

# Biodiversity Offsets Scheme Update No. 11

16 December 2022

**Welcome to Issue No. 11** of the Biodiversity Offsets Scheme Update.

The Biodiversity Offsets Scheme (the scheme) enables the impacts of development on biodiversity to be avoided, minimised, and offset. The scheme provides a consistent, transparent, and scientifically credible way for development to proceed while still protecting our environment. The NSW Government remains committed to improving and refining the scheme. You can keep up to date with the latest improvements, news, and information [via our website](#).

This monthly newsletter is one of how we communicate and help support the scheme's implementation. We welcome your feedback on how we might improve our communication. Please submit your suggestions [via our survey](#). You can also check out past newsletters [on our webpage](#).

The Biodiversity Conservation Trust's (BCT) twice-yearly newsletter is another source of information. You can find it on the BCT's [Publication website](#).

For other enquiries on the scheme, contact the dedicated scheme Help Desk team:

- Help Desk Enquiry Line 1800 931 717, staffed Tuesday to Thursday from 10:00 am to 4:00 pm
- Help Desk mailbox, [BOS.helpdesk@environment.nsw.gov.au](mailto:BOS.helpdesk@environment.nsw.gov.au), monitored Monday to Friday from 10:00 am to 4:00 pm.

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## **BOS Help Desk – availability over Christmas and the new year**

The BOS Help Desk will be unmonitored from Friday 23 December 2022 to Monday 9 January 2023 (inclusive). There may also be delays in responding to enquiries in the weeks before this period due to reduced staff capacity, including subject matter officers.

The BOS Help Desk team will not be processing any new requests from 19 December 2022 to 9 January 2023 (inclusive) and will operate with reduced staff through January 2023.

## **Major BAM-Calculator update in early 2023 to include V1.2 benchmarks and revised PCTs for eastern NSW**

On 23 January 2023, BioNet Version 1.2 benchmarks will be updated in the BAM-C. The planned update to Version 1.2 Benchmarks is not part of the changes from the revised PCT classification in eastern NSW and will not be subject to transitional arrangements. The Benchmarks V1.2 update will occur in all NSW bioregions and may result in some changes to in-progress assessments. The update will bring the BAM-C benchmarks into alignment with BioNet and ensure increased accuracy and confidence in assessment of vegetation integrity.

On 23 February 2023, the BAM-Calculator will be updated to include the revised plant community type (PCT) classification for the NSW coastal and tablelands Interim Biogeographic Regionalisation for Australia (IBRA) bioregions. The update includes transitional arrangements for BAM-Calculator cases that are in-progress prior to the update.

The transitional arrangements allow assessors with in-progress BAM-C assessments in coastal and tablelands IBRAs to maintain access to a legacy version of the BAM-C and avoid changes to assessments. Any proposals which establish a BAM-C case after the update must apply the revised PCTs and ancillary data to their assessments. Assessors with proposals that are currently in the scoping phase or have substantially progressed surveys are encouraged to establish a BAM-C case assessment prior to 23 February 2023 to avoid disruptions to their existing survey and assessment results. Assessors with in-progress assessments on the date of the update will have the option to apply the revised PCTs to their case if preferred.

More details will be presented in a public webinar in late January or early February 2023. For any questions, please contact the BOS Help Desk.

## **New platform to manage the BOS Help Desk**

In December 2022, the BOS Help Desk team implemented a new enquiry management system (JIRA) to coordinate and manage enquiries.

We are excited to deliver our new help desk system, which will provide a more streamlined service to our customers. We ask for your patience while we refine the workings and apologise in advance for any teething problems you may experience.

The BOS Help Desk team coordinates your enquiry response from within the department. Complex and technical enquiries, including survey advice, will require liaison with other internal subject matter officers. The standard timeframe for responding to an enquiry is within 15 business days from the date the BOS Help Desk receives your enquiry. The timeframe may vary (maybe less or more) depending on the complexity of the enquiry and due to the current volume of requests. We appreciate your patience, and please let us know if you have a specific deadline that needs to be met.

