

Biodiversity Offsets Scheme Update No. 24

29 January 2024

Welcome to Issue No. 24 of the Biodiversity Offsets Scheme Update.

The Biodiversity Offsets 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. Keep up to date [via our website](#).

This monthly newsletter is one of the ways in which we communicate and help support the implementation of the scheme. You can view our past newsletters [online](#). The Biodiversity Conservation Trust's (BCT) twice-yearly newsletter is another source of information, you can find it at the BCT's [Publications website](#).

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

- Help Desk Line 1800 931 717, staffed Tuesday to Thursday from 10 am to 4 pm
- Help Desk mailbox, BOS.helpdesk@environment.nsw.gov.au, monitored Monday to Friday from 10 am to 4 pm.

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For accredited assessors

New Biodiversity Stewardship Site Assessment Report (BSSAR) and Management Plan templates now mandatory

As of 1 January 2024, the new and improved BSSAR and Management Plan templates are now mandatory for new biodiversity stewardship agreement applications.

[Request the BSSAR and Management Plan templates.](#)

Standardised BSSARs and Management Plans will significantly improve the consistency and ease in which BSA applications are prepared and reviewed. For more information or any questions about the use of the templates, email stewardship@environment.nsw.gov.au.

Biodiversity Assessment Method updates

Forest owls changing to species credits in 2024

Changes for the masked owl (*Tyto novaehollandiae*), sooty owl (*Tyto tenebricosa*) powerful owl (*Ninox strenua*) and barking owl (*Ninox connivens*) will be brought into the BAM-Calculator (BAM-C) **with the next BAM-C import in early 2024. The 'go-live' date in the BAM-C will be no sooner than 6 weeks from this notice.** The next BOS newsletter will confirm the 'go-live' date.

The changes are:

- change of the credit class from 'dual credit' to 'species credit'

- change to the survey approach to detect the presence of owls within suitable habitat rather than detecting breeding birds
- change to how credits are calculated for the owls, by basing credit generation on vegetation zones containing appropriate hollow bearing trees (or for the sooty owl, containing hollows, caves or cliff lines/ledges) that are within 800 metres of the location of a detected owl (in contrast to the current approach that relies on generating credits from individually identified breeding hollows).

In-progress BAM-C cases will automatically update with the changes when reopened. Assessments that have been finalised before the import, but are then reopened, will also update with the changes. Stewardship and development assessments which generate owl credits and are in-progress, or finalised and then reopened after the import, will be most affected. In the interim, these impacts can be managed by considering whether to:

- finalise assessments which generate owl credits prior to the changes coming into the BAM-C
- undertake targeted species surveys in suitable habitat or seek an expert report with advice from the department via [BOS Help Desk](#) (note: identification of breeding birds is no longer required)
- assume presence (development cases only).

Landholders with an existing biodiversity stewardship agreement (BSA) may be able to generate additional species credits for owls via a variation to the BSA. Email stewardship@environment.nsw.gov.au for advice.

For credit owners and buyers

Sell biodiversity credits to the BCT: Next credit tender opens 3 April 2024

The BCT website now has information on the [BCT credit tender 24-01](#). From Wednesday 3 April, applicants can offer the BCT a selling price for their biodiversity credits. This opportunity will be available for hundreds of credit types across the state.

Important dates

Updated Wanted Credits List available from the BCT's [Credit Offer Portal](#) on **Wednesday 27 March 2024**.

Tender opens to receive applications on **Wednesday 3 April 2024**.

All applications must be submitted by **11.59 pm on Wednesday 24 April 2024** using the BCT's [Credit Offer Portal](#).

Find guidance for how to use the BCT's Wanted Credits List on the [Credit Offer Portal](#). New landholders should visit the [Information for new landholders wanting to offer credits to the BCT](#) page.

Advertise your available credits in the February/March 2024 issue of the Biodiversity Credits Catalogue

The Taskforce is now accepting submissions for the next issue of the Biodiversity Credits Catalogue to be released in February/March 2024. The catalogue provides credit owners with a free and easy way to advertise their available biodiversity credits and connect with potential buyers.

If you have credits you would like to advertise, please submit your details using the online [Biodiversity Credits Catalogue advertiser's form](#) **by Monday 5 February 2024**.

The new *Biodiversity stewardship agreement application guide* is now available

The new *Biodiversity stewardship agreement application guide* is now available online. The guide is for landholders interested in establishing a BSA, and for accredited assessors working with landholders to establish BSAs. The guide is available to view and download on the [Applying for a biodiversity stewardship agreement webpage](#).

Update on Biodiversity Stewardship Agreements (BSAs)

The Credits Supply Taskforce is continuing to increase the number of BSAs and improve the timeframe for completing new applications. A further 23 new BSAs have been approved since the start of the 2023–24 financial year, covering around 12,210 hectares.

