

Biodiversity Assessment for Development Factsheet

Biodiversity Assessment for Development

On 25 November 2019 the *Biodiversity Conservation Act 2016* came into effect in the Camden LGA. From this date development applications and applications to modify a development consent are subject to new biodiversity assessment requirements.

What is the Biodiversity Offsets Scheme (BOS)?

The BOS is a scientifically based approach to biodiversity assessment for threatened species and ecological communities. The BOS includes offsetting requirements for developments that are likely to have a significant impact on biodiversity.

What About Land that is Biodiversity Certified?

The BOS does not apply to land that is subject to biodiversity certification including many parts of the South West Growth Area, Gledswood Hills and the Emerald Hills developer estate.

How do I Know if the BOS Applies to my Development?

There are three tests that can trigger the requirement for a development to be assessed via the BOS within the Camden LGA:

1. The development will exceed the native vegetation clearing thresholds.

Use the Biodiversity Values Map and Threshold Tool to map the extent of clearing and determine if the clearing thresholds are exceeded. The map and tool are available at:

<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>

2. The development is located on land or will impact upon land with high biodiversity values.

Use the Biodiversity Values Map and Threshold Tool to determine if land is mapped as having high biodiversity values. The map and tool are available at:

<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>

3. The development will significantly impact threatened species, ecological communities or their habitats.

A test of significance must be completed to determine if the development is likely to have significant impacts. The test requirements are outlined in the publication 'Threatened Species Test of Significance Guidelines' and are available at:

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/threatened-species-test-significance-guidelines-170634.pdf>

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What Information do I Need to Submit to Determine if the BOS Applies?

It is your responsibility to determine if the BOS applies to the development. Evidence to support a claim that the BOS does not apply must include a Biodiversity Offset Scheme Entry Threshold Map and Report generated using the Biodiversity Values Map and Threshold Tool (available at <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>). Clear information on the location and extent of all native vegetation clearing associated with the development must also be provided.

Council may also require a test of significance prepared in accordance with point 3 on the previous page, dependent on the location, scale and other aspects of the development.

What Happens if the BOS Does Not Apply?

If the BOS does not apply Council will continue to assess the development against the *Environmental Planning and Assessment Act 1979*. This may still require the achievement of certain environmental and biodiversity outcomes.

What Happens if the BOS Applies?

If the BOS applies you must engage an accredited assessor to prepare a biodiversity development assessment report (BDAR) and submit it with your application. The NSW Government maintains a public register of accredited assessors which is available at:

<https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>

The BDAR will demonstrate what steps have been applied to avoid/minimise impacts on biodiversity and the type and number of ecosystem and species credits that are required to offset the development's biodiversity impacts.

Where Can I Find More Information?

The NSW Office of Local Government has developed a navigator to assist you to determine which assessment and approval pathway applies to the development. The navigator is available at:

<https://www.olg.nsw.gov.au/biodiversity-assessment-and-approvals-navigator>

For further information contact Council on (02) 4654 7777.