodiversity certificate being issued in respect of the replanting project.

. (2) The project plan must be maintained and in force for the permanence period of the project.

(3) The project plan, and any updates or amendments, must be prepared or certified by a suitably qualified person.

(4) The data in the project plan, and its presentation, must be consistent with the Data Submission Guidelines.

37 Information about each activity area

The project plan must include the following information for each activity area:

(a) a description of its reference ecosystem or ecosystems;

(b) its starting ecosystem condition state;

(c) the starting values of each indicator for its ecosystem condition;

(d) the following details relating to its ecosystem condition:

(i) the number of subcategory A1, A2 and A3 plant species;

(ii) the ground cover provided by subcategory A1, A2 and A3 plant species;

(iii) the approximate number of native species that:

(A) are plant species; and

(B) have regenerated from natural sources (such as soil seed stock, root stock or lignotubers); and

(C) have stems with a diameter at breast height of less than 5 cm;

(iv) the cover provided by non-native plant species by life forms such as trees, shrubs, vines and grass;

(e) a description of its management history, with reference to the historic drivers of change assessed as part of the starting state assessment;

(f) the benchmark values determined in accordance with paragraph 30(1)(b);

(g) a description of the permanent sampling plots for the activity area, including:

(i) the location of the plots; and

(ii) the location of the permanent markers for the plots; and

(iii) the location of the centre line of the plots;

(h) a description of the environmental plantings that are proposed to be carried out in the activity area, including:

(i) a description of the site preparation that is proposed; and
(ii) the proposed planting method; and
(iii) the target stem density of the plantings; and
(iv) the species proposed to be planted;

(i) if staggered plantings are proposed— details of the staggered plantings;

(j) a description of the proposed reliance on natural regeneration in the activity area, including:
(i) the species for which natural regeneration will be relied on; and
(ii) the location and approximate number of such species; and
(iii) evidence that natural regeneration will not be damaged in the implementation of the proposed plantings;

(k) if seed collection is planned—a description of how the seed is proposed to be harvested and whether this harvesting would be consistent with any relevant best practice guidelines;

(l) a description of:
(i) any potential threats identified by the SSA under paragraph 32(a); and
(ii) any significant hydrological features identified by the SSA under paragraph 32(c); and
(iii) any threatened species or ecological community identified by the SSA under paragraph 32(d); and
(iv) any natural regeneration occurring within the activity area; and
(v) any covenants or other legal interests that apply to the activity area; and
(vi) any culturally sensitive area in the activity area.

38 Indigenous engagement

(1) The project plan must include a description of any engagement with Aboriginal persons and Torres Strait Islanders that has occurred in relation to the design and proposed implementation of the project.

(2) If the replanting project will include, or be informed by, Indigenous knowledge or values, or Indigenous data, in relation to the project's design or implementation, the project plan must also include:
(a) a description of how the project design and implementation includes or is informed by Indigenous knowledge or values, or Indigenous data; and
(b) information, including supporting evidence, that demonstrates that the project proponent has, and will continue to:
(i) obtain the appropriate attribution for, and consent for the use of, that knowledge or those values or data; and
(ii) use culturally appropriate approaches for the collection, interpretation, use, recording and governance of that knowledge or those values or data.

39 Nomination of restoration targets for ecosystem condition

(1) The project plan must include a description of how, based on evidence, the project proponent intends to achieve the project outcome through the project activities within the period of 25 years mentioned in section 10.

(2) For each activity area, the project plan must nominate the restoration target level that the project is intended to achieve (the ***nominated restoration target***), selected in accordance with Schedule 6.

Note: The nominated restoration target is a restoration target level from Schedule 6 in accordance with the following subsection. This will set a goal for each indicator, and apply across the whole of an activity area. Even if it has sub-areas with different reference ecosystems, a particular indicator is intended to reach the goal set by the target level in each of them.

(3) The project proponent must nominate a restoration target for an activity area, in accordance with Schedule 6 that satisfies the following:

Starting state ecosystem condition	Permissible restoration target level
State A	level 4
State B	level 2, 3 or 4
State C	level 1, 2 or 3
State D	level 1 or 2

40 Threatened species and ecological communities

The project plan must include a description of any measures that are proposed to be taken for the purposes of conserving, or promoting the recovery of, threatened species or ecological communities that are identified for paragraph 32(d).

41 Nomination of culturally significant entities

(1) The project plan may nominate 1 or more culturally significant entities for the project in accordance with section 45.

(2) Such a nomination may be included in the project plan before registration, or added after registration.

Note: In the latter case, the project plan would be amended to include the nomination and other details. See section 113 of the Act for notification requirements.

(3) For each culturally significant entity nominated, the project plan must also:

(a) identify and describe the culturally significant entity in accordance with subsection 45(4); and

(b) nominate the indicators, their threshold values and the restoration targets as established in accordance with subsection 45(4); and

(c) set out, as established in subsection 45(4):

(i) the project activities that will contribute to protection or enhancement of the culturally significant entity; and

(ii) the starting value of each of the indicators; and

(d) include the documentation mentioned in subsection 45(5).

42 Climate change considerations

Note: See section 7 of the BAI.

The project plan must set out:

(a) how the project proponent plans to reduce the risk of the project outcome not being achieved as a result of the reasonably expected effects of climate

change, particularly in relation to those areas identified by the SSA under paragraph 32(b); and

(b) the evidence on which the plans rely.

43 Dealing with threats and adverse events

The project plan must include the following information about dealing with threats and adverse events:

(a) any management activities that are proposed to address the threats to the project outcome identified in the SSA under paragraph 32(a);

(b) any management activities that are proposed to adaptively manage the replanting project for the duration of the permanence period to ensure the project outcome is likely to be achieved and maintained;

(c) if an adverse event occurs prior to a biodiversity certificate being issued for the replanting project and the event could lessen the likelihood of the project outcome being met—details of any management activities that are proposed to respond to the adverse event;

(d) if, following a biodiversity certificate being issued for the replanting project, a significant reversal of the project outcome (within the meaning of section 111 of the Act and section 72 of the Rules) occurs—details of any management activities that are proposed to respond to the significant reversal.

44 Updating a project plan

If any information required by this Division to be set out in the project plan becomes, or is found to be, out of date or incorrect, the project plan must be varied as soon as practicable so that it remains up-to-date and correct.

Note 1: See section 113 of the Act for notification requirements.

Note 2: The project plan will also need to be updated if a culturally significant entity is nominated after the project is registered in accordance with section 41.

Division 2.7— Culturally significant entities

45 Culturally significant entities of a replanting project

Note: See section 16 of the BAI

(1) This section sets out how the project proponent for a replanting project can identify a thing, place, matter or process (the ***entity***) that is within the project area to nominate as a ***culturally significant entity*** for the project in accordance with section 41.

(2) In this section, a reference to relevant Aboriginal persons or Torres Strait Islanders for the project area includes a reference to any relevant Indigenous representatives for the project area.

(3) Before making the nomination, the project proponent must:

(a) engage with relevant Aboriginal persons or Torres Strait Islanders for the project area (the ***relevant persons***); and

(b) determine that the entity is of cultural significance to the relevant persons; and

(c) be satisfied that that the enhancement or protection of the entity will contribute to achieving the project outcome.

Note: This is a culturally significant entity relevant to the project for the purposes of sections 11 and 16 of the BAI.

Indicators and restoration targets

(4) The nomination may be made only if the project proponent has established the following:

(a) how the culturally significant entity will be identified and described;

(b) the project activities that will contribute to protection or enhancement of the culturally significant entity;

(c) ***indicators*** to measure and assess change to the culturally significant entity, and the process by which these will be assessed by the relevant persons;

(d) the starting value of each of the indicators;

(e) the threshold values of each of the indicators;

(f) appropriate restoration targets for each of the indicators.

Required processes and documentation

(5) The project proponent must be able to demonstrate and document, with culturally appropriate evidence:

(a) that they have done all of the following:

(i) identified and engaged with the relevant persons;

(ii) obtained appropriate consent from the relevant persons for the use of Indigenous knowledge or values to identify and describe the culturally significant entity;

(iii) appropriately engaged with the relevant persons in relation to each of the above matters for the culturally significant entity;

(iv) identified (or, where relevant, identified and described) each of the above matters, for the culturally significant entity, consistently with any requirements of the relevant persons;

(v) obtained agreement from the relevant persons to the proposed culturally appropriate verification process that will be followed to demonstrate the delivery of change to the culturally significant entity;

(vi) obtained agreement from the relevant persons on how information relating to the culturally significant entity will be provided to the Regulator and the extent to which it can be included on the Register; and

(b) that the project activities are likely to result in the nominated restoration target for each of the indicators for the culturally significant entity.

Division 2.8—Identifying reference ecosystems

46 Identifying reference ecosystems

Note: See section 10 of the BAI.

(1) This section sets out how the project proponent must assign reference ecosystems to an activity area for ecosystem assessment in accordance with section 30.

(2) The assignment of reference ecosystems must be undertaken at a maximum scale of 3 hectares, with a minimum width of 50 metres for linear features.

(3) The project proponent must set out the justification for making the selection, which must include any available evidence of historic ecosystems for the activity area.

(4) The ecosystem must be identified and described consistently with:
   (a) the IUCN Global Ecosystem Typology, as it exists at the time the SSA is undertaken, at the functional group level; and
   (b) the National Vegetation Inventory System (***NVIS***), as it exists at the time the SSA is undertaken, at both the association level and sub-association level.

Note 1: At time this instrument was made:
   (a) the IUCN Global Ecosystem Typology was available at https://global-ecosystems.org/; and
   (b) the NVIS was available on the Department's website at https://www.dcceew.gov.au/environment/land/native-vegetation/national-vegetation-information-system.

Note 2: The association level and sub-association level correspond to levels 5 and 6 of the NVIS respectively.

Selection—prescribed vegetation map appears accurate

(5) The project proponent must access and examine the prescribed vegetation map for the activity area on PLANR.

(6) If the activity area is shown by the prescribed vegetation map to have a single native vegetation type, that vegetation type must be assigned to the activity area.

(7) If the activity area is shown by the prescribed vegetation map to have a mixture of 2 or more native vegetation types, the project proponent must divide the activity area into parts (the sub-areas of the activity area), based on the distribution of the vegetation types, so that:
   (a) each sub-area is assigned to a single native vegetation type; and
   (b) the native vegetation types assigned to the sub-areas are all in the same major vegetation group, according to the NVIS classification.