**Our team will always treat you with courtesy, respect and in a professional manner. We ask that all customers working with our team treat us with the same courtesy and respect, via email or during helpline telephone interactions.**

## **New guidance for BAM Appendix D – Planted Native Vegetation Streamlined Assessment**

The [Streamlined Assessment Module – Planted Native Vegetation - BAM operational manual](#) (the manual) has been published and is available on the [assessor resources web page](#).

The manual provides guidance to accredited assessors in applying BAM Appendix D Streamlined Assessment Module – Planted Native Vegetation.

The manual includes the widely cultivated native species list. This list supports applying question 6 of D.1 decision-making key.

For further support applying this operational manual, contact the BOS Help Desk at [BOS.helpdesk@environment.nsw.gov.au](mailto:BOS.helpdesk@environment.nsw.gov.au).

## **Improvements to credits wanted listings in BOAMS**

The department is improving the way that credits wanted (credit demand) listings are made in the Biodiversity Offset and Agreement Management System (BOAMS).

The improvements are being made in stages. Stage 1 of the improvements is now live in BOAMS. Please refer to the attachment for more information on Stage 1 of the improvements.

## Assurance check gives BCF Charge System a thumbs up

The new Biodiversity Conservation Fund (BCF) Charge System commenced on 17 October 2022, and the Biodiversity Conservation Trust is accepting applications for charge quotes and payments.

The department has developed an assurance program to give stakeholders confidence that the Biodiversity Conservation Trust is correctly applying the new Biodiversity Conservation Fund (BCF) Charge System.

An initial independent assurance audit of the BCT's application of the BCF Charge System was undertaken in October 2022. The audit found that BCT had applied the BCF Charge System in accordance with the relevant requirements in the *Biodiversity Offsets Payment Calculator Order 2022*.

The audit report is available online. The department will commission another independent assurance audit in 2023.

The BCT will also be publishing a range of data, including key sources of non-price sensitive information that will help stakeholders better understand the new system. This information is expected to be available by the end of the year.

## The scheme bushfire exemption extension

**The NSW Government has extended the limited exemption from the Biodiversity Offsets Scheme (the scheme) to help people impacted by bushfires to rebuild as quickly and easily as possible.**

The 2019–20 bushfire season was the most widespread and extreme our state has ever seen. The property damage was significant, with 2,476 homes destroyed in 33 local government areas and many more damaged.

In November 2020, the NSW Government provided a limited exemption from the scheme to help people rebuild as quickly and easily as possible. The initial exemption provided a 24-month exemption from biodiversity assessment offset requirements to eligible applicants, ending on 27 November 2022.

The NSW Government has extended the exemption for a further 12 months until 27 November 2023. [See the NSW Gazette notice here.](#)

What is the scope of the exemption?

The exemption applies to landholders who are reconstructing buildings or structures that:

- require development consent
- were damaged or destroyed by bushfire between 5 August 2019 and 2 March 2020
- are the same, or substantially the same, as the building or structure that was damaged or destroyed
- have a development application made prior to 27 November 2023.

The extension does not apply to the test of significance under section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act). It only applies to entry into the scheme under clause 7.1A of the Biodiversity Conservation Regulation 2017.

This means all bushfire-affected development that would have entered into the scheme by exceeding the area clearing thresholds or by being undertaken on land mapped on the Biodiversity Values Map will continue to be exempt from the scheme until 27 November 2023. However, bushfire-affected development will require a test of significance after 27 November 2022 to determine if the scheme applies to the development.

Further information, including a factsheet, can be found here: [Bushfire rebuild exemption on the NSW Environment and Heritage website](#).

## New guidance for determining native vegetation land categorisation in the scheme

The [Determining native vegetation land categorisation for application in the scheme](#) guide (the guide) has been published and is available via the [assessor resources](#) web page.

The guide is designed for use by accredited assessors applying the scheme during the native vegetation regulatory (NVR) map transitional period, that is, until an area has been designated on the final NVR Map.

The guide outlines how to assess NVR Map categorisations and biodiversity assessment requirements on category 1-exempt land.

For further support applying this guide, contact the BOS Help Desk at [BOS.helpdesk@environment.nsw.gov.au](mailto:BOS.helpdesk@environment.nsw.gov.au).

