

**1. How much money is there in the BCT from credit liability payments?**

Since 25 August 2017, the cumulative value of developer payments made into the Biodiversity Conservation Fund (BCF) as at 30 June 2022 is \$114.74 million. The value of payments made by developers in relation to offsets that have not yet been acquitted by the Biodiversity Conservation Trust (BCT) is \$89.961 million as of 30 June 2022. Further information can be found in the [BCT's Annual Report 2021-22](#).

**2. How much of this will be spent or set aside on developing stewardship sites in the AWC region?**

The BCT is responsible for securing biodiversity offsets on behalf of development proponents who pay into the BCF. The BCT have received payments for around 10,000 credits and \$26M from IBRA subregions that are west of the divide.

The link below shows and links to the information the BCT has published on how it has met obligations. The BCT must secure offsets in line with legislated offset rules (set out in the *Biodiversity Conservation Regulation 2017*). So far, the BCT has retired, or has entered agreements to purchase biodiversity credits to acquit 31% of the credits it has received payments for. To date, 100% of offset obligations acquitted by the BCT have been like-for-like biodiversity credits under the offset rules. The link also shows a map of where Biodiversity Stewardship Sites are in the landscape. <https://www.bct.nsw.gov.au/info/biodiversity-offsets-program-outcomes>

**3. What do all the recommendations from the parliament inquiry mean to the Scheme?**

A whole-of-Government response is being prepared for the final report of the parliamentary inquiry into the integrity of the NSW Biodiversity Offsets Scheme (the scheme). The Government response will be tabled in Parliament and made publicly available by 24 February 2023 and will outline what actions will be taken to address the recommendations.

**4. Who will be engaged, or which department, to implement the recommendations of the parliamentary inquiry?**

Until the whole-of-Government response is publicly released, we are not able to confirm how the Government will respond to the recommendations and who will be responsible for implementing recommendations.

The Department of Planning and Environment (DPE) is the principal Government agency responsible for the scheme, but other agencies also play an important role in its implementation.

**5. Recommendation 14 – What level of support does DPE propose to provide to Councils?**

Until the whole-of-Government response is finalised, we are not able to confirm how the Government will respond to this recommendation.

More generally, DPE will continue working closely with local councils to help them navigate the scheme. For example, we are rolling out a local government support program to build capacity in local councils in their role as consent authority. DPE has published a Biodiversity Offset Scheme resources manual for local government and is continuing to sponsor local government staff participation in Biodiversity Assessment Method (BAM) training. So far 272 employees from 101 councils across NSW have participated in the training, including 17 employees from 10 of the 13 councils represented by the Alliance of Western Councils. This training is still open and local government staff are invited to express their interest. Sponsorships may be available to cover the cost of the course for interested participants.

**6. Will the BCT invest into making/creating Stewardship Sites for Councils to own the credits at no cost to Councils?**

The Biodiversity Credits Supply Taskforce was established in August 2022 and is responsible for proactively supporting landholders to enter into Biodiversity Stewardship Agreements (BSAs) that generate biodiversity credits most likely to be in demand.

The department has removed the \$2,600 application fee for Biodiversity Stewardship Agreements until 30 June 2023 and is offering biodiversity assessments at no up-front costs for landholders with potential to generate in-demand credits, with costs recouped on the sale of credits.

Landowners, including councils, should consider reviewing land that they own that has biodiversity value for the purpose of stewardship, to offset both council projects and private development in the LGA, and take up the current opportunity for biodiversity assessments at no upfront cost where there are in-demand credits.

**7. How many Stewardship sites are coming on line in the AWC area for trading on the open market (not including large infrastructure projects) creating and using their own credits?**

As of 30 November 2022, the Taskforce is preparing 15 BSAs and has approved seven further BSAs that cover the credit trading area of the AWC region since August 2022. This includes agreements where landholders will trade their credits through the biodiversity credit market. Prospective buyers of these credits include a range of renewable energy, mining and infrastructure projects.

**8. As a result of the Parliamentary Inquiry will the average costs of credits to be paid to the BCT increase?**

The cost of acquitting a biodiversity offset obligation for proponents who choose to pay into the BCF is not linked to the parliamentary inquiry . Until the whole-of-Government response is finalised, we are not able to confirm if any Government response will impact on the average price of biodiversity credits.

As discussed at the recent GMAC meeting, a new BCF Charge System for payments into the BCF commenced on 17 October 2022. It replaces the previous Biodiversity Offsets Payment Calculator (BOPC) and aims to more accurately predict the cost the BCT will incur when purchasing credits from landholders.

The introduction of the BCF Charge System is being staged to avoid significant market shocks. Price increases for some biodiversity credits will be capped at 20% relative to the most recent BOPC price for a 12-month period. The cap will apply to any credits priced at \$5,000 or more under the BOPC and will expire on 16 October 2023.

Further information on the new BCF Charge System can be found on [the BCT's website](#).

**9. How many Stewardship sites are being created and how many more trees will be planted as a result of these new Stewardship sites.**

As of 30 November 2022, the Biodiversity Credits Supply Taskforce is preparing 72 BSAs that cover almost 35,000 hectares of land across NSW and has approved a further 18 BSAs that cover almost 10,500 hectares of land since August 2022. The Taskforce is supporting a further 29 landholders to establish a BSA on their land through its Expression of Interest program. Once finalised, these BSAs will provide in-demand credits for trading through the NSW biodiversity credit market and cover an additional 17,800 hectares of land.

It is not possible to provide the total number of trees planted at BSA sites. Each site is different and requires tailored management actions in accordance with the relevant BSA to enhance biodiversity values. Not all sites require tree planting as part of their management plan.

**10. Should legislation be changed to allow Developments, which trigger the Biodiversity Offset Scheme to be integrated developments?**

The scheme is legislated under the *Biodiversity Conservation Act 2016* (BC Act), which is currently subject to a statutory five-year review. The purpose of the review is to determine whether the policy objectives of the BC Act remain valid and whether the terms remain appropriate for securing those objectives. The [terms of reference](#) for the review are available on DPE's website.

The review is being supported by an independent panel of experts which will make recommendations to the Minister for Environment and Heritage as part of a report due by 24 August 2023.

We encourage interested stakeholders, including councils, to participate in the review and consider making a submission on issues of concern to them.

If there are any question regarding the above information, please let me know.

Regards  
Sam

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