Note: If a proposed activity area has native vegetation types from more than one major vegetation group, the proposed stratification will have to be adjusted.

(8) The project proponent must, using:
   (a) a virtual assessment; and
   (b) a field survey (as part of the initial field survey);

verify that the prescribed vegetation map is likely to be correct.

(9) If the project proponent is satisfied that the prescribed vegetation map is accurate, the native vegetation types assigned under subsection 46(6) or (7) are the reference ecosystems for the activity area or sub-areas.

Selection—prescribed vegetation map does not appear accurate

(10) If it appears that the prescribed vegetation map is likely not to be correct, the project proponent must use the ***Prescribed Vegetation Classification System*** to determine the eligible native vegetation type or types that were most likely to be present on the land prior to it being cleared or pre-1750 (whichever is later), having regard to the biophysical characteristics of the land and the type of ecosystem it is currently likely to support.

(11) For subsection (10), a native vegetation type is eligible if it occurs, or previously occurred, within the relevant eligible region in which the land is located, or an adjacent IBRA subregion.

(12) The project proponent must assign:
  (a) a single eligible native vegetation type to the activity area; or
  (b) 2 or more eligible native vegetation types to different parts of the activity area (the sub-areas of the activity area) in accordance with paragraphs (7)(a) and (b);

(13) The native vegetation types so assigned are the reference ecosystems for the activity area or the sub-areas.

Exception—changes since clearing too great

(14) If there is compelling evidence that the biophysical attributes of an activity area, of a part of a proposed activity area, have changed to such an extent that revegetation towards the pre-clearing (or pre-1750) reference ecosystem is not likely to be feasible, the project proponent may designate an alternative eligible native vegetation type as the reference ecosystem for the activity area, or for the part of the activity area (a sub-area of the activity area).

(15) For subsection (14), a native vegetation type is eligible if it occurs, or previously occurred, within the relevant eligible region in which the land is located, or an adjacent IBRA subregion; and
  (a) is suited to the biophysical attributes of the land and the type of ecosystem it is currently likely to support; and
  (b) is from the same major vegetation group as the native vegetation type that was most likely to be present on the land prior to it being cleared or pre-1750.

(16) If changes to the biophysical attributes of land mean it is not likely to be possible to revegetate that land towards a native vegetation type that satisfies subsection (15), the land must not be included in a proposed activity area.

Division 2.9—Monitoring, measuring and assessing biodiversity outcomes

47 Notification obligations of project proponent

Note 1: It is an offence not to comply with this requirement—see section 108 of the Act.

Note 2: See also the other notification requirements in Division 3 of Part 9 of the Act.

(1) The project proponent for a registered replanting project must notify the Regulator if either of the following occurs:
  (a) an activity is carried out in the project area (either by the project proponent, another person or as a result of a natural disturbance) that is a prohibited activity under section 16;
  (b) an Aboriginal person or Torres Strait Islander withdraws consent to the use of Indigenous knowledge or values in the design or implementation of the project.

(2) The project proponent for a replanting project must notify the Regulator if the project plan is updated to nominate a culturally significant entity after the project is registered.

Note: This is in addition to the notification requirements for the update under section 113 of the Act.

48 Monitoring requirements—ecosystem condition

Note: See subsections 12 and 18 of the BAI

(1) The project proponent for a replanting project must monitor progress towards:

(a) the nominated restoration target; and

(b) the threshold value;

for each of the indicators for ecosystem condition for each activity area by making monitoring assessments of the project area in accordance with this section.

(2) A monitoring assessment must be made in each reporting period for the applicable biodiversity project report (whether for category A biodiversity project reports or category B biodiversity project reports).

(3) The assessment must:

(a) include a field survey undertaken at, or as close as practicable to, the time of optimal plant growth for the relevant Natural Resource Management region; and

(b) be undertaken by a suitably qualified person.

(4) The project proponent must also make a ***photo survey*** of each activity area, by taking 6 photos of each permanent sampling plot in accordance with section 3 of Schedule 5, at the following times:

(a) if a biodiversity certificate has not been issued for the replanting project—every 12 months following registration of the project; and

(b) if a biodiversity certificate has been issued for the project—every 2 years following the issue of the certificate.

Note: A photo survey does not have to be undertaken by suitably qualified person.

(5) For this instrument, the project proponent makes a ***monitoring assessment*** of a project area by doing following for each activity area:

(a) determine the value of each indicator for the ecosystem condition of the activity area at the time of the monitoring, in accordance with sections 5 to 10 of Schedule 5;

(b) identify and record any potential threats to the project at the time of the monitoring, in the same way as for section 33;

(c) identify and record any threatened species or ecological communities that occur, or are likely to occur, within the activity area and in the surrounding landscape at the time of the monitoring, in the same way as for paragraph 32(d);

(d) assess the planting area and record any significant absences or mortality of plantings at the time of the monitoring.

(6) For paragraph (5)(d), a ***significant absence or mortality of plantings*** occurs if more than 5% of 10m x 10m cells do not contain live trees or shrubs capable of achieving forest cover.

49 Monitoring requirements—culturally significant entities

Note: See subsections 16 and 18 of the BAI

(1) The project proponent for a replanting project must monitor progress towards:
   (a) the nominated restoration target; and
   (b) the threshold value;
   for each of the indicators for any culturally significant entity.

(2) The monitoring must be done with the consent of, and in accordance with any requirements of, the relevant persons for the culturally significant entity.

50 Matters to be included in biodiversity project reports

Note: Division 2 of Part 9 of the Act requires the project proponent to provide the regulator with biodiversity project reports, in accordance with the Rules. This section specifies particular information to be included in such a report (see paragraph 45((3)(c) of the Act).

Monitoring report—ecosystem condition

(1) A biodiversity project report for a replanting project must include a report on the results of the monitoring assessment for the reporting period.

(2) The report must be prepared by the suitably qualified person who undertook the monitoring assessment.

(3) The report must include the following:
   (a) the name, qualifications and experience of the suitably qualified person who conducted the monitoring assessment and prepared the monitoring report;
   (b) a map of the project area that includes a map of the activity areas and the location of each permanent sampling plot in each activity area;
   (c) the reference ecosystems for each activity area;
   (d) the starting ecosystem condition state for each activity area;
   (e) the benchmark values for the reference ecosystems in each activity area;
   (f) the starting values for each indicator for ecosystem condition in each activity area;
   (g) details of the permanent sampling plots in each activity area, including:
      (i) the location of each sampling plot and the reference ecosystem that applies to it; and
      (ii) the location of the permanent markers for each sampling plot; and
      (iii) the location of the centre line for each sampling plot; and
      (iv) a description of how the plots were determined;
   (h) details of all species planted during the reporting period and the method of planting;
   (i) a summary of all plant species recorded during monitoring;
   (j) details of any natural regeneration that has occurred or is occurring in each activity area during the reporting period;
   (k) the monitoring data obtained during the reporting period (in accordance with the processes set out above) from each permanent sampling plot, provided in data tables appended to the report;
   (l) an analysis, based on the monitoring data, of the progress of each indicator for ecosystem condition against the restoration target for that indicator for each activity area;

(m) an analysis, based on the monitoring data, of the progress of each indicator for ecosystem condition against the threshold value for each activity area (for issuing a certificate);

(n) certification that the sampling plots located in each activity area are representative of at least 90% of the activity area in which they are located, in terms of composition and condition, at the time of monitoring;

(o) details of any significant absences or mortality in plantings for each activity area;

(p) for each activity area, details of the potential threats to the likelihood of achieving the project outcome identified during the reporting period;

(q) for each activity area, details of the threatened species and ecological communities that were identified as occurring, or likely to occur, within the activity area and in the surrounding landscape during the reporting period;

(r) details of any fires that have occurred in an activity area during the reporting period, including:

(i) the dates the fires started and ended; and

(ii) the location of the fire; and

(iii) the cause of the fire (if known); and

(iv) the proportion of each activity area, and the project area overall, that was affected by the fire; and

(v) the percentage of trees and shrubs killed by the fire;

(s) the photographs taken during the reporting period in accordance with the photo survey requirements;

(t) an assessment of observations from such photographs, including general project progress and evidence of disturbance and plant mortality;

(u) an assessment of the implementation of the project during the reporting period, including in relation to:

(i) plantings undertaken – covering the quantity of seedlings or seed planted, the species planted and method of planting; and

(ii) natural regeneration; and

(iii) any remedial plantings undertaken – covering the quantity of seedlings or seed planted, the species planted, the timing and location of the plantings, and the extent of plant mortality (where relevant); and

(iv) any livestock exclusion from the activity areas; and

(v) any weed management activities undertaken, including the methods used, the species targeted, the timing of the weed management activities, the type and quantity of chemicals used (if any) and the labour hours for each method used; and

(vi) any pest management activities undertaken, including the methods used, the species targeted, the timing of the activities, the number of labour hours for each method used and, where animals are shot or trapped, the number and species of the animals killed;

(v) details of whether, and how, seed collection has been conducted in accordance with relevant best practice guidelines;

(w) details of any engagement with Aboriginal persons or Torres Strait Islanders during the reporting period in relation to the implementation of the project, including any changes made to the implementation of the project as a result of such engagement;

(x) details of how any Indigenous data used during the reporting period in relation to the implementation of the project was collected, used and stored in a culturally appropriate way, including in accordance with any consent obtained for the collection, use or storage of the data.

Monitoring report—culturally significant entities

(4) A biodiversity project report for a replanting project that has 1 or more culturally significant entities must include:

(a) if the relevant persons for the project area have consented to the inclusion of such information in the biodiversity project report—information on progress of the project toward the threshold value and nominated restoration target for each indicator for each culturally significant entity during the reporting period for the report; or

(b) otherwise—a statement as to whether or not the relevant persons have verified the progress of the project towards the threshold value and nominated restoration target for each indicator for the each culturally significant entity during the reporting period for the report.

Achievement of threshold values

(5) If the project proponent is satisfied that the threshold value for an indicator for ecosystem condition that is relevant to the project has been met, each biodiversity project report for the project must include:

(a) a statement to that effect; and

(b) evidence supporting that statement.

(6) If the project proponent is satisfied that the threshold value for a culturally significant entity that is relevant to the project has been met, each biodiversity project report for the project must include:

(a) a statement to that effect; and

(b) evidence that the relevant persons have verified that the threshold value has been met; and

(c) if the relevant persons have consented to including such information—evidence supporting the statement that the threshold value has been met.