Since it commenced operations in July 2022, the Taskforce has approved a total of 64 BSAs, protecting 34,156 hectares of land for threatened ecosystems and species. These outcomes would not be possible with the support of landholders and the collaborative approaches we have in working with accredited assessors.

New payment portal

Pay your BOS credit transfer and retirement application fees using an online payment portal

The department is pleased to announce that it has developed a payment portal which will accept online credit or debit card payments for BOS credit transfer and retirement application fees (transfer and retirement fees).

Benefits

Paying your credit transfer or retirement application fees through the payment portal will reduce delays to the processing of most applications. The payment

portal significantly reduces the time it takes for the payment to be requested from the customer and for the department to receive the payment.

When can you start using the payment portal?

You can use the payment portal to pay the application fee for applications submitted after Monday 19 February 2024.

For applications submitted up to and including Sunday 18 February 2024, an invoice will be raised for the application fee. If an invoice has been raised for your application fee, this invoice must be paid for the application to be processed.

To use the payment portal (by card) after 19 February 2024, please indicate that this is your chosen payment method in the application form or in the email enclosing your application (if you are using an older version of the application form).

A person with an active email address will need to be nominated to make a payment using the payment portal. This person will receive an email containing a link to make the payment online.

The department can still provide an invoice for payment of the application fee for those applicants who prefer or require an invoice after 19 February 2024.

Applicants can indicate this as their chosen payment method in the application form or in the email enclosing your application if you are using an older version of the application form.

New 'Application fee payer' case party type in the Biodiversity Offsets and Agreement Management System (BOAMS) is for internal use only

The BOS credit transfer and retirement application fee payment portal will require a new 'Application fee payer' case party type in BOAMS.

This case party type is for internal department use only, for the purpose of BOS credit transfer and retirement application fee payment.

Please note that while accredited assessors and other users of BOAMS will be able to see this case party type you will not be able to use it.

Reminder to create separate BOAMS accounts for separate legal entities

A BOAMS account must only ever be created for one legal entity. The department has noticed single accounts created for multiple separate legal entities as if they were one entity.

Each legal entity must have its own account in BOAMS. If more than one legal entity is the landholder for a stewardship or a development case, each account for each legal entity must be linked as a separate landholder case party on the case in BOAMS.

If there is an authorised person or entity that acts on behalf of more than one entity within the same case, they must be listed as a separate authorised representative case party for each entity that they are authorised to act on behalf of.

General scheme updates

Creation of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)

Effective from 1 January 2024, the Department of Planning and Environment became two separate departments, being the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the Department of Planning, Housing and Infrastructure (DPHI). DCCEEW works to protect the state's environment and heritage. It leads the way on climate change, driving the sustainable transition to a net zero economy, powered by affordable, reliable, and clean energy. To find out more, including the agencies under DCCEEW, [visit our website](#).

Planning applications for modifications and Biodiversity Development Assessment Reports (BDARs)

To assist content authorities, advice has been published on the DCCEEW website on planning applications for modifications and BDARs.

If a consent or approval authority decides that a proposed modification will increase the impact on biodiversity values, a BDAR is required. This applies irrespective of whether the original project was approved under the *Biodiversity Conservation Act 2016* (BC Act) or former planning provisions.

For local development, the scheme entry requirements must be considered based on the entire 'as modified' project. The 'as modified' project includes both the original impacts and the proposed impacts. This considers the cumulative impacts of the original approved project and the proposed modification to determine if the scheme applies.

If a BDAR was submitted with the original application, it must be updated to incorporate new impacts. The BDAR must:

- detail new impacts and already approved impacts
- identify measures to avoid and minimise including measures already taken to avoid, minimise and offset the impacts of the original development
- include documentary evidence of any previously approved offset requirements that have been discharged.

For more information please visit the department's [Modification applications and the Biodiversity Conservation Act](#) webpage.

Bushfire-related clearing and the Biodiversity Offsets Scheme

For proposed development, include bushfire safety clearing entitlements (current or future) in the development footprint. This includes any requirements under *Planning for Bush Fire Protection 2019* document, including asset protection zones and any additional clearing entitlements that may apply after the development is approved. For example:

- 10/50 Vegetation Clearing Code of Practice under section 100R of the *Rural Fires Act 1997* (RF Act)
- Rural Boundary Clearing Code under section 100RB of the RF Act.

For more information on what to include in the proposed development footprint, and applying the scheme entry requirements, please visit the department's webpage [Biodiversity assessments and calculation of the scheme entry requirements](#) and scroll down to 'Bushfire safety clearing entitlements'.

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