

Biodiversity Assessment Method review – Department of Planning and Environment

August 2023



**CENTRAL NSW
JOINT ORGANISATION**

- Bathurst
- Blayney
- Cabonne
- Cowra
- Forbes
- Lachlan
- Lithgow
- Oberon
- Orange
- Parkes
- Weddin

10 August 2023

Reference: jb:vp 230810
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Biodiversity Assessment Method Review
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To Whom it may concern,

Re: Biodiversity Assessment Method review – Department of Planning and Environment

Joint Organisations (JOs) were proclaimed in May 2018 under the NSW Local Government Act 1993. The Central NSW Joint Organisation (CNSWJO) represents over 177,000 people covering an area of more than 51,000sq kms comprising the eleven Local Government Areas of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Lithgow, Oberon, Orange, Parkes and Weddin.

Tasked with intergovernmental cooperation, leadership and prioritisation, JOs have consulted with their stakeholders to identify key strategic regional priorities. The CNSWJO Strategic Plan can be found here: [Strategic Plan & Regional Priorities - Central Joint Organisation \(nsw.gov.au\)](#)

This response is informed by policy developed in region.

CNSWJO understands the Biodiversity Assessment Method (BAM) review aims to:

- consider opportunities to simplify the BAM
- improve transparency and consistency of processes and outcomes
- ensure the BAM is fit for purpose
- ensure the BAM is an appropriately flexible standardised assessment
- evaluate the adequacy of metrics and models embedded within the BAM

Focus Questions

1. Do you have any suggestions for how BAM assessments could be made faster, cheaper or easier without compromising scientific rigour?
2. What changes could be made to the BAM to clarify requirements and documentation for avoiding and minimising impacts, and to strengthen outcomes?
3. How could SAIL assessments under the BAM be clarified or better supported to help improve transparency, consistency and outcomes?
4. Should the BAM require further consideration of cumulative biodiversity impacts in an area proposed for development? If so, do you have any recommendation for how this could be assessed?
5. Do you have any suggestions for improving how the BAM applies to very large or long, linear projects without increasing complexity?

6. Do you have any suggestions for how the BAM could be improved for applying in extreme conditions such as severe bushfire, prolonged flooding or prolonged drought while maintaining a consistent standard?
7. Do you have any suggestions for improving how the BAM applies in derived vegetation communities or transitions between different vegetation types without increasing complexity?
8. Are there ways the BAM could better consider connectivity and encourage conservation of high biodiversity value/good condition sites?
9. Are there ways the BAM could better consider the gain achieved through active restoration to help incentivise protection of degraded areas?
10. Are there ways the BAM could better consider existing credit obligations?

The BAM is not working while driving perverse outcomes for development in the Central NSW region. The BAM overregulates areas of limited environment value, adversely impacts development, and restricts land use changes unnecessarily. The methodology is adding costs to development and communities and the ecological outcomes achieved from the scheme are not clear.

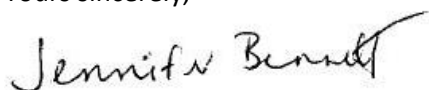
Improvements may be underway, however it is still considered overly complex and costly. When Council is the developer, this region reports having to spend significant sums of money on differing consultants to reduce the biodiversity offset costs. Ultimately, some projects have had to be put on hold where members cite the costs of credits as either a contributing or determining factor. Should the Department wish, meetings can be arranged with Councils to provide more detailed advice.

Member Councils see an increasing effort by the Department in trying to make the scheme workable. However, these increased inputs add to the overall costs of the scheme while the extent to which it is making a difference is yet to be tested. Notably, the engagement with Local Government in recent webinars has been welcomed however exposes the extent of both the interest of Councils and the challenges they are experiencing regarding the scheme. It is the non-metropolitan Councils in NSW that have the greatest resourcing challenges that are impacted the most by this legislation. Some dedicated ongoing support using a case management approach for Councils would be welcomed.

To reduce complexity and costs it is recommended that dedicated work be undertaken with Councils to optimize development pathways in regional NSW. The Central NSW Joint Organisation is scoping what this work would look like and would welcome an opportunity to codesign solutions with the Department.

If you require further information or clarification on comments in this submission, please do not hesitate to contact me on 0428 690 935.

Yours sincerely,



Jennifer Bennett

Executive Officer

Central NSW Joint Organisation (CNSWJO)