(7) The data in a biodiversity project report, and its presentation, must be consistent with the Data Submission Guidelines.

51 Record-keeping requirements

Note: Part 17 of the Act requires records to be kept in accordance with the Rules. This section specifies particular additional record-keeping requirements for a replanting project (see paragraph 45(3)(e) of the Act).

(1) The project proponent must keep records that include the following:

(a) evidence that the project area and the activity areas meet the conditions and requirements for registration under this instrument;

(b) records that demonstrate that the monitoring activities have been undertaken in accordance with the monitoring requirements in Division 2.9;

(c) records relating to the installation of fences or other devices to exclude livestock, and any related maintenance work;

(d) records relating to the installation of any other infrastructure for the purposes of the project;

(e) records relating to any livestock incursions into the project area;

(f) records relating to any weed management activities undertaken in 1 or more activity areas, including the methods used, the species targeted, the timing of the activities, the type and quantity of chemicals used (if any) and the number of labour hours involved for each method used;

(g) records relating to any pest management activities undertaken in one or more activity areas, including the methods used, the species targeted, the timing of the activities, the number of labour hours involved for each method used and, where animals are shot or trapped, the number and species of the animals killed;

(h) records relating to the environmental plantings (other than remedial plantings) undertaken for the purposes of the project, including the species planted, the quantity of the seedlings or seeds planted, the timing and location of the plantings and, where applicable, the extent of plant mortality;

(i) records relating to any remedial plantings undertaken for the purposes of the project, including the species planted, the quantity of the seedlings or seeds plants, the timing and location of the plantings and, where applicable, the extent of plant mortality;

(j) information regarding any fires occurring in an activity area, including the date the fire occurred, the location of the fire, the proportion of the activity area affected by the fire, the proportion of the project area affected by the fire and the percentage of trees and shrubs killed by the fire;

(k) any photographs taken in accordance with monitoring requirements under this instrument;

(l) a description of any management actions undertaken in an activity area, or disturbance events that affected an activity area, including (if relevant) any actions undertaken to ensure there was no significant reversal of the project outcome;

(m) records relating to the matters in sections 28, 29 and 45 (Indigenous engagement), consistent with any requirements of the persons with whom engagement took place.

(2) The project proponent must maintain any records to be kept under the Act for a period of 7 years after the record is made.

Part 3—Registration

52 Information and documents required for registration application

Note: See paragraphs 12(2)(g) and (3)(f) of the Act.

The registration application for a replanting project must include, or be accompanied by, the following:

(a) the project plan;

(b) the site assessment report;

(c) evidence that each activity area consists of eligible land;

(d) whether any culturally significant entities have been nominated for the replanting project.

53 Information to be included in the Register

Note: See paragraph 45(1)(c) of the Act and also information required to be included by the Rules.

For paragraph 162(1)(k) of the Act, the additional information to be set out on the Register for a replanting project is the following:

(a) a description of the stratification of the project area into activity areas and any sub-areas, and a map and geospatial data of the project area that:

(i) shows the activity areas and any sub-areas that are within the project area; and

(ii) is consistent with the Mapping Guidelines;

Framework of replanting project

(b) that, as provided in section 10, the project outcome is intended to be achieved within 25 years after the initial plantings;

(c) the counterfactual scenario for a replanting project set out in section 9;

(d) that the variable biodiversity project characteristics mentioned in subsection 13(2) of the BAI are not applicable to a replanting project:

Note: These are the following:

(a) the removal or reduction of the impact of threats to biodiversity in native species in the project area;

(b) the commitment to protection of biodiversity in native species in the project area;

(c) the capability of the project area to support threatened species.

(e) the site assessment report;

(f) the descriptions of the reference ecosystems for each activity area in accordance with subsection 46(4);

(g) the starting ecosystem condition state for each activity area;

(h) the starting values for each indicator for ecosystem condition for each activity area;

(i) the project outcome;

(j) information relating to the level of commitment to protection of biodiversity in native species in the project area;

Restoration targets and threshold values for ecosystem condition

(k) the nominated restoration target levels for ecosystem condition for each activity area;

(l) the threshold value for each indicator for ecosystem condition for each activity area, in accordance with Schedule 7;

(m) if the threshold value for an indicator for ecosystem condition has been met:
  (i) a statement to that effect; and
  (ii) evidence supporting that statement;
(n) information on progress towards the nominated restoration targets for each of the indicators for ecosystem condition;

Culturally significant entities, restoration targets and threshold values

(o) if the project plan has not nominated a culturally significant entity—a statement that culturally significant entities are not applicable to the replanting project;
(p) if the project plan has nominated a culturally significant entity as relevant to the project, for each culturally significant entity:
  (i) to the extent that the relevant persons for the culturally significant entity have consented to the inclusion on the Register of the following information:
    (A) the nominated culturally significant entity;
    (B) the identified indicators for the culturally significant entity;
    (C) the starting values for each indicator for the culturally significant entity;
    (D) the nominated restoration target for each indicator;
    (E) the threshold value for each indicator;
    (F) information on progress of the project toward the nominated restoration target for each indicator provided in the most recent biodiversity project report submitted to the Regulator, and the end date of the relevant reporting period; and
  (ii) if the relevant persons for the culturally significant entity have not consented to the inclusion of information mentioned in subparagraph (i), as appropriate:
    (A) a statement that there are one or more culturally significant entities that are relevant for the project; and
    (B) a statement that there is a threshold value and a nominated restoration target for each indicator for the culturally significant entity;
  (iii) whether the progress of the project towards the nominated restoration target for each indicator for the culturally significant entity has been verified by the relevant persons for the culturally significant entity;
(q) if the threshold value for an indicator for a culturally significant entity has been met:
  (i) a statement to that effect; and
  (ii) evidence that the relevant persons for the culturally significant entity have verified that the threshold value has been met; and
  (iii) if the relevant persons for the culturally significant entity have consented to including such information—evidence supporting the statement that the threshold value has been met.

Reference ecosystems and ecosystem scores

(r) the starting aggregate ecosystem condition score for the project;
(s) the forecast aggregate ecosystem condition score for the project;

(t) the starting values of the indicators for ecosystem condition for each activity area;
(u) the starting ecosystem condition score for each activity area;
(v) the forecast ecosystem condition score for each activity area;
(w) the starting contribution to biodiversity persistence score for each activity area;
(x) the forecast contribution to biodiversity persistence score for each activity area;
(y) the starting aggregate contribution to biodiversity persistence score for the project;
(z) the forecast aggregate contribution to biodiversity persistence score for the project.

Part 4—Biodiversity certificates

54 Application for biodiversity certificate

Note: See paragraphs 45(1)(d) and (i), and 67(2)(b) and (c) of the Act.

(1) For paragraph 67(2)(b) of the Act, this section sets conditions for the project proponent of a replanting project to apply for the issue of a biodiversity certificate in respect of the replanting project.

Meeting threshold values—ecosystem condition

(2) The project proponent must be satisfied that, for each activity area, each indicator for ecosystem condition has reached the threshold value.

(3) The ***threshold values*** of the indicators for ecosystem condition are as set out in Schedule 7.

(4) The application must include a statement to this effect, and supporting evidence in the form of a monitoring report that demonstrates that:

(a) where the activity area is less than 10 hectares in size—each threshold value for an indicator has been reached in 100% of the permanent sampling plots in the activity area; and

(b) where the activity area is 10 hectares or more in size – each threshold value for an indicator has been reached in 75% of the permanent sampling plots in the activity area.

Additional culturally significant entities

(5) If the project plan has been updated to nominate a culturally significant entity since the registration of the project, the application must be accompanied by the updated project plan, which must demonstrate that sections 41 and 45 have been complied with.

Meeting threshold values—culturally significant entities

(6) The project proponent must be satisfied that, for any culturally significant entity for the replanting project, each indicator for that culturally significant entity has reached the threshold value.

(7) The ***threshold values*** of the indicators for a culturally significant entity are as set out in the project plan in accordance with paragraph 41(3)(b).

(8) The application must include a statement to this effect, and supporting evidence that the relevant persons have verified that the threshold value has been met for each indicator.

Indigenous knowledge or values

(9) The following subsection applies if the replanting project includes, or is informed by, Indigenous knowledge or values in relation to the project's design or implementation as mentioned in section 29.

(10) The application must include evidence that the project proponent has implemented the project consistently with the consent for the use of that knowledge or those values provided by the Aboriginal persons or Torres Strait Islanders.

55 Issue of biodiversity certificate

Note: See paragraph 70(2)(h) of the Act and sections 76 and 18 of the BAI.

(1) For paragraph 70(2)(h) of the Act, this section sets matters in respect of which the Regulator must be satisfied before issuing a biodiversity certificate in respect of a replanting project.

(2) The Regulator must be satisfied that:

(a) the indicators for ecosystem condition mentioned in subsection 54(2) have reached the relevant threshold values; and

(b) the relevant persons have verified that the indicators for any culturally significantly entity mentioned in subsection 54(6) have reached the relevant threshold values.

(3) If the replanting project includes, or is informed by, Indigenous knowledge or values or Indigenous data in relation to the project's design or implementation as mentioned in section 29, the Regulator must be satisfied that the project proponent has implemented the project consistently with the consent for the use of that knowledge or those values provided by the relevant Indigenous representatives or relevant Aboriginal persons or Torres Strait Islanders for the project area for the purposes of paragraph 29(1)(c).

(4) If the project plan was updated to nominate a culturally significant entity for the project after registration, the Regulator must be satisfied that:

(a) the requirements in section 45 were met; and

(b) the project plan was updated in accordance with section 41.

Schedule 1—Eligible regions

For this instrument, an IBRA subregion is an ***eligible region*** if it is listed in following table.

Note: These eligible regions reflect modified landscapes that have historically experienced widespread clearing and thinning of native vegetation. Areas of remnant vegetation have often been degraded by uses such as forestry and agriculture, pressures such as pests and weeds, and can suffer from low levels of ecological connectivity.

