



Department of Planning and Environment

# Biodiversity Offsets Scheme Update No. 19

25 August 2023

Welcome to Issue No. 19 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 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 [Publication 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](mailto:BOS.helpdesk@environment.nsw.gov.au), monitored Monday to Friday from 10 am to 4 pm.

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## **Five-year statutory review of the *Biodiversity Conservation Act 2016***

The final report of the statutory review of the NSW *Biodiversity Conservation Act 2016* was tabled in NSW Parliament on 24 August 2023.

The independent review of the *Biodiversity Conservation Act 2016* was conducted by a panel led by Dr Ken Henry AC and supported by Mr Mike Mrdak AO, Dr John Keniry AM, and Distinguished Professor Michelle Leishman.

The review concludes the Act is not meeting its primary purpose of maintaining a healthy, productive, and resilient environment and recommends major reform, including aligning the Act with a nature positive goal.

The independent review report, submissions report, and submissions received are now available on the [Biodiversity Conservation Act review webpage](#).

The report on the outcomes of the statutory review of the native vegetation provisions of the *Local Land Services Act 2013* was also tabled.

The NSW Government will now consider both reviews, in consultation with key stakeholders, while developing a whole of government response.

## **Accredited assessor updates**

### **Making it easier for assessors to use BOAMs**

Assessors can now upload zipped folders, including folders with GIS shapefiles and JPEG maps in Biodiversity Offset and Agreement Management System (BOAMS). This means you no longer need to request OneDrive folders for these files when submitting a new application or updating an existing application.

Tips for uploading new or amended files for existing BSA applications via BOAMS:

- upload files to the Application Case only
- you must 'finalise' the Assessment Case and 'submit' the Application Case
- ensure that the submission is successful by checking that the Parent Case and Application Case show as 'submitted' and the Assessment Case shows as 'finalised'.

If you need to upload new information in BOAMS, or to make changes in the BAM-C where the cases are already 'submitted' or 'finalised', please send an email to [bsa.applications@environment.nsw.gov.au](mailto:bsa.applications@environment.nsw.gov.au) and request the cases be reverted to 'in-progress'.

## **New BioNet Atlas flora survey user guide for accredited assessors**

In response to feedback, the BioNet team has developed a [new user guide](#) to support you in getting your flora survey plot data in and out of BioNet Atlas in a format compatible with the Plot to PCT Assignment Tool. Existing resources for the Plot to PCT Assignment Tool are available [online](#). For any enquiries, please send an email to [bionet@environment.nsw.gov.au](mailto:bionet@environment.nsw.gov.au).

## **For landholders**

### **Supporting landholders and assessors to prepare a BSA application**

The Taskforce continues to support landholders and assist assessors in preparing applications for a BSA. This includes developing a new BSA Application Guide, templates for preparing Biodiversity Stewardship Site Assessment Reports, and Management Plans. The template for the Management Plan will provide a more logical and simple structure that will be easier for assessors to prepare. The Taskforce has recently published a revised Total Fund Deposit Calculator that, together with the Application Guide and Management Plans, will provide a clearer implementation plan for landholders. The revised TFD Calculator is available [online](#). To request a copy of the new templates, or submit queries on BSAs, please send an email to [stewardship@environment.nsw.gov.au](mailto:stewardship@environment.nsw.gov.au).

### **Biodiversity Stewardship Agreements update**

Interest from landholders in establishing BSAs continues to increase. The Taskforce has approved 43 BSAs covering around 22,422 hectares and prepared draft BSAs for a further 21 sites. There are another 70 applications in progress, and over 300 Stewardship EOIs have been received.

## **For local government**

### **Online forum for local government: Linking BSAs to strategic planning in coastal areas**

**Wednesday 13 September 2023 | 2 pm – 3 pm**

Louisa Mamouny, Executive Director, Credits Supply Taskforce, will be hosting a 60-minute online forum on 13 September 2023 about linking BSAs to strategic planning with a focus on NSW coastal areas, including a case study with Mathew Bell from Mid Coast Council. This forum will also touch on the connections between biodiversity

certification and offsetting. The forum will include a presentation and a Q&A session. To attend, please use the following link:

### **Register for the online forum**

The forum will be recorded for those unable to attend.

