

Steps to create an offset site – Trust for Nature

Securing an agreement with Trust for Nature to register a deed of covenant under the Victorian Conservation Trust Act 1972

		<i>Approx. time</i>
Step 1 Site assessor and surveyor prepare site documentation	a) Site assessor: <ul style="list-style-type: none"> - reviews site for offset eligibility requirements - prepares an offset management plan (OMP) 	6-8 weeks
	b) Licenced surveyor prepares survey plan (aka site plan)	
Step 2 Trust for Nature documentation prepared	a) Landowner or proponent reviews and signs Trust for Nature fee proposal	12-16 weeks
	b) Landowner and Trust for Nature review site documentation and preliminary information	
	c) Trust for Nature conducts initial site visit and assessment	
	d) Trust for Nature Covenant Assessment Panel confirms that the site meets covenant requirements ¹	
	e) Trust for Nature prepares <i>draft</i> deed of covenant	
FEDERAL offsets ↓		STATE offsets ↓
Step 3 Regulatory approvals	Department of Climate Change, Energy, the Environment and Water (DCCEEW) reviews the site documentation and issues final approval	Department of Energy, Environment and Climate Action (DEECA) Native Vegetation Offset Management team (NVOM) completes Quality Assurance (QA) of site documentation for third party sites ² <i>Federal:</i> 8-12 weeks <i>State:</i> 8-10 weeks
Step 4 Sign CTA for founding trade	a) Broker prepares Credit Trade Agreement (CTA) *Management cost estimate may be required ³	8-10 weeks
	b) Trust for Nature reviews CTA	
	c) Landowner and proponent sign CTA (<i>coordinated by broker</i>)	
	d) Trust for Nature signs CTA and invoices proponent	
Step 5 Trust for Nature and Minister approve deed of covenant	a) Trust for Nature prepares and issues <i>final</i> deed of covenant to landowner for signing	16–20 weeks
	b) Trust for Nature Board approves deed of covenant once signed by the landowner ¹	
	c) Trust for Nature prepares materials for Ministerial submission of deed of covenant and submits to DEECA Governance team for review	
	d) DEECA Governance team reviews submission and responds to Trust for Nature	
	e) Trust for Nature submits deed of covenant to DEECA for Minister’s approval	
	f) Trust for Nature Trustee and CEO sign deed of covenant	
Step 6 Register deed of covenant on title	a) Trust for Nature submits executed deed of covenant to Land Titles Office (LTO)	6 weeks
	b) LTO registers deed of covenant on land title	
	c) Landowner receives first payment held by Trust for Nature	
<i>Step 6a for State Offsets/ Native Vegetation Credits only</i>		
Step 6a NVOR registers offsets/ credits	a) Trust for Nature lodges executed deed of covenant with Native Vegetation Offset Register (NVOR)	2 weeks
	b) NVOR registers offsets/ credits, provides credit statement to Trust for Nature	
	c) Trust for Nature notifies broker/ landowner that registration is complete and supplies credit statement.	

Notes:

¹ The Trust for Nature Covenant Assessment Panel (CAP) meets weekly and the Board meets quarterly, though by exception it may be possible to seek out of cycle approval via circular resolution, once per cycle. Changes to the offset site proposal after CAP approval may require an additional round of internal approval.

² The DEECA Native Vegetation Offset Management team (NVOM) usually completes Quality Assurance (QA) of a submission within 3 weeks. If the quality of the work submitted by the site assessor is not to the required standard, additional submissions may be required. Commonly 2-3 submissions are required.

³ A Management Cost Estimate (MCE) is required for some offsets (e.g. where there is no founding trade). A consultant must complete an estimate of the cost to complete management works for the ten year offset active management period using Trust for Nature's template. This will be reviewed by Trust for Nature to ensure that adequate funds will be held in trust for completing offset management actions.

Timing:

Multiple stages of the offset site establishment process are outside of the control of Trust for Nature. While many stakeholders choose to work with Trust for Nature due to our high quality stewardship and due to a strong cultural fit, if timing is a high priority please be aware that there are alternative mechanisms for establishing offset sites (e.g. through a Section 69 agreement with DEECA) which may have shorter timeframes.

Definitions:

Deed of covenant – A deed of covenant is a legal agreement between the landowner and Trust for Nature. The deed of covenant specifies management obligations and commitments for the offset site. The offset management plan and site plan become schedules to the deed of covenant. The equivalent agreement with DEECA is a Section 69 agreement under the *Conservation, Forests and Lands Act 1987* or with the Council is a Section 173 under the *Planning and Environment Act 1988*.

Founding trade – Typically Trust for Nature approves a deed of covenant to be registered on a site where a proponent has already been identified who will enter into a trade agreement with the landowner that will cover the costs of setting up and managing the offset site for the 10-year active management period. This is called a *founding trade*. In some instances, an offset site can be set up prior to a proponent being identified, if a landowner chooses to lodge with Trust for Nature a security amount.

Management Cost Estimate – An estimate of the cost to complete all management actions for the ten year active offset management period on the site.

Offset Management Plan – Details how the management obligations and commitments on the site will be achieved. May also be called a 'site management plan' or a 'management plan'.

Site assessor – A site assessor for an offset site must be qualified as a VQA-accredited native vegetation assessor **and** a Native Vegetation Offset Register (NVOR) site assessor.

Site documentation – Site documentation includes the site assessment report, offset management plan (OMP) and site plan (aka survey plan) prepared by site assessor and surveyor in Step 1.