The IBRA subregions that are eligible regions

State or Territory	IBRA Subregion Code	IBRA subregion name	IBRA Region Code	IBRA Region Name
ACT	AUA01	Snowy Mountains	AUA	Australian Alps
ACT	SEH14	Bondo	SEH	South Eastern Highlands
ACT	SEH16	Monaro	SEH	South Eastern Highlands
ACT	SEH06	Murrumbateman	SEH	South Eastern Highlands
ACT	SYB14	Jervis	SYB	Sydney Basin
NSW	AUA01	Snowy Mountains	AUA	Australian Alps
NSW	BBS18	Inglewood Sandstones	BBS	Brigalow Belt South
NSW	BBS25	Liverpool Plains	BBS	Brigalow Belt South
NSW	BBS26	Liverpool Range	BBS	Brigalow Belt South
NSW	BBS20	Moonie-Barwon Interfluve	BBS	Brigalow Belt South
NSW	BBS28	Narrandool	BBS	Brigalow Belt South
NSW	BBS21	Northern Basalts	BBS	Brigalow Belt South
NSW	BBS22	Northern Outwash	BBS	Brigalow Belt South
NSW	BBS24	Pilliga	BBS	Brigalow Belt South
NSW	BBS23	Pilliga Outwash	BBS	Brigalow Belt South
NSW	BBS27	Talbragar Valley	BBS	Brigalow Belt South
NSW	COP03	Canbelego Downs	COP	Cobar Peneplain
NSW	COP05	Lachlan Plains	COP	Cobar Peneplain
NSW	COP04	Nymagee	COP	Cobar Peneplain

NSW	DRP04	Bogan-Macquarie	DRP	Darling Riverine Plains
NSW	DRP03	Castlereagh-Barwon	DRP	Darling Riverine Plains
NSW	DRP01	Culgoa-Bokhara	DRP	Darling Riverine Plains
NSW	DRP02	Warrambool-Moonie	DRP	Darling Riverine Plains
NSW	MUL03	Nebine Plains	MUL	Mulga Lands
NSW	MDD02	Murray Mallee	MDD	Murray Darling Depression
NSW	NAN02	Inverell Basalts	NAN	Nandewar
NSW	NAN03	Kaputar	NAN	Nandewar
NSW	NAN01	Nandewar Northern Complex	NAN	Nandewar
NSW	NAN04	Peel	NAN	Nandewar
NSW	NET04	Armidale Plateau	NET	New England Tablelands
NSW	NET02	Beardy River Hills	NET	New England Tablelands
NSW	NET14	Binghi Plateau	NET	New England Tablelands
NSW	NET01	Bundarra Downs	NET	New England Tablelands
NSW	NET06	Deepwater Downs	NET	New England Tablelands
NSW	NET16	Eastern Nandewars	NET	New England Tablelands
NSW	NET08	Ebor Basalts	NET	New England Tablelands
NSW	NET07	Glenn Innes-Guyra Basalts	NET	New England Tablelands
NSW	NET09	Moredun Volcanics	NET	New England Tablelands
NSW	NET18	Nightcap	NET	New England Tablelands
NSW	NET11	Northeast Forest Lands	NET	New England Tablelands
NSW	NET19	Round Mountain	NET	New England Tablelands
NSW	NET10	Severn River Volcanics	NET	New England Tablelands
NSW	NET15	Stanthorpe Plateau	NET	New England Tablelands
NSW	NET12	Tenterfield Plateau	NET	New England Tablelands

NSW	NET17	Tingha Plateau	NET	New England Tablelands
NSW	NET03	Walcha Plateau	NET	New England Tablelands
NSW	NET05	Wongwibinda Plateau	NET	New England Tablelands
NSW	NET13	Yarrowyck-Kentucky Downs	NET	New England Tablelands
NSW	NNC13	Barrington	NNC	NSW North Coast
NSW	NNC08	Carrai Plateau	NNC	NSW North Coast
NSW	NNC02	Cataract	NNC	NSW North Coast
NSW	NNC04	Chaelundi	NNC	NSW North Coast
NSW	NNC06	Coffs Coast and Escarpment	NNC	NSW North Coast
NSW	NNC11	Comboyne Plateau	NNC	NSW North Coast
NSW	NNC03	Dalmorton	NNC	NSW North Coast
NSW	NNC15	Ellerston	NNC	NSW North Coast
NSW	NNC19	Guy Fawkes	NNC	NSW North Coast
NSW	NNC17	Karuah Manning	NNC	NSW North Coast
NSW	NNC09	Macleay Gorges	NNC	NSW North Coast
NSW	NNC07	Macleay Hastings	NNC	NSW North Coast
NSW	NNC12	Mummel Escarpment	NNC	NSW North Coast
NSW	NNC18	Rocky River Gorge	NNC	NSW North Coast
NSW	NNC14	Tomalla	NNC	NSW North Coast
NSW	NNC16	Upper Hunter	NNC	NSW North Coast
NSW	NNC10	Upper Manning	NNC	NSW North Coast
NSW	NNC01	Washpool	NNC	NSW North Coast
NSW	NNC05	Yuraygir	NNC	NSW North Coast
NSW	NSS03	Capertee Valley	NSS	NSW South Western Slopes
NSW	NSS01	Inland Slopes	NSS	NSW South Western Slopes

NSW	NSS02	Lower Slopes	NSS	NSW South Western Slopes
NSW	RIV03	Murray Fans	RIV	Riverina
NSW	RIV06	Murray Scroll Belt	RIV	Riverina
NSW	RIV02	Murrumbidgee	RIV	Riverina
NSW	SEC03	Bateman	SEC	South East Corner
NSW	SEC01	East Gippsland Lowlands	SEC	South East Corner
NSW	SEC02	South East Coastal Ranges	SEC	South East Corner
NSW	SEH11	Bathurst	SEH	South Eastern Highlands
NSW	SEH14	Bondo	SEH	South Eastern Highlands
NSW	SEH07	Bungonia	SEH	South Eastern Highlands
NSW	SEH17	Capertee Uplands	SEH	South Eastern Highlands
NSW	SEH09	Crookwell	SEH	South Eastern Highlands
NSW	SEH13	Hill End	SEH	South Eastern Highlands
NSW	SEH08	Kanangra	SEH	South Eastern Highlands
NSW	SEH15	Kybeyan-Gourock	SEH	South Eastern Highlands
NSW	SEH16	Monaro	SEH	South Eastern Highlands
NSW	SEH06	Murrumbateman	SEH	South Eastern Highlands
NSW	SEH10	Oberon	SEH	South Eastern Highlands
NSW	SEH12	Orange	SEH	South Eastern Highlands
NSW	SEQ03	Burringbar-Conondale Ranges	SEQ	South Eastern Queensland
NSW	SEQ13	Clarence Lowlands	SEQ	South Eastern Queensland
NSW	SEQ12	Clarence Sandstones	SEQ	South Eastern Queensland
NSW	SEQ10	Scenic Rim	SEQ	South Eastern Queensland
NSW	SEQ04	Sunshine Coast-Gold Coast Lowlands	SEQ	South Eastern Queensland
NSW	SEQ11	Woodenbong	SEQ	South Eastern Queensland

NSW	SYB09	Burragorang	SYB	Sydney Basin
NSW	SYB08	Cumberland	SYB	Sydney Basin
NSW	SYB13	Ettrema	SYB	Sydney Basin
NSW	SYB02	Hunter	SYB	Sydney Basin
NSW	SYB12	Illawarra	SYB	Sydney Basin
NSW	SYB14	Jervis	SYB	Sydney Basin
NSW	SYB01	Kerrabee	SYB	Sydney Basin
NSW	SYB11	Moss Vale	SYB	Sydney Basin
NSW	SYB07	Pittwater	SYB	Sydney Basin
NSW	SYB10	Sydney Cataract	SYB	Sydney Basin
NSW	SYB04	Wollemi	SYB	Sydney Basin
NSW	SYB06	Wyong	SYB	Sydney Basin
NSW	SYB05	Yengo	SYB	Sydney Basin
QLD	BBN09	Anakie Inlier	BBN	Brigalow Belt North
QLD	BBN10	Basalt Downs	BBN	Brigalow Belt North
QLD	BBN07	Belyando Downs	BBN	Brigalow Belt North
QLD	BBN04	Beucazon Hills	BBN	Brigalow Belt North
QLD	BBN02	Bogie River Hills	BBN	Brigalow Belt North
QLD	BBN11	Isaac-Comet Downs	BBN	Brigalow Belt North
QLD	BBN14	Marlborough Plains	BBN	Brigalow Belt North
QLD	BBN12	Nebo-Connors Ranges	BBN	Brigalow Belt North
QLD	BBN06	Northern Bowen Basin	BBN	Brigalow Belt North
QLD	BBN13	South Drummond Basin	BBN	Brigalow Belt North
QLD	BBN01	Townsville Plains	BBN	Brigalow Belt North
QLD	BBN08	Upper Belyando Floodout	BBN	Brigalow Belt North
QLD	BBS06	Arcadia	BBS	Brigalow Belt South

QLD	BBS08	Banana-Auburn Ranges	BBS	Brigalow Belt South
QLD	BBS13	Barakula	BBS	Brigalow Belt South
QLD	BBS03	Boomer Range	BBS	Brigalow Belt South
QLD	BBS09	Buckland Basalts	BBS	Brigalow Belt South
QLD	BBS05	Callide Creek Downs	BBS	Brigalow Belt South
QLD	BBS10	Carnarvon Ranges	BBS	Brigalow Belt South
QLD	BBS01	Claude River Downs	BBS	Brigalow Belt South
QLD	BBS07	Dawson River Downs	BBS	Brigalow Belt South
QLD	BBS14	Dulacca Downs	BBS	Brigalow Belt South
QLD	BBS17	Eastern Darling Downs	BBS	Brigalow Belt South
QLD	BBS18	Inglewood Sandstones	BBS	Brigalow Belt South
QLD	BBS20	Moonie-Barwon Interfluve	BBS	Brigalow Belt South
QLD	BBS19	Moonie-Commoron Floodout	BBS	Brigalow Belt South
QLD	BBS04	Mount Morgan Ranges	BBS	Brigalow Belt South
QLD	BBS28	Narrandool	BBS	Brigalow Belt South
QLD	BBS21	Northern Basalts	BBS	Brigalow Belt South
QLD	BBS12	Southern Downs	BBS	Brigalow Belt South
QLD	BBS16	Tara Downs	BBS	Brigalow Belt South
QLD	BBS11	Taroom Downs	BBS	Brigalow Belt South
QLD	BBS15	Weribone High	BBS	Brigalow Belt South
QLD	BBS02	Woorabinda	BBS	Brigalow Belt South
QLD	CMC04	Byfield	CMC	Central Mackay Coast
QLD	CMC03	Clarke-Connors Ranges	CMC	Central Mackay Coast

