



Biodiversity Offsets Scheme Local Government Update: Special Edition – BAM 2020

19 October 2020

We are pleased to advise that the Biodiversity Assessment Method (BAM) 2020 will come into force on 22 October 2020. The BAM is the scientific method used to assess biodiversity values as part of the Biodiversity Offsets Scheme. The BAM 2020 replaces the first version of the BAM.

The BAM 2020 includes a range of improvements and new features. The changes were publicly exhibited in September 2019 and have been finalised following careful consideration of submissions received. Additional minor amendments are also included based on outcomes from applying the BAM for over two years.

The BAM 2020 includes the following new features:

- improved language so it is easier to understand and apply
- clearer assessment requirements for prescribed and indirect impacts
- alignment of impact assessment criteria for entities at risk of a serious and irreversible impact with the principles listed in the Biodiversity Conservation Regulation
- a new streamlined assessment module for planted native vegetation
- revisions to existing streamlined assessment modules for paddock trees (renamed 'scattered trees') and small areas, clarifying when they can be used and providing additional guidance on their application
- minor changes to estimating biodiversity gain from management actions on offset sites to provide a more consistent and robust approach
- a new appendix to support strategic biodiversity certification
- updated format and section numbering to meet accessibility standards so all users can access the BAM.

Key elements of the BAM have not changed

No changes have been made to the equations for calculating the biodiversity credit requirements for offset obligations. Similarly, the approach and metrics used to assess the condition of native vegetation and the habitat suitability for threatened species remain unchanged. The BAM 2020 remains a scientifically robust method for assessing biodiversity values to meet the standard of no net loss.

Want to know more

Read the '[Biodiversity Assessment Method 2020](#)' fact sheet and visit the [BAM 2020](#) page on our website to download the new BAM. You can also find out about transitional arrangements for using the previous BAM and the release of BAM support documents such as operational manuals.

If you are familiar with BAM 2017 the attached, '[Guidance for accredited assessors and local government on BAM changes from 2017 to 2020](#)' summarises the differences you need to be aware of when applying BAM 2020 to prepare or review Biodiversity Assessment Reports.

BOS Support webinar

On Thursday 22 October 2020, a presentation recording – BAM 2020 – What's New? – will be uploaded to the BOS Support Vimeo page for you to watch. This presentation will explain how the BAM has been improved, changes assessors and decision-makers need to be aware of, transitional arrangements and how to find more information. The Department will run a webinar on Wednesday 28 October 2020 to provide a quick re-cap (10 mins), followed by a Q&A session on BAM 2020. If you have a question about BAM 2020, please take this opportunity to ask the panel of BAM experts.

Transitional arrangements

Clause 6.31 of the Biodiversity Conservation Regulation 2017 provides transitional arrangements to minimise the impact that amendments to the BAM may have on proponents and landholders with a biodiversity assessment underway.

From 22 October 2020, the transitional arrangements allow proponents and landholders to submit a biodiversity assessment report based on [BAM 2017](#) for:

- 12 months or such longer period as the Minister approves for applications for strategic biodiversity certification
- 12 months for state significant development or infrastructure and non-strategic (standard) biodiversity certification
- 6 months for all other development and clearing applications or biodiversity stewardship applications.

If the transitional arrangements are applied to a proposed development, activity, clearing, biodiversity certification or biodiversity stewardship site, the original BAM 2017 must be applied rather than the BAM 2020. This must be clearly stated in the biodiversity assessment report.

BAM-C updates

The BAM Calculator (BAM-C) will be updated on 22 October 2020. Updates will include alignment with BAM 2020 as well as several other enhancements that improve usability and fix minor bugs. We have sent detailed release notes to accredited assessors. From 22 October 2020, assessors can use the updated BAM Calculator for development, activity, clearing or biodiversity certification proposals regardless of whether BAM 2017 or BAM 2020 is being applied. However, if applicants or assessors propose to apply BAM 2017 to a Biodiversity Stewardship Site Assessment Report (BSSAR), they must contact the [Biodiversity Conservation Trust](#) to discuss the use of this option.

What does this mean for council?

For Biodiversity Development Assessment Reports (BDARs) which have not been finalised or are pending determination/approval by council, proponents may choose to:

1. apply BAM 2017 under the transitional arrangements
2. revise the BDAR to apply BAM 2020.

We have advised accredited assessors to contact their clients to discuss these options and help them decide.

Streamlined assessments (small area or scattered 'paddock' tree)

BAM 2020 has changed the criteria for applying the small area streamlined assessment and the definitions for applying the scattered tree (formerly paddock tree) streamlined assessment (refer to the attached '[Guidance for accredited assessors and local government on BAM changes from 2017 to 2020](#)' for details).

We have advised accredited assessors to consider these changes and contact their clients to discuss the options and impacts of applying BAM 2017 or BAM 2020 to help them to decide whether to finalise their assessment or revise it to apply BAM 2020. Depending on the details, there will be some cases where BAM 2017 enables the streamlined assessment module to be applied where BAM 2020 requires the full 'standard' BAM to be applied and vice versa. Similarly, there will be cases where BAM 2017 does not require threatened species surveys to be conducted and BAM 2020 does and vice versa.

If the proponent opts to apply BAM 2017 to these streamlined assessments from 22 October, assessors must contact us and we will provide guidance on how to use the updated BAM Calculator to apply the transitional arrangements. This will involve 'workarounds' in the BAM Calculator, which must be justified in the BDAR.

As the decision-maker, the council needs to consider the [attached scenarios](#) and take the relevant actions.

Questions or feedback?

We are happy to meet with you to discuss any questions or concerns about the BAM 2020. Please contact us at bam.support@environment.nsw.gov.au

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