



DEPARTMENT OF PLANNING, INDUSTRY & ENVIRONMENT

Biodiversity Offsets Scheme Special Accredited Assessor Update

19 October 2020

BAM 2020

We are pleased to advise that the Biodiversity Assessment Method (BAM) 2020 has been released and will come into force on 22 October 2020. The BAM 2020 replaces the first version of the BAM which was published in 2017 when the Biodiversity Offsets Scheme commenced.

The NSW Government is committed to ensuring the BAM is scientifically robust and practical to apply. The BAM 2020 includes a range of improvements and new features. The changes were publicly exhibited in September 2019 and have been finalised following careful consideration of submissions received. Thank you to everyone who made a submission – we value your feedback and interest. Additional minor amendments are also included based on outcomes from applying the BAM for over two years.

What's new and different in the BAM 2020?

The BAM 2020 includes the following new features:

- Improved language so it is easier to understand and apply.
- Clearer assessment requirements for prescribed and indirect impacts.
- Alignment of impact assessment criteria for entities at risk of a serious and irreversible impact with the Principles listed in the Biodiversity Conservation Regulation.
- A new streamlined assessment module for planted native vegetation.
- Revisions to existing streamlined assessment modules for paddock trees (renamed 'scattered trees') and small areas, clarifying when they can be used and providing additional guidance on their application.
- Minor changes to estimating biodiversity gain from management actions on offset sites to provide a more consistent and robust approach.
- A new appendix to support strategic biodiversity certification.
- Updated format and section numbering to meet accessibility standards so all users can access the BAM.

Key elements of the BAM have not changed

No changes have been made to the equations for calculating the biodiversity credit requirements for offset obligations. Similarly, the approach and metrics used to assess the condition of native vegetation and the habitat suitability for threatened species remain unchanged. The BAM 2020 remains a scientifically robust method for assessing biodiversity values to meet the standard of no net loss.

Want to know more?

Read the '[Biodiversity Assessment Method 2020](#)' fact sheet and visit the [BAM 2020](#) page on our website to download the new BAM. You can also find out about transitional arrangements enabling the use of BAM 2017 and the release of BAM 2020 support documents such as operational manuals.

If you are familiar with BAM 2017 the attached, 'Guidance for accredited assessors and local government on BAM changes from 2017 to 2020' summarises the differences you need to be aware of when applying BAM 2020 to prepare Biodiversity Assessment Reports.

Biodiversity Offsets Scheme support webinar

On Thursday 22 October 2020, a presentation recording – *BAM 2020 – What's New?* – will be uploaded to the [BOS Support Vimeo](#) page for you to watch. This presentation will explain how the BAM has been improved, changes assessors and decision-makers need to be aware of, transitional arrangements and how to find more information. The Department will run a [webinar](#) on Wednesday 28 October 2020 to provide a quick re-cap (10 mins), followed by a Q&A session on BAM 2020. If you have a question about BAM 2020, please take this opportunity to ask the panel of BAM experts.

Transitional arrangements

Clause 6.31 of the Biodiversity Conservation Regulation 2017 provides transitional arrangements to minimise the impact that amendments to the BAM may have on proponents and landholders with a biodiversity assessment underway. This includes assessments for development, activities, clearing, biodiversity certification and biodiversity stewardship agreements.

From 22 October 2020, transitional arrangements allow proponents and landholders to submit a biodiversity assessment report based on [BAM 2017](#) for:

- 12 months or such longer period as the Minister approves for applications for strategic biodiversity certification
- 12 months for state significant development or infrastructure and non-strategic (standard) biodiversity certification
- 6 months for all other development and clearing applications or biodiversity stewardship applications.

If the transitional arrangements are applied to a proposed development, activity, clearing, biodiversity certification or biodiversity stewardship site, ensure the original [BAM 2017](#) and supporting documents are applied rather than the BAM 2020. This must be clearly stated in the Biodiversity Assessment Report.

BAM-C updates

The BAM Calculator (BAM-C) will be updated on 22 October 2020. Updates will include alignment with BAM 2020 as well as several other enhancements that improve usability and fix minor bugs. Refer to the attached Release Notes for details.

What does this mean for pending BARs?