QLD	CMC06	Debella	CMC	Central Mackay Coast
QLD	CMC05	Manifold	CMC	Central Mackay Coast
QLD	CMC02	Proserpine-Sarina Lowlands	CMC	Central Mackay Coast
QLD	CMC01	Whitsunday	CMC	Central Mackay Coast
QLD	DRP03	Castlereagh-Barwon	DRP	Darling Riverine Plains
QLD	DRP01	Culgoa-Bokhara	DRP	Darling Riverine Plains
QLD	DRP02	Warrambool-Moonie	DRP	Darling Riverine Plains
QLD	DEU04	Jericho	DEU	Desert Uplands
QLD	MGD08	Southern Wooded Downs	MGD	Mitchell Grass Downs
QLD	MUL02	Eastern Mulga Plains	MUL	Mulga Lands
QLD	MUL06	Langlo Plains	MUL	Mulga Lands
QLD	MUL03	Nebine Plains	MUL	Mulga Lands
QLD	MUL04	North Eastern Plains	MUL	Mulga Lands
QLD	MUL01	West Balonne Plains	MUL	Mulga Lands
QLD	NAN01	Nandewar Northern Complex	NAN	Nandewar
QLD	NET15	Stanthorpe Plateau	NET	New England Tablelands
QLD	NET12	Tenterfield Plateau	NET	New England Tablelands
QLD	SEQ05	Brisbane-Barambah Volcanics	SEQ	South Eastern Queensland
QLD	SEQ08	Burnett-Curtis Coastal Lowlands	SEQ	South Eastern Queensland
QLD	SEQ01	Burnett-Curtis Hills and Ranges	SEQ	South Eastern Queensland
QLD	SEQ03	Burringbar-Conondale Ranges	SEQ	South Eastern Queensland
QLD	SEQ09	Great Sandy	SEQ	South Eastern Queensland
QLD	SEQ07	Gympie Block	SEQ	South Eastern Queensland

QLD	SEQ02	Moreton Basin	SEQ	South Eastern Queensland
QLD	SEQ10	Scenic Rim	SEQ	South Eastern Queensland
QLD	SEQ06	South Burnett	SEQ	South Eastern Queensland
QLD	SEQ14	Southern Great Barrier Reef	SEQ	South Eastern Queensland
QLD	SEQ04	Sunshine Coast-Gold Coast Lowlands	SEQ	South Eastern Queensland
QLD	SEQ11	Woodenbong	SEQ	South Eastern Queensland
QLD	WET04	Atherton	WET	Wet Tropics
QLD	WET01	Herbert	WET	Wet Tropics
QLD	WET03	Innisfail	WET	Wet Tropics
QLD	WET02	Tully	WET	Wet Tropics
SA	EYB03	Eyre Hills	EYB	Eyre Yorke Block
SA	EYB05	Eyre Mallee	EYB	Eyre Yorke Block
SA	EYB01	Southern Yorke	EYB	Eyre Yorke Block
SA	EYB02	St Vincent	EYB	Eyre Yorke Block
SA	EYB04	Talia	EYB	Eyre Yorke Block
SA	FLB02	Broughton	FLB	Flinders Lofty Block
SA	FLB01	Mount Lofty Ranges	FLB	Flinders Lofty Block
SA	FLB04	Southern Flinders	FLB	Flinders Lofty Block
SA	KAN02	Fleurieu	KAN	Kanmantoo
SA	KAN01	Kangaroo Island	KAN	Kanmantoo
SA	MDD04	Lowan Mallee	MDD	Murray Darling Depression
SA	MDD03	Murray Lakes and Coorong	MDD	Murray Darling Depression
SA	MDD02	Murray Mallee	MDD	Murray Darling Depression
SA	MDD05	Wimmera	MDD	Murray Darling Depression
SA	NCP01	Bridgewater	NCP	Naracoorte Coastal Plain

SA	NCP02	Glenelg Plain	NCP	Naracoorte Coastal Plain
SA	NCP03	Lucindale	NCP	Naracoorte Coastal Plain
SA	NCP04	Tintinara	NCP	Naracoorte Coastal Plain
SA	RIV06	Murray Scroll Belt	RIV	Riverina
SA	SVP02	Mount Gambier	SVP	Southern Volcanic Plain
TAS	BEL01	Ben Lomond	BEL	Ben Lomond
TAS	FUR02	Flinders	FUR	Furneaux
TAS	KIN01	King	KIN	King
TAS	TNM01	Northern Midlands	TNM	Tasmanian Northern Midlands
TAS	TNS01	Northern Slopes	TNS	Tasmanian Northern Slopes
TAS	TSE01	South East	TSE	Tasmanian South East
VIC	AUA01	Snowy Mountains	AUA	Australian Alps
VIC	AUA02	Victorian Alps	AUA	Australian Alps
VIC	FUR02	Flinders	FUR	Furneaux
VIC	FUR01	Wilsons Promontory	FUR	Furneaux
VIC	MDD04	Lowan Mallee	MDD	Murray Darling Depression
VIC	MDD02	Murray Mallee	MDD	Murray Darling Depression
VIC	MDD05	Wimmera	MDD	Murray Darling Depression
VIC	NCP01	Bridgewater	NCP	Naracoorte Coastal Plain
VIC	NCP02	Glenelg Plain	NCP	Naracoorte Coastal Plain
VIC	NSS01	Inland Slopes	NSS	NSW South Western Slopes
VIC	RIV03	Murray Fans	RIV	Riverina
VIC	RIV06	Murray Scroll Belt	RIV	Riverina
VIC	RIV04	Victorian Riverina	RIV	Riverina
VIC	SCP01	Gippsland Plain	SCP	South East Coastal Plain

VIC	SCP02	Otway Plain	SCP	South East Coastal Plain
VIC	SCP03	Warrnambool Plain	SCP	South East Coastal Plain
VIC	SEC01	East Gippsland Lowlands	SEC	South East Corner
VIC	SEC02	South East Coastal Ranges	SEC	South East Corner
VIC	SEH02	Highlands-Northern Fall	SEH	South Eastern Highlands
VIC	SEH01	Highlands-Southern Fall	SEH	South Eastern Highlands
VIC	SEH15	Kybeyan-Gourock	SEH	South Eastern Highlands
VIC	SEH16	Monaro	SEH	South Eastern Highlands
VIC	SEH03	Otway Ranges	SEH	South Eastern Highlands
VIC	SEH04	Strzelecki Ranges	SEH	South Eastern Highlands
VIC	SVP01	Victorian Volcanic Plain	SVP	Southern Volcanic Plain
VIC	VIM02	Central Victorian Uplands	VIM	Victorian Midlands
VIC	VIM04	Dundas Tablelands	VIM	Victorian Midlands
VIC	VIM01	Goldfields	VIM	Victorian Midlands
VIC	VIM03	Greater Grampians	VIM	Victorian Midlands
WA	AVW02	Katanning	AVW	Avon Wheatbelt
WA	AVW01	Merredin	AVW	Avon Wheatbelt
WA	ESP01	Fitzgerald	ESP	Esperance Plains
WA	ESP02	Recherche	ESP	Esperance Plains
WA	GES01	Geraldton Hills	GES	Geraldton Sandplains
WA	GES02	Lesueur Sandplain	GES	Geraldton Sandplains
WA	JAF01	Northern Jarrah Forest	JAF	Jarrah Forest
WA	JAF02	Southern Jarrah Forest	JAF	Jarrah Forest
WA	MAL01	Eastern Mallee	MAL	Mallee

WA	MAL02	Western Mallee	MAL	Mallee
WA	SWA01	Dandaragan Plateau	SWA	Swan Coastal Plain
WA	SWA02	Perth	SWA	Swan Coastal Plain
WA	WAR01	Warren	WAR	Warren

Schedule 2—Establishing benchmark values of indicators

1 Purpose of Schedule

(1) This Schedule sets out the process for establishing benchmark values of indicators for the reference ecosystem of an activity area or sub-area, for the purposes of subparagraph 30(1)(b)(ii).

(2) In this Schedule, a reference to an activity area or sub-area includes a reference to a proposed activity area or sub-area.

2 Dealing with unidentified species

(1) If a step in the process below requires the species of a plant to be identified and recorded, but the plant cannot be identified to the species level, the assessor must:

(a) record the reasons why identification to the species level was not possible; and

(b) identify the plant to the genus level; and

(c) record the observable plant characteristic or, if a categorisation has been developed, the category of the plant.

(2) If it appears that the unidentifiable plants can be categorised into possible species based on observable plant characteristics and life form, the assessor must:

(a) make the categorisation; and

(b) record the reasons for, and the basis of, the categorisation.

The process for establishing benchmark values

Step 1—Selecting survey sites

(1) Select at least 3 benchmark survey sites outside the project area that satisfy the following:

(a) subject to subsection (2)—the site is in the same eligible region as the activity area or sub-area and has a similar aspect and slope;

(b) the site consists of mature remnant vegetation of at least 5 hectares that:

(i) is from the reference ecosystem of the activity area or sub-area; and

(ii) has a canopy layer that is at least 50 years old;

(c) there is minimal evidence of disturbance to the remnant vegetation on the site, including from clearing, harvesting, disease, natural disturbances (such as fire or floods) or invasive species.

(2) If the reference ecosystem of the activity area or sub-area was determined, in reliance on subsection 46(11), as being a native vegetation type that no longer occurs within the relevant eligible region, but does occur in an adjacent IBRA subregion—the 3 benchmark survey sites may be selected in that adjacent IBRA subregion.

Step 2—Selecting survey plots

In each benchmark survey site, select at least 1 survey plot as follows:

(a) divide the survey site into rectangular portions that are 50m by 10m;

(b) exclude any portions that are not:

(i) entirely within the survey site; and

(ii) at least 50 metres from any road, track, fence or man-made water feature;

(c) select 1 or more survey plots from among the remaining rectangular portions, using a random process that discards any selection that is less than 2 kilometres from a previously selected survey plot (whether or not in the same survey site).

Step 3—Applying the point intercept method to the survey plots

(1) In each survey plot, apply the point intercept method to assess the number of plant species, the proportion of ground area covered by each groundcover category and (where appropriate) subcategory, and the crown cover provided by native and non-native plant species in the canopy and mid-storey layers in the survey plot.

