

# 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>
<b>Step 1</b> Site assessor and surveyor prepare site documentation	a) Site assessor: <ul style="list-style-type: none"> <li>- reviews site for offset eligibility requirements</li> <li>- prepares an offset management plan (OMP)</li> </ul>	6-8 weeks
	b) Licenced surveyor prepares survey plan (aka site plan)	
<b>Step 2</b> Trust for Nature documentation prepared	a) Landowner or proponent reviews and signs Trust for Nature fee proposal	10-12 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 <sup>1</sup>	
	e) Trust for Nature prepares <i>draft</i> deed of covenant	
<b>FEDERAL offsets ↓</b>		<b>STATE offsets ↓</b>
<b>Step 3</b> Regulatory approvals	Department of Climate Change, Energy, the Environment and Water (DCCEE) 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  <i>Federal:</i> 8-12 weeks <i>State:</i> 8-10 weeks
<b>Step 4</b> Sign COTA	a) Broker prepares Credit and Offset Trading Agreement (COTA) *Management cost estimate may be required <sup>2</sup>	8-10 weeks
	b) Trust for Nature reviews COTA	
	c) Landowner and proponent sign COTA ( <i>coordinated by broker</i> )	
	d) Trust for Nature signs COTA and invoices proponent	
<b>Step 5</b> 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	12–16 weeks
	b) Trust for Nature approves deed of covenant once signed by the landowner <sup>1</sup>	
	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	
<b>Step 6</b> 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>		
<b>Step 6a</b> 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:

<sup>1</sup> The Trust for Nature Covenant Assessment Panel (CAP) meets monthly. All proposed Trust for Nature covenants must receive pre-approval from CAP.

Final covenant deeds also require approval from the Trust for Nature CEO and the Chair of the Trust for Nature Conservation Committee.

Significant changes to the offset site proposal after CAP pre-approval may require an additional round of pre-approval.

<sup>2</sup> A Management Cost Estimate (MCE) is required for some offsets. 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, to ensure that adequate funds will be held 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 survey 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 a Council is a Section 173 under the *Planning and Environment Act 1988*.

**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 offset management obligations and commitments on the site will be achieved.

**Site assessor** – The consultant engaged to review the conservation values of the offset site and prepare an offset management plan. A site assessor for a Victorian Native Vegetation 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.