

FACT SHEET

BIODIVERSITY OFFSETS SCHEME

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WHAT IS THE BIODIVERSITY OFFSETS SCHEME?

In August 2017, the NSW Government introduced the Biodiversity Offsets Scheme (BOS) to minimise and help offset impacts to biodiversity, which occur as result of land clearing associated with development. The BOS provides a set of guidelines under the Biodiversity Conservation Act 2016, which allow for the fair and consistent assessment of any development that involves the clearing of native vegetation.

DOES THE BOS APPLY TO MY DEVELOPMENT?

To check whether your development is assessable under the BOS, refer to the triggers on the next page of this fact sheet.

If you answered YES to any of the following 3 triggers, the BOS will apply. You will need to engage an accredited assessor to assess the environmental impacts and prepare a Biodiversity Development Assessment Report (BDAR) to accompany your development application. A public register of accredited assessors can be found at the Office of Environment & Heritage website: customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor



Shale Gravel Transition Forest

WHAT IF THE BOS DOES NOT APPLY TO MY DEVELOPMENT?

If you answered NO to all 3 questions on the following page, the BOS is not triggered.

However, a thorough Flora and Fauna Report must be prepared to accompany any development application where vegetation removal is required.

The Flora and Fauna report must be prepared by a suitably qualified ecologist and provide clear evidence as to why the development does not trigger the Biodiversity Offset Scheme.

WHAT IF THE BOS DOES APPLY TO MY DEVELOPMENT?

If the BOS is triggered, you may have to pay a monetary credit or purchase biodiversity credits to offset the loss of biodiversity resulting from the proposed development.

The accredited assessor will calculate a credit value to be paid to offset the loss to the ecosystem, including bushland and threatened species and the results of this will be recorded in the BDAR.

WHERE CAN I FIND MORE INFORMATION?

Contact Council on 02 9725 0222 for more information on your development proposal or to organise a Pre-Development Application discussion with Council staff. For further information on the Biodiversity Offsets Scheme, visit: www.environment.nsw.gov.au/biodiversity/offsetsscheme.htm

HOW DO I FIND OUT IF THE BOS APPLIES TO MY DEVELOPMENT?

To check whether your development is assessable under the Biodiversity Offsets Scheme (BOS), refer to the **3** triggers below. If you answer YES to any of the following triggers, the BOS will apply and you will need to engage an accredited assessor to assess the environmental impacts and prepare a Biodiversity Development Assessment Report (BDAR) to accompany your development application.

1. Does the amount of native vegetation to be cleared exceed the thresholds set out in the table below?

Minimum lot size associated with the property	Threshold for clearing above which the BOS applies
Less than 1 ha (10,000m ²)	0.25 ha (2500m ²) or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1000 ha or more	2 ha or more

2. Does the area where the development is proposed to occur appear on the Biodiversity Values Map (BVM)?

Check the following site to see if your development site is within the BVM: www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap

3. Is a 'Test of Significance' required?

If the area of the proposed development does not exceed the native vegetation clearing threshold or appear on the Biodiversity Values Map but is likely to contain threatened species, threatened ecological communities or their habitats, an ecologist must undertake a 'test of significance'. If this test indicates that a 'significant impact' is likely to occur, then the BOS will be triggered. Check the following site to see if this applies to your development: www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/programs-legislation-and-framework/assessment-of-significance

NEXT STEPS

- **Submit the biodiversity assessment report with your development application**
Ensure the biodiversity assessment report has been certified within **14 days** of your application.
- **Council assesses the development application**
Council considers all aspects of the application. If there are serious and irreversible impacts to the environment, the application must be refused.
- **Comply with offset requirements**
If approved, the conditions of consent include any offset requirements to be met before starting construction. Offset requirements might include purchasing biodiversity credits, funding a conservation action or making a payment into the Biodiversity Conservation Trust Fund. Costs are negotiated on a case-by-case basis and it does not involve Council.

WHERE CAN I FIND MORE INFORMATION?

Contact Council on 02 9725 0222 for more information on your development proposal or to organise a Pre-Development Application discussion with Council staff. For further information on the Biodiversity Offsets Scheme, visit: www.environment.nsw.gov.au/biodiversity/offsetscheme.htm