(2) For the purposes of subclause (1), use the groundcover categories and subcategories in the table in subclause (1) of Step 2 in Schedule 3.

Step 4—Applying the quadrat method to the survey plots

In each survey plot, apply the quadrat method to assess the number of plant species, and the proportion of ground area covered by each plant species in the survey plot.

Step 5—Canopy height measurement

In each survey plot:

(a) select 3 or more representative native trees from the canopy layer; and

(b) measure their heights using a clinometer or hypsometer.

Step 6—Plot survey—gathering plant species composition data

(1) In each permanent sampling plot:

(a) survey the entirety of the sampling plot; and

(b) identify and record the number of plant species found and what those species are.

(2) This is referred to in the table as the ***plot survey method***.

Step 7—Calculation of the values of the indicators and sub-indicators for each survey plot

(1) For each survey plot, calculate the value of each indicator or sub-indicator for ecosystem condition in the survey plot in accordance with the following table.

	Indicator or sub-indicator	**How to calculate the value of the indicator or sub-indicator in a survey plot**
(a)	canopy height of native vegetation (in metres)	Calculate the value of this indicator as the average height of the measured trees
(b)	crown cover from native plants in the canopy layer (as a percentage)	Using the data obtained from the point intercept method, calculate the value of this indicator by: a. adding the number of sample points that fall beneath crowns on native plants in the canopy layer in the survey plot; and b. multiplying the result by two to derive the percentage crown cover
(c)	crown cover from native plants in the mid-storey layer (as a percentage)	Using the data obtained from the point intercept method, calculate the value of this indicator by: a. adding the number of sample points that fall beneath crowns on native plants in the mid-storey layer in the survey plot; and b. multiplying the result by two to derive the percentage crown cover

(d)	crown cover from plants in the canopy layer provided by non-native plants (as a percentage)	The benchmark value of this indicator is 0%
(e)	crown cover from plants in the mid-storey layer provided by non-native plants (as a percentage);	The benchmark value of this indicator is 0%
(f)	ground cover from sub-category A1, A2 and A3 plants as a proportion of total ground cover from category A plants	The benchmark value of this indicator is 100%
(g)	ground cover from sub-category A4 and A5 plants as a proportion of total ground cover from category A plants.	The benchmark value of this indicator is 0%
(h)	sub-indicators for native species richness index—number of native species of each of the following life forms: a. tree; b. shrub; c. vine; d. grass; e. herbaceous vascular plant species other than grasses	Using the data obtained from the point intercept method, the quadrat method and the plot survey method, for each survey plot tally the number of native species by life form to create a separate value for each sub-indicator

Step 8—Calculation of the benchmark values of the indicators

For each indicator and sub-indicator mentioned in the table in step 6, the ***benchmark value*** of the indicator or sub-indicator is:

(a) if there are 3 survey plots—the mean of the values of the indicator or sub-indicator calculated in step 6 for the survey plots; or

(b) if there are more than 3 survey plots—the median of the values of the indicator or sub-indicator for the survey plots.

Schedule 3—The point intercept method

This Schedule sets out the ***point intercept method*** of measuring plant cover in an area.

Step 1—Select sampling plots

Use a laser pointer or small diameter sampling pole to designate 50 sampling points at 1 metre intervals along the centre line of each permanent sampling plot, starting 1 metre in from one end of the centre line, with each sampling point located either at ground level or on the ground cover that lies above the ground.

Step 2—Assign groundcover categories and subcategories

(1) Assign each sampling point to a groundcover category, and subcategory where appropriate, in the following table:

Table

Category	Subcategory	Groundcover	Description
A		Yes	Living ground vascular plant
	A1	Yes	Living grass from a species that is native to the local area
	A2	Yes	Living herbaceous vascular plant, other than a grass, from a species that is native to the local area
	A3	Yes	Living woody plant within the ground layer (less than 1 metre tall) from a species that is native to the local area. Includes seedlings, vines and other small plants of native tree and shrub species.
	A4	Yes	Living ground layer plant from a species that is not native to the local area, other than non-pasture crop species
	A5	Yes	Living ground layer plant from a species that is a non-pasture crop species
B		Yes	Cryptogamic soil crust or non-vascular plants
C		Yes	Dead native ground layer plant
D		Yes	Dead non-native ground layer plant
E		Yes	Litter (dead plant material including leaves, bark, twigs)

F		Yes	Bare ground
G		Yes	Rock
H		Yes	Ground cover – not otherwise specified
I		No	Living predominant native canopy tree
J		No	Living native understorey tree
K		No	Living native shrub
L		No	Living native vine
M		No	Dead native tree, shrub or vine
N		No	Living canopy tree that is not native to the local area
O		No	Living understorey tree or shrub that is not native to the local area
P		No	Living vine that is not native to the local area
Q		No	Dead tree, shrub or vine that is not native to the local area
R		N/A	Other – not otherwise specified

(2) Assign any ground area occupied by roots, stems or foliage of plants that are not part of the ground layer to category H.

(3) Where possible, identify and record the species of ground layer plants at each sampling point.

Step 3—Classify sample points

Classify each sampling point as falling beneath or outside of each of the following:

(a) the crowns of native plants in the canopy layer;

(b) the crowns of native plants in the mid-storey layer;

(c) the crowns of non-native plants in the canopy layer;

(d) the crowns of non-native plants in the mid-storey layer.

Step 4— Calculate crown cover

Calculate crown cover from plants in the relevant layer by:

(a) adding the number of sampling points classified as falling beneath the crowns of those plants in the relevant layer; and

(b) dividing the sum by 50 (the total number of sampling points).

Schedule 4—The quadrat method

This Schedule sets out the ***quadrat method*** of sampling plant cover in an area.

(1) Establish 5 quadrats on the centre line of each permanent sampling plot so that:
   (a) each quadrat is 1m x 1m; and
   (b) the quadrats are spaced at 10 metre intervals, starting 5 metres in from one end of the centre line.

(2) For each established quadrat, identify and record:
   (a) the number of plant species located in the quadrat and what those species are; and
   (b) the proportion of ground area in the quadrat that is covered by category A in the table in step 2 of Schedule 3; and
   (c) the proportion of ground area covered by categories B to H in the table in step 2 of Schedule 3.

(3) For paragraph (2)(b):
   (a) the proportion of ground area covered by each living ground layer plant species must be estimated as a percentage. Plant species covering less than 1% of the ground area must be identified, however their cover may be recorded as either the estimated percentage or ‘less than 1%’; and
   (b) the sum of the percentages covered by ground area that has been assigned to categories A to H should be 100%.

Schedule 5—Assessing ecosystem condition

1 Purpose of Schedule

(1) This Schedule sets out how to determine:
  (a) the value of the ***indicators*** for the ecosystem condition of an activity area; and
  (b) the ***starting ecosystem condition state*** of an activity area.

(2) It is used for the following provisions:
  (a) paragraph 30(1)(e) (determining the ***starting value*** of the indicator in the SSA);
  (b) paragraph 30(1)(f) (determining the ***starting ecosystem condition state***);
  (c) paragraph 48(5)(a) (in a ***monitoring assessment*** to measuring the values of the indicators to monitor progress towards
    (i) the nominated restoration targets; and
    (ii) the threshold values.

Interpretation

(3) In this Schedule, a reference to an activity area includes a reference to a proposed activity area.

2 Establishing permanent sampling plots

(1) This section sets out how to establish the ***permanent sampling plots*** in an activity area, as part of the SSA, for the purposes of paragraph 30(1)(c).

(2) The permanent sampling plots will be used to:
  (a) determine the starting values of the indicators for the activity area for paragraph 30(1)(e); and
  (b) assess the starting ecosystem condition state for the purposes of paragraph 30(1)(f); and
  (c) monitor progress of the indicators towards the threshold values and nominated restoration targets for subsection 48(1).

The process

(3) Determine the size of the activity area in hectares;

(4) Based on the size of the activity area, determine the required number of sampling plots in accordance with following table:

Size of activity area	**Required number of sampling plots**
1 hectare or less	1
Between 1 and 5 hectares	2
Between 5 and 10 hectares	3
Between 10 and 50 hectares	4
Between 50 and 100 hectares	5
100 hectares or larger	7

(5) Subdivide the activity area into equal portions, 1 for each required sampling plot.

(6) In each portion, randomly select the location of a sampling plot of 50m by 10m.

(7) If necessary, discard the selected locations, and randomly select new ones until the selected locations are, between them, representative of at least 90% of the activity area.

(8) In each sampling plot, either:
   (a) place a permanent marker at both ends of the centre line of the plot; or
   (b) place a permanent marker at one end and take a compass bearing along the centre line of the plot, recording the bearing in the site assessment report.

   A permanent marker can be a post, a marker on the ground or a GPS marker.

(9) Assign a unique identifying number to each sampling plot. Record this number in the site assessment report and attach it to the permanent marker or markers in the sampling plot.

(10) Where relevant, ensure that the location of the sampling plot and the permanent markers are consistent with culturally informed project design.

3 Photos of permanent sampling plots

As part of the SSA, or a monitoring assessment, take 6 photos of each permanent sampling plot as follows:

(a) the photos must be taken from the 2 points at either end of the centre line of the plot;

(b) from each point, take 1 photo with the camera pointing in each of the following directions:
   (i) facing down the centre line towards the opposite end of the plot; and
   (ii) facing 90 degrees to the left of the centre line;
   (iii) facing 90 degrees to the right of the centre line;

(c) the photos must be in digital format, in colour without filters or other forms of image modification;

(d) the photos must have location access enabled to enable accurate geolocation of images.

4 Dealing with unidentified species

(1) If a step in the assessment process below requires the species of a plant to be identified and recorded, but the plant cannot be identified to the species level, the assessor must:
   (a) record the reasons why identification to the species level was not possible; and
   (b) identify the plant to the genus level; and
   (c) record the observable plant characteristic or, if a categorisation has been developed, the category of the plant.

(2) If it appears that the unidentifiable plants can be categorised into possible species based on observable plant characteristics and life form, the assessor must:
   (a) make the categorisation; and
   (b) record the reasons for, and the basis of, the categorisation.

The assessment process for an activity area

5 Canopy height measurement

In each permanent sampling plot for an activity area:

(a) select 3 or more representative native trees from the canopy layer; and

(b) measure their heights using a clinometer or hypsometer.