Any questions or pre-submissions for the Q&A part of the forum can be sent to [stewardship@environment.nsw.gov.au](mailto:stewardship@environment.nsw.gov.au). Please also contact us if you would like to access the recording of the previous forum on BSAs and strategic planning on inland and regional areas held on 25 May 2023.

## **Credit supply and demand updates**

### **Important: Check your email for the results of the BCT's May 2023 Statewide Credit Tender**

The BCT's Biodiversity Offsets Program team has started sending out notifications to applicants for unsuccessful bids. If any of your bids have been unsuccessful, you will receive an auto-generated email from our Credit Offer Register system. We expect to send the first round of offers to successful applicants in late September when the evaluation has been completed and approved.

#### **Important to note:**

The BCT will notify applicants when the first round of offers are about to start. Remember that each credit class is evaluated independently. If you included multiple offers in your application, then you may receive a separate email response for each offer. Please contact us by email to [offsets@bct.nsw.gov.au](mailto:offsets@bct.nsw.gov.au) if you have any further questions about your application.

### **Supply Fund – third reverse auction**

Bids in the third reverse auction closed on 12 July 2023, and have now been evaluated for eligibility, comparison to past market sales, and market sounding. A total of 21,000 credits have been approved for purchase and participants in the auction notified. The next reverse auction is expected to commence in October 2023, and the 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, and our forecast of demand is expanding. For more information about the reverse auction and the Credits Supply Fund, please visit the [website](#) or send an email to [SupplyFund@environment.nsw.gov.au](mailto:SupplyFund@environment.nsw.gov.au)

### **Credits Supply Taskforce 12-month report**

The Taskforce has prepared a report on the first 12 months of Credits Supply Taskforce operations (July 2022 to June 2023). The report will be available by the end of August at [Biodiversity Credits Supply Taskforce 6-month program report](#). The report outlines key Taskforce activities, achievements, issues, and opportunities to improve the practical operation of the scheme and credits market.

## Public registers updates

### New Biodiversity Offsets Scheme public registers interface

The department has published a [new interface for the scheme public registers](#). The new interface improves the look and function of the scheme's credit supply, credit demand, and transactions public registers whilst maintaining the existing Excel spreadsheet. The new interface was updated following an analysis of user experience interviews with internal and external stakeholders, including new users, information-seekers, and expert users. Once the registers are in use, we will conduct a survey to seek further feedback and plan for future improvements.

#### The new public registers interface provides:

- searches with flexible filtering
- tooltips for fields
- moveable columns, with show/hide options
- data sorting
- downloadable either in full or filtered versions - as PDF and Excel for personal saving, further analysis, or distribution.

Please note: The old version link still works. The link to the previous Excel version of these registers will still work. If you have queries about the new registers, please send an email to [boscredits@environment.nsw.gov.au](mailto:boscredits@environment.nsw.gov.au)

### Webinar: How to use the new scheme public registers interface

The department held a webinar to showcase the new interface of the public registers on 17 August 2023. This included information about the background to the changes, improvements made, and a demonstration of how to use the new features. The recording will be available soon and will be uploaded to our [BOS Support Webinars webpage](#).

### Accredited assessors public register also available in Excel format

The accredited assessors public register provides contact details for individuals accredited to prepare assessments of biodiversity values under the scheme. The register is available in 2 formats: [Excel format](#) and as a web-based register. Please note that all public registers are point-in-time reports.

#### A reminder on how to update your contact details in the accredited assessors public register:

1. Log in to the Biodiversity Offset and Agreement Management System (BOAMS).
2. Click on your name in the drop-down menu.
3. Select 'My Account' to go to your account profile.