## Updated BAM-C and TBDC

The Biodiversity Assessment Method – Calculator (BAM-C) was updated on Thursday 15 December 2022, and the Threatened Biodiversity Data Collection (TBDC) was also updated.

Updates to BAM-C include:

- amendments to habitat constraints for *Myotis macropus* (southern myotis) and *Callocephalon fimbriatum* (gang-gang cockatoo)
- amendments to survey months for *Aprasia parapulchella* (pink-tailed legless lizard), *Hoplocephalus bungaroides* (broad-headed snake) and *Myuchelys georgesii* (Bellinger River snapping turtle) to align with the recently published '[Threatened reptiles - Biodiversity Assessment Method survey guide](#)'.

Assessors with in-progress assessments who removed either the southern myotis or the gang-gang cockatoo due to the absence of habitat constraints will need to manually add the species to the assessment and check the new habitat constraints listed for the species. If the species is to be removed from the assessment, justification must be provided in the BDAR.

Updates to the TBDC, in addition to the above, include:

- amendments to the survey advice for all threatened reptiles to align with the recently published 'Threatened reptiles – Biodiversity Assessment Method survey guide'
- amendments to the survey advice for the gang-gang cockatoo and *Hieraaetus morphnoides* (little eagle)

Please see the attached release notes PDF for details.

## Request SAI data from the department

The department has identified some threatened entities, listed under the *Biodiversity Conservation Act 2016*, as at risk of a serious and irreversible impact (SAI) from development activities. The list of entities at risk of a SAI is available on [the department's website](#) and is reflected in the BioNet TBDC profiles.

The department can provide data to support assessors to evaluate the current extinction risk of listed threatened entities at risk of a SAI. Data to support SAI assessments can, where available, be requested from the BOS Help Desk [BOS.helpdesk@environment.nsw.gov.au](mailto:BOS.helpdesk@environment.nsw.gov.au).

## Biodiversity Credits Supply Fund

The first reverse auction to buy credits on a competitive basis under the Biodiversity Credits Supply Fund (Supply Fund) has been completed, in accordance with its objectives to increase the supply of in-demand credits and improve liquidity and confidence in the biodiversity market and Biodiversity Offsets Scheme. The reverse auction commenced on 28 October 2022 and bids closed on Friday 11 November 2022.

In total, 55 bids offering more than 110,000 credits were offered for 11 of the 36 target ecosystem credit types and 7 of the 42 target species credit types. Bids were evaluated for eligibility and against the price-based criteria, which considered price competitiveness, past market sales, and information from market sounding. Successful bids are now at the stages of credit transfer, with discussions also progressing with buyers so that the sale of credits can be used to commence another reverse auction early in 2023.

The Credits Supply Taskforce will continue to work with participants and credit owners to promote the credits they wish to sell. We are receiving more interest from credit buyers every week, and our forecast of demand is expanding. This includes a new catalogue to feature credits for sale and connecting buyers and sellers as the opportunity arises.

More information and notice of future reverse auctions, as well as the commencement of selling credits by the Supply Fund, will be announced via the [Credits Supply Fund webpage](#).

## Fast-tracking the supply of biodiversity credits

The Credits Supply Taskforce is now assessing almost 30 properties identified with potential to generate in-demand biodiversity credits as part of its Stewardship Expression of Interest (EOI) program. The Taskforce supports landholders with an accredited assessor to prepare a Biodiversity Stewardship Site Assessment Report and a management plan as part of establishing a Biodiversity Stewardship Agreement (BSA). You can find more information or submit a Stewardship EOI on the [Taskforce's website](#) or by contacting the Taskforce BSA Mailbox at [stewardship@environment.nsw.gov.au](mailto:stewardship@environment.nsw.gov.au).

A range of other improvements are also being made to the processing of BSAs. The Taskforce has now approved 18 BSAs covering almost 10,500 ha, and a further 13 agreements are ready for landholders to sign. In early 2023, the Taskforce will be engaging with landholders and assessors to implement an improved management plan template that will make it easier and faster to prepare a BSA.

## Happy holidays

Thank you for your continued efforts to understand and implement the scheme and BAM. We appreciate your patience during what has been an unusual, and often challenging, year for most of us. From our team to yours – have a healthy, safe and restful Christmas break. We look forward to seeing you in 2023.