6 Applying the point intercept method to the permanent sampling plots

In each permanent sampling plot, apply the point intercept method to assess the number of plant species, the proportion of ground area covered by each plant species and the crown cover provided by native and non-native plant species in canopy and mid-storey layers in each proposed activity area.

7 Applying the quadrat method to the permanent sampling plots

In each permanent sampling plot, apply the quadrat method to assess the number of plant species, and the proportion of ground area covered by each plant species in each activity area.

8 Plot survey—gathering plant species composition data

(1) In each permanent sampling plot:

(a) survey the entirety of the sampling plot; and

(b) identify and record the number of plant species found and what those species are.

(2) This is referred to in the table as the ***plot survey method***.

9 Meaning of *relevant benchmark value*

A reference in the table to the ***relevant benchmark value*** is a reference to the benchmark value of the relevant indicator or sub-indicator for the reference ecosystem for the plot being surveyed.

Note: See Schedule 2 for the benchmark values.

10 Calculating the indicator values for the ecosystem condition

Using the data obtained from applying sections 5 to 8, calculate the indicator values of the ecosystem condition for the activity area in accordance with the following table:

	Indicator	**How to calculate the value of the indicator in a permanent sampling plot**
(a)	canopy height of native vegetation (in metres)	Calculate the value of this indicator as the average height of the measured trees.
(b)	crown cover from native plants in the canopy layer (as a percentage)	Using the data from the point intercept method, calculate the value of this indicator by:

		a. adding the number of sample points that fall beneath crowns on native plants in the canopy layer in the sampling plot; and b. multiplying the result by two to derive the percentage crown cover
(c)	crown cover from native plants in the mid-storey layer (as a percentage)	Using the data obtained from the point intercept method, calculate the value of this indicator by: a. adding the number of sample points that fall beneath crowns on native plants in the mid-storey layer in the sampling plot; and b. multiplying the result by two to derive the percentage crown cover
(d)	crown cover from plants in the canopy layer provided by non-native plants (as a percentage)	Using the data obtained from the point intercept method, calculate the value of this indicator by: a. adding the number of sample points that fall beneath crowns on non-native plants in the canopy layer in the sampling plot; and b. multiplying the result by two to derive the percentage crown cover
(e)	crown cover from plants in the mid-storey layer provided by non-native plants (as a percentage);	Using the data obtained from the point intercept method, calculate the value for this indicator by: a. adding the number of sample points that fall beneath crowns on non-native plants in the mid-storey layer in the sampling plot; and b. multiplying the result by two to derive the percentage crown cover
(f)	ground cover from sub-category A1, A2 and A3 plants as a	Step 1

and (g)	proportion of total ground cover from category A plants AND ground cover from sub-category A4 and A5 plants as a proportion of total ground cover from category A plants.	Using the data obtained from the point intercept method, calculate the percentage of ground cover from category A plants that is provided by plants from each of subcategories A1, A2, A3, A4, and A5 for a sampling plot by: a. adding the number of sampling points in the sampling plot assigned to each of subcategory A1, A2, A3, A4 and A5; and b. dividing the sum for each subcategory by the total number of sampling points in the sampling plot assigned to category A plants. <u>Step 2</u> Using the data obtained from the quadrat method, calculate the percentage of ground cover from category A plants that is that is provided by plants from each of subcategories A1, A2, A3, A4, and A5 for a sampling plot by: a. for each quadrat—calculating the percentage of ground cover from category A plants that is provided by plants from subcategories A1, A2, A3, A4 and A5 in the sampling plot; and b. for each subcategory—adding the percentage from each quadrat in the sampling plot and divide by the total number of quadrats in the sampling plot. <u>Step 3</u> Calculate the value (as a percentage) for ground cover from category A plants that is provided by plants from subcategories A1, A2, A3, A4 and A5 for the sampling plot using the means from steps 1 and 2 by: a. for each subcategory—adding the percentage derived from Step 1

		to the percentage derived from Step 2; and b. dividing the result by 2.
(h)	native species richness index by life form (native tree, shrub, vine, grass and herbaceous vascular plant species other than grasses)’	Using the data obtained from the plot sampling method, calculate the native species richness index value as follows: <u>Step 1</u> For each permanent sampling plot, calculate the overall native species richness index reference value for the sampling plot by adding the relevant benchmark values for all the sub-indicators—numbers of species of trees, shrubs, vines, grasses and other herbaceous vascular plant other than grasses (***herbs***). For example: if the relevant benchmark values are 3 species of trees, 3 species of shrubs, 0 species of vines, 2 species of grasses and 2 species of other herbs, the overall compositional reference value is calculated as = 3 trees + 3 shrubs + 0 vines + 2 grasses + 2 herbs = 10. <u>Step 2</u> For each permanent sampling plot, calculate a native species richness contribution value for each sub-indicator covered by the native species richness index indicator by comparing the number of native species in each life form in the sampling plot with the relevant benchmark value of the corresponding sub-indicator. If the number of native species in a life form is less than or equal to 150% of the relevant benchmark value, the native species richness contribution value for that life form for the sampling plot is the number of native species recorded. If the number of native species recorded is more than 150% of the relevant

		benchmark value for that life form, the native species richness contribution value for that life form for the sampling plot is the first whole number that is less than 150% of the benchmark indicator. For example: if the relevant benchmark value for trees is 3 species and the sampling plot has 5 species, the native species richness contribution value for trees (i.e. the number of tree species that count in assessing compliance) is 4 species, being the first whole number less than 150% of the benchmark indicator. <u>Step 3</u> Calculate the average native species richness index value for the activity area by: a. Adding the native species richness contribution value for each life form from each sampling plot [as calculated in step 2]; and b. Dividing the sum by the overall native species richness reference benchmark values for the sampling plot; and c. Averaging the overall native species richness reference benchmark values for each sampling plot in the activity area. For example: if the sampling plot has 1 shrub, 2 vines, 7 grasses and 1 herb, and the reference values for the plot are 3 shrubs, 1 vine, 4 grasses and 2 herbs, the value is (1+1+6+2+/(3+1+4+2)=100%. <u>Step 4</u> Where the activity area has more than one sampling plot – calculate the value for the overall native species richness index indicator for the activity area by averaging the native species richness

		contribution values for each sampling plot in the activity area.

11 Determining the starting ecosystem condition state

Calculating overall cover percentage for a subcategory

(1) For each subcategory in category A (A1, A2, A3, A4 or A5), calculate the proportion (as a percentage) of ground cover from category A plants in the activity area that is provided by plants from that subcategory:
   (a) first, using the data from Step 2 (giving the ***PI percentage*** for that subcategory;
   (b) second, using the data from Step 3 (giving the ***quadrat percentage*** for that subcategory;
   (c) then calculate an average of the two (giving the ***overall cover percentage*** for that subcategory.

(2) Calculate the PI percentage for a subcategory as follows:
   (a) add together the number of sampling points (across all the permanent sampling plots in the activity area) assigned to the subcategory; and
   (b) divide this amount by the total number of sampling points (across all the permanent sampling plots in the activity area) assigned to category A.

(3) Calculate the quadrat percentage for a subcategory as follows:
   (a) for each quadrat in each of the permanent sampling plots in the activity area—calculate the proportion (as a percentage) of ground cover from category A plants that is provided by plants from the subcategory;
   (b) add the percentages from those quadrats and divide by the total number of quadrats.

(4) Calculate the overall percentage for a subcategory as the average of the PI percentage and the quadrat percentage.

Calculating species numbers

(5) Using the data obtained from the quadrat method (Step 3) and the survey of the sampling plot (Step 4), calculate the total number of category A plant species identified in each permanent sampling plot in the proposed activity area.

(6) For the avoidance of doubt, the number of species identified in a permanent sampling plot must include unidentified species described to the genus level that are assigned to numbered categories based on observable plant characteristics and life forms (see subsection (5) in Step 3 and paragraph (1)(b) in Step 4 above).

(7) Based on:
   (a) the data from paragraphs (c) and (d), and
   (b) the history of cropping on the land (if any),

assign the starting ecosystem condition state for each proposed activity area to one of State A, State B, State C or State D.

Schedule 6—Restoration target levels

1 *Restoration target levels*

For this instrument, the ***restoration target levels*** that may be nominated under subsection 39(3) for an indicator of the ecosystem condition of an activity area are restoration target levels 1, 2, 3 and 4, as shown in the table below.

To meet a restoration target level, the activity area must satisfy both the qualitative description below and the numerical value set out in the table.

2 *The relevant reference ecosystem*

In this Schedule, a reference to ***the relevant reference ecosystem*** is a reference to the reference ecosystem that applies in the permanent sampling plot in which the data that is being measured against the restoration target was gathered.

Qualitative descriptions

Restoration target level 1 – A degree of compositional and structural fidelity to the reference ecosystem. The canopy layer and at least one other stratum must be represented. The dominant stratum/ strata from the relevant reference ecosystem must be represented. Some verified reduction in non-native cover or moderate level of non-native cover.

Restoration target level 2 – Moderate degree of compositional and structural fidelity to the relevant reference ecosystem. The canopy layer and at least two other strata must be represented. The dominant stratum/ strata from the relevant reference ecosystem must be represented. Moderate reductions in non-native cover or low level of non-native cover.

Restoration target level 3 – High degree of compositional and structural fidelity to the reference ecosystem for the activity area. All strata from the relevant reference ecosystem must be present. High reduction in non-native cover or low level of non-native cover.

Restoration target level 4 – Very high degree of compositional and structural fidelity to the relevant reference ecosystem. All strata from the reference ecosystem must be present. Significant reductions in non-native cover or very low level of non-native cover.