4. Scroll down to the 'Public Register Contact Details' fields and update your contact information.

## BCF Charge System updates

### BCF Charge transitional price cap lifts on 16 October

The Biodiversity Offsets Payment Calculator (BOPC) Order 2022 included Transitional price cap rules to enable a staged introduction of the Biodiversity Conservation Fund (BCF) Charge System in a way to minimise significant market shocks. The transitional price cap rules for the calculation of Charges for the Biodiversity Conservation Fund (BCF) Charge System within the BOPC Order will expire at midnight on 16 October 2023.

Part B of the BCF Charge Quote identifies credit types affected by the transitional price cap and identifies the expiry date for quotes related to price-capped credits as 16 October 2023.

The prices of credits capped under the transitional price cap rule will increase once the cap is removed. The extent of this increase will vary.

### Proponents with an existing BCF Charge Quote for capped price credits

The BCT will accept BCF payment applications for capped prices until midnight 16 October 2023. For payment to proceed, the proposed development must have final approval/consent. Payment must be made within 30 days of receiving the payment invoice from the BCT. If payment is not made within 30 days, the capped pricing will expire and the proponent will need to seek a new BCF Charge Quote with uncapped credit pricing.

Payment applications received on or after 17 October with a capped price will not be accepted and will require a new BCF Charge Quote to be issued. The BCT will use the information in the original application to prepare a new BCF Charge Quote Statement if this is required.

Payments to the BCF can only be made if a valid consent is provided, meaning the project is approved. If a proposal has not been approved and the payment application submitted by 16 October then a new BCF Charge Quote, including the uncapped price, will need to be issued.

### Proponents seeking a BCF Charge Quote

New BCF Charge Quote applications for credits with a capped price must be submitted by midnight 2 October 2023 to receive the capped prices. This is to allow the BCT sufficient time for a BCF Charge Quote to be issued and to provide sufficient time for the proponent to submit a BCF payment application before 16 October. BCF Charge Quote applications received on or after 3 October (or those where consent has not been finalised) will be issued from 17 October with the uncapped BOPC price.

## Summary of key dates

- **2 October 2023** – last date that new BCF Charge Quote applications with capped prices will be accepted.
- **16 October 2023** – last date to submit an application to make payment to the BCF if a quote has a capped price. Payment to the BCF of the capped price must be finalised within 30 days of receipt of invoice from BCT.
- **16 October 2023 (midnight)** – Transitional price cap rule expires.
- **17 October 2023** – BCT will commence issuing BCF Charge Quotes with uncapped prices. Expired quotes will be reissued after this date if a payment application is made for an expired quote.

## BCF Charge Quote web report

The BCT has now published the [BCF Charge Report](#) listing the BCF Charge Quotes issued by the BCT from October 2022 to 28 February 2023 (as required under Section 2.4 of the [BOPC Order](#)). The predicted credit price is included in the report for quotes issued at least 180 days prior to 24 July 2023. The report does not include the Risk Premium or Delivery Fee that the BCT adds when accepting a payment to the BCF.

Further information on the report is available on the [BCT BCF Charge website](#).

The BCT recommends that this report along with the [BAM Transactions Register](#) be accessed before making a request to the price estimate service as the information within the BCF Charge Quote Report may assist with project planning.

## BCF Charge Quotes – updated prices to pay to the Biodiversity Conservation Fund

The BCT commenced providing updated BCF Charge Quotes for payments to the BCF on 7 August 2023. The [BOPC Order](#) allows for updates to various components of the BCF Charge System and the BCT has now updated the Econometric Model and both the Ecosystem and Species Cost Structure Models (including the species categorisation).

Proponents with a BCF Charge Quote issued since October 2022 may obtain an updated BCF Charge Quote Statement. This will replace the existing quote and the amount to be paid to the BCF will be the amount in the new quote.

There may be some delays in issuing quotes as new prices are generated, but the BCT will continue to aim to meet the 10 and 30 working day targets for small and large quotes respectively. Priority will be given to applications for a new BCF payment, followed by proponents seeking an updated BCF Charge Quote and then those using the Price Estimation Service.

For further information on paying into the BCF please visit the [BCT website](#).