For biodiversity development assessment reports (except where streamlined assessments have been applied) and biodiversity certification assessment reports, which have not been finalised or are pending determination/approval by the decision-maker, it is recommended that you contact your client to discuss the options and impacts of applying BAM 2017 or BAM 2020 to help them to decide whether to finalise their assessment or revise it to apply BAM 2020.

From 22 October, you can use the updated BAM-C for development, activity, clearing or biodiversity certification proposals regardless of whether BAM 2017 or BAM 2020 is being applied. However, if you or the applicant proposes to apply BAM 2017 to a Biodiversity Stewardship Site Assessment Report (BSSAR), you or the applicant must contact the [Biodiversity Conservation Trust](#) to discuss the use of this option.

Streamlined assessments (small area or scattered 'paddock' tree)

BAM 2020 has changed the criteria for applying the small area streamlined assessment and the definitions for applying the scattered tree (formerly paddock tree) streamlined assessment (refer to the attached 'Guidance for accredited assessors and local government on BAM changes from 2017 to 2020' and Release notes for details). For any biodiversity development assessment reports prepared using these streamlined assessments, which have not been finalised or are pending determination/approval by the decision-maker, you need to consider these changes. Depending on the details, there will be some cases where BAM 2017 enables the streamlined assessment module to be applied where BAM 2020 requires the full 'standard' BAM to be applied and vice versa. Similarly, there will be cases where BAM 2017 does not require threatened species surveys to be conducted and BAM 2020 does and vice versa. It is recommended that you review the attached resources, consider the changes in relation to your case(s) and contact your client to discuss the options and impacts of applying BAM 2017 or BAM 2020 to help them to decide whether to finalise their assessment or revise it to apply BAM 2020. If you propose to apply BAM 2017 to these streamlined assessments from 22 October, you must contact [BAM Support](#) for guidance on how to use the updated BAM Calculator to apply the transitional arrangements.

Pending Biodiversity Stewardship Agreement applications

The Biodiversity Conservation Trust (BCT) will inform landholders whose application for a Biodiversity Stewardship Agreement is pending and was prepared using BAM 2017. These landholders will be advised to contact the BCT or the accredited assessor who prepared their BSSAR to discuss the options and impacts of applying BAM 2017 or BAM 2020 to help them to decide whether to finalise their agreement or revise their application to apply BAM 2020.

BAM 2020 includes minor amendments to settings predicting improvement in biodiversity values on stewardship sites. Specifically:

- amendments to rates of decline and broadening of the high-risk land definition
- incorporation of a list of High Threat Weed species which may be effectively managed and therefore enable greater potential biodiversity gains with time
- amendments to intrinsic rates of gain for some vegetation integrity attributes.

These changes may allow a modest increase in credit yields at stewardship sites.

Applying BAM 2020 to pending biodiversity stewardship applications

Should applicants indicate that they would like to apply BAM 2020 to their application, from 22 October, BCT will assist them by changing the status of the parent and associated application cases in Biodiversity Offsets and Agreements Management System (BOAMS) to 'In Progress' and advising the applicant or you, the assessor, that the case status is 'In Progress'.

Now you must:

1. Re-open the BAM Calculator, save and re-finalise the case (see the attached Release Notes for details).
2. Following automatic population of the updated credits in BOAMS, you must resubmit the application for BCT review.
Note: the application submission date will change with the resubmission of the parent case. BCT will need to ensure that the original submission date is recorded. If there are any issues with the automated recalculation, you should email bam.support@environment.nsw.gov.au
3. Generate and provide updated credit reports from the amended assessment and amend the BSSAR to reflect the updated credits.

Applying BAM 2017 to pending biodiversity stewardship applications

Should applicants prefer to apply BAM 2017 to their application, it is recommended that they contact the [Biodiversity Conservation Trust](#) to discuss this decision. If the applicant then decides to proceed to apply BAM 2017, they can choose to either finalise the application before BAM 2020 comes into force (recommended) or apply the transitional arrangements. To apply the transitional arrangements, the BSSAR must state that BAM 2017 has been applied rather than BAM 2020. Special arrangements for BAM-C will also require collaboration with the BCT and BAM Support.

Questions?

We are happy to meet with you to discuss any questions or concerns about the BAM 2020. Please contact us at bam.support@environment.nsw.gov.au

-----**End of Special Assessor Update**-----

Note: The information contained in this publication is based on knowledge and information at the time of publication (19 October 2020). However, readers are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.