Table of quantitative requirements

	Indicator	**Restoration target level 1**	**Restoration target level 2**	**Restoration target level 3**	**Restoration target level 4**
(a)	Canopy height	At least half of benchmark value of the indicator for the relevant reference ecosystem	At least half of benchmark value of the indicator for the relevant reference ecosystem	At least half of benchmark value of the indicator for the relevant reference ecosystem	At least half of benchmark value of the indicator for the relevant reference ecosystem
(b)	Crown cover from native plants in the canopy layer	Crown cover must be at least 20% and must be greater than half of benchmark value of the	Crown cover must be at least 20% and must be greater than half of benchmark	Crown cover must be at least 20% and must be greater than half of benchmark value of the	Crown cover must be at least 20% and must be greater than half of benchmark value of the

	Indicator	Restoration target level 1	Restoration target level 2	Restoration target level 3	Restoration target level 4
		indicator for the relevant reference ecosystem	value of the indicator for the relevant reference ecosystem	indicator for the relevant reference ecosystem	indicator for the relevant reference ecosystem
(c)	Crown cover from native plants in the mid-storey layer	Crown cover must be at least half of benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least half of benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least half of benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least half of benchmark value of the indicator for the relevant reference ecosystem
(d)	Crown cover from plants in the canopy layer provided by non-native plants	No more than 10%	No more than 7.5%	No more than 5%	No more than 2.5%
(e)	Crown cover from plants in the mid-storey layer provided by non-native plants	No more than 10%	No more than 7.5%	No more than 5%	No more than 2.5%
(f)	Ground cover from sub-category A1, A2 & A3 plants as a proportion of total ground cover from category A plants	Either: a. at least 80%; or b. at least 100% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 90%; or b. at least 125% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 90%; or b. at least 150% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 95%; or b. at least 175% of the native cover proportion as at the date of the starting state assessment.
(g)	Ground cover from sub-category	Either: a. no more than 20%; or	Either: a. no more than 10%; or	Either: a. no more than 10%; or	Either: a. no more than 5%; or

	Indicator	Restoration target level 1	Restoration target level 2	Restoration target level 3	Restoration target level 4
	A4 & A5 plants as a proportion of total ground cover from category A plants	b. no more than 100% of the non-native cover proportion as at the date of the starting state assessment.	b. no more than 75% of the non-native cover proportion as at the date of the starting state assessment	b. no more than 50% of the non-native cover proportion as at the date of the starting state assessment	b. no more than 25% of the non-native cover proportion as at the date of the starting state assessment
(h)	Native species richness index by life form (native tree, shrub, vine, grass and herbaceous vascular plant species other than grasses)	10-25% of the overall native species richness index reference value	25-60% of the overall native species richness index reference value	60-80% of the overall native species richness index reference value	Greater than 80% of the overall native species richness index reference value

Schedule 7—Threshold values

1 *Threshold values*

In this instrument, the ***threshold values*** of the indicators and sub-indicators for ecosystem condition are as set out in the table below.

2 *The relevant reference ecosystem*

In this Schedule, a reference to ***the relevant reference ecosystem*** is a reference to the reference ecosystem that applies in the permanent sampling plot in which the data that is being measured against the threshold level was gathered.

	Indicator or sub-indicator	**Where restoration target level 1 was nominated**	**Where restoration target level 2 was nominated**	**Where restoration target level 3 was nominated**	**Where restoration target level 4 was nominated**
(a)	Canopy height of native vegetation (in metres)	The lower of: a. at least 5 metres; or b. at least one third of the benchmark value of the indicator for the relevant reference ecosystem	The lower of: a. at least 5 metres; or b. at least one third of the benchmark value of the indicator for the relevant reference ecosystem	The lower of: a. at least 5 metres; or b. at least one third of the benchmark value of the indicator for the relevant reference ecosystem	The lower of: a. at least 5 metres; or b. at least one third of the benchmark value of the indicator for the relevant reference ecosystem
(b)	Crown cover from native plants in the canopy layer (as a percentage)	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem
(c)	Crown cover from native plants in the mid-storey layer (as a percentage)	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem	Crown cover must be at least one third of the benchmark value of the indicator for the relevant reference ecosystem
(d)	Crown cover from	No more than 15%	No more than 10%	No more than 7.5%	No more than 5%

	Indicator or sub-indicator	Where restoration target level 1 was nominated	Where restoration target level 2 was nominated	Where restoration target level 3 was nominated	Where restoration target level 4 was nominated
	plants in the canopy layer provided by non-native plants (as a percentage)				
(e)	Crown cover from plants in the mid-storey layer provided by non-native plants (as a percentage)	No more than 15%	No more than 10%	No more than 7.5%	No more than 5%
(f)	Ground cover from sub-category A1, A2 and A3 plants as a proportion of total ground cover from category A plants	Either: a. at least 80%; or b. at least 100% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 90%; or b. at least 125% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 90%; or b. at least 150% of the native cover proportion as at the date of the starting state assessment.	Either: a. at least 95%; or b. at least 175% of the native cover proportion as at the date of the starting state assessment.
(g)	Ground cover from sub-category A4 and A5 plants as a proportion of total ground cover from category A plants	Either: a. no more than 20%; or b. no more than 100% of the non-native cover proportion as at the date of the starting state assessment.	Either: a. no more than 10%; or b. no more than 75% of the non-native cover proportion as at the date of the starting state assessment	Either: a. no more than 10%; or b. no more than 50% of the non-native cover proportion as at the date of the starting state assessment	Either: a. no more than 5%; or b. no more than 25% of the non-native cover proportion as at the date of the starting state assessment

	Indicator or sub-indicator	Where restoration target level 1 was nominated	Where restoration target level 2 was nominated	Where restoration target level 3 was nominated	Where restoration target level 4 was nominated
(h)	Native species richness index by life form (native tree, shrub, vine, grass and herbaceous vascular plant species other than grasses)	10% of the overall native species richness index reference value	25% of the overall native species richness index reference value	60% of the overall native species richness index reference value	80% of the overall native species richness index reference value

Schedule 8—Calculating the ecosystem scores

1 Purpose of Schedule

This Schedule sets out the process for calculating:

(a) the following scores for an activity area, for the purposes of subsection 30(2):
  (i) the starting ecosystem condition score;
  (ii) the forecast ecosystem condition score;
  (iii) the starting contribution to biodiversity persistence score;
  (iv) the forecast contribution to biodiversity persistence score; and

(b) the following scores for a replanting project as a whole, for the purposes of subsection 30(3):
  (i) the starting aggregate ecosystem condition score for the project;
  (ii) the forecast aggregate ecosystem condition score for the project;
  (iii) the starting aggregate contribution to biodiversity persistence score for the project;
  (iv) the forecast aggregate contribution to biodiversity persistence score for the project.

Ecosystem scores for an activity area

2 Ascertain starting ecosystem condition state

Ascertain the starting ecosystem condition state A, B, C or D for the activity area (determined during the SSA— see paragraph 30(1)(f)).

3 Assign an STM starting state

Use the table below to assign an STM starting state to the activity area based on:

(a) the starting ecosystem condition state for the activity area; and

(b) if the starting ecosystem condition state for the activity area is State C or State D—the categories indicated.

Starting ecosystem condition state for activity area	**STM starting state for activity area**
State A	STM starting state 4: Sparse or absent overstorey, reference understorey
State B	STM starting state 10: Sparse or absent overstorey, modified understorey
State C	a. (if native species richness index is greater than 5%)— STM starting state 11: Sparse or absent overstorey, highly modified understorey; or

	b. (if native species richness index is less than 5%)— STM starting state 14: Sparse or absent overstorey, collapsed or novel understorey
State D	Either: a. (if area is cultivated, but not with woody cultivation)— STM starting state 17: Cropping and sown pasture; or b. (if area is cultivated, with woody cultivation)— STM starting state 18: Cultivated woody overstorey, highly modified understorey c. (if area is not cultivated)— STM starting state 19: Removed (artificial or novel substrate)

4 Assign a starting ecosystem condition score

Use the NBAS to assign a ***starting ecosystem condition score*** for the activity area, based on the STM starting state.

5 Assign a STM target state

Use the table below to assign a STM target state for the activity area based on its nominated restoration target (determined in accordance with section 39)

Nominated restoration target level for the activity area	**STM target state for the activity area**
Target level 1	STM target state 8: Regenerating overstorey with highly modified understorey
Target level 2	STM target state 6: Regenerating overstorey with modified understorey
Target level 3	STM target state 6: Regenerating overstorey with modified understorey
Target level 4	STM target state 5: Regenerating overstorey with reference understorey

6 Assign a forecast ecosystem condition score

Use the NBAS to assign a ***forecast ecosystem condition score*** to the activity area based its STM target state.

Ecosystem aggregate scores for the project

7 Calculate the starting aggregate ecosystem condition score

Calculate the ***starting aggregate ecosystem condition score*** for the project as follows:

(a) for each activity area – multiply the starting ecosystem score for the activity area by the size of the activity area in hectares;

(b) add the result from each activity area together;

(c) divide the total by the total size (in hectares) of all activity areas.

8 Calculate the forecast aggregate ecosystem condition score

Calculate the ***forecast aggregate ecosystem condition score*** for the project as follows:

(a) for each activity area—multiply the forecast ecosystem score for the activity area by the size of the activity area in hectares; and

(b) add the result from each activity area together; and

(c) divide the total by the total size (in hectares) of all activity areas.

Biodiversity persistence scores for an activity area

9 Assign the starting contribution to biodiversity persistence score

Use the NBAS to assign a ***starting contribution to biodiversity persistence score*** for an activity area based on the following:

(a) the starting ecosystem condition score for the activity area; and

(b) the boundaries of the activity area; and

(c) the major vegetation group that the reference ecosystems for the activity area are from, under the NVIS (see subsection 46(4)).

10 Assign the forecast contribution to biodiversity persistence score

Use the NBAS to assign a ***forecast contribution to biodiversity persistence score*** for the activity area based on:

(a) the forecast ecosystem condition score for the activity area; and

(b) the boundaries for the activity area; and

(c) the major vegetation group that the reference ecosystems for the activity area are from, under the NVIS (see subsection 46(4)).

Aggregate biodiversity persistence scores for the project

11 Assign the starting aggregate contribution to biodiversity persistence score

Assign a ***starting aggregate contribution to biodiversity persistence score*** for the project by using the NBAS to assign a score for the aggregate of the activity areas, based on the following:

(a) the starting ecosystem condition score for each of the activity areas; and
(b) the boundaries of each of the activity areas; and
(c) the major vegetation group that the reference ecosystems for each of the activity areas are from, under the NVIS (see subsection 46(4)).

12 Assign the forecast aggregate contribution to biodiversity persistence score

Assign a ***forecast aggregate contribution to biodiversity persistence score*** for the project by using the NBAS to assign a score for the aggregate of the activity areas, based on the following:

(a) the forecast ecosystem condition score for each of the activity areas; and
(b) the boundaries of each of the activity areas;
(c) the major vegetation group that the reference ecosystems for each of the activity areas are from, under the NVIS (see subsection 46(4)).