



# Making a payment into the Biodiversity Conservation Fund for an offset obligation in NSW

## **Form 1 - Charge Quote Application (Stage 1)**

This form is to be completed by persons who propose to meet an offset obligation required under the *Biodiversity Conservation Act 2016* (NSW) (BC Act) by making payment into the Biodiversity Conservation Fund (BCF) under section 6.30 (1) of the BC Act.

### **The process**

To make a payment, a Charge Quote must be obtained from the NSW Biodiversity Conservation Trust (BCT). The BCT will calculate the Charge (and monthly indexation) using the Biodiversity Offset Payment Calculator (BOPC), known as the BCF Charge System. Proponents then use this Charge Quote, with the appropriate indexation applied, to make a Payment into the BCF.

The steps are as follows:

- Stage 1 – Submit Charge Quote Application (Form 1 – this form) to the BCT to request a quote
- Stage 2 – The BCT provides a Charge Quote and a Payment Application (Form 2)
- Stage 3 – If the proponent wishes to make a payment into the BCF, they complete the Payment Application (Form 2)

**A proponent can submit a Charge Quote Application (Form 1) once a development application with an offset obligation has been submitted to a Consent Authority.** This is referred to as a 'Submitted NSW Statutory Application'. It includes an application for biodiversity certification, or an application for approval under Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) or Part 5A of the *Local Land Services Act 2013* (LLS Act).

**A Charge Quote Statement (Form 2) is issued by the BCT within a timeframe described below.**

**A Payment Application (Form 2) can only be submitted once development consent (or biodiversity certification or approval) has been granted.** This is referred to as a 'NSW Statutory Approval'.

If you need help completing the form or you have other queries, please contact the BCT via telephone on 1300 992 688 or email at [bcfpayments@bct.nsw.gov.au](mailto:bcfpayments@bct.nsw.gov.au).

### **Information to be provided to the BCT**

The Table below identifies the information required for the two forms (Quote and Payment).

<b>Requirement</b>	<b>When</b>	<b>Comments</b>
Submitted NSW Statutory Application	Quote (Form 1)	Evidence of submission required
Biodiversity Credit Report (Like for like)	Quote (Form 1)	Status must be 'Finalised' in the BAM-C
Credit Equivalence	Quote (Form 1)	Only required if BioBanking Credits
NSW Statutory Approval	Payment (Form 2)	Copy of conditions with obligation identified
EPBC Approval	Payment (Form 2)	Only required if applicable
GIS spatial data	Payment (Form 2)	ArcGIS-compatible shapefile of the development impact boundary

All data can be supplied with the Charge Quote Application (Form 1) if you wish. A Payment cannot be made until all required data has been submitted.

## ***Environmental Protection and Biodiversity Conservation Act 1999 approvals***

The Australian Government has endorsed the NSW Biodiversity Offsets Scheme. This means proponents with a biodiversity offset obligation under both the BC Act and *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) may be able to satisfy their Commonwealth offset obligation through payment into the BCF. Proponents should confirm their eligibility to meet their Commonwealth offset obligation via payment into the BCF by checking the information on the [Australian Government Department of Agriculture, Water and the Environment website](#). A payment for a Commonwealth obligation may only be made after approval has been granted.

### **Timeframes for issuing a Charge Quote**

The BCT proposes the following timeframes for provision of a Charge Quote once all required data is supplied:

- Small Quotes (<50 credits and/or less than four ecosystem credit types) – up to 10 working days.
- Large Quotes (>50 credits or four or more ecosystem credit types) – up to 30 working days.
- For very large quotes, the BCT may negotiate a longer period.

## PART A - APPLICANT DETAILS

Complete this part to identify the applicant who has an obligation to retire credits.

Applicant (individual or Sole trader)			
Title			
Full name			
ABN (If applicable)			
Applicant (company)			
Company			
ACN		GST registered	<input type="checkbox"/> Yes <input type="checkbox"/> No
ARBN		GST registered	<input type="checkbox"/> Yes <input type="checkbox"/> No
Contact details			
Name (if different to above)			
Phone		Mobile	
Fax		Email	
Mailing address (if no email address is provided above)			
Address			
Suburb / city			
State / territory		Postcode	
Country			

## **PART B – BIODIVERSITY CREDIT OBLIGATIONS AND SUPPORTING DOCUMENTATION**

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To provide payment into the BCF to meet an offset obligation you must demonstrate a statutory requirement to retire biodiversity credits as part of a development consent (including biodiversity certification or other approval). To receive a Charge Quote, evidence of a Submitted NSW Statutory Obligation must be provided.

<b>Project Address or Name<sup>1</sup></b>	
<b>NSW statutory obligation reference<sup>2</sup> (mandatory):</b>	
<b>Local Government Area<sup>3</sup></b>	
<b>Commonwealth EPBC Act controlled action approval reference<sup>4</sup> (if applicable):</b>	
<b>BCF Reference (OFFICE USE ONLY):</b>	

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<sup>1</sup> The name or address of the project – this will be used as a reference to track the Charge Quote and payment.

<sup>2</sup> This refers to either: a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*; a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act; a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act; a biobank statement number; or biodiversity certification number.

<sup>3</sup> If project covers more than one local government area, list them all.

<sup>4</sup> Applicable only if your development was deemed a controlled action under the Commonwealth EPBC Act, has been approved with a biodiversity offset obligation under that Act on or after 24 March 2020 or if issued prior to this date, EPBC Act conditions of approval allow for payment into a Commonwealth-endorsed Fund.

**Supporting documentation required**

To complete this application form to receive a Charge Quote to make payment into the BCF it is mandatory to provide the following supporting documentation. Refer to footnotes for items shaded grey.

Documentation required	Status	Attached
<b>Submitted or approved NSW statutory development application including all biodiversity credit obligations</b> OR <b>Documentation demonstrating a determining authority’s consideration of the environmental impact of an activity assessed under Part 5.1 of the EP&amp;A Act (for example any Review of Environmental Factors and/or determination report prepared)</b> OR <b>Application to, or approval by, the Native Vegetation Panel for clearing of native vegetation under Part 5A of the LLS Act</b> OR <b>Application for, or an order granting, biodiversity certification under Part 8 of the BC Act</b>	<b>Submitted<sup>5</sup></b> <input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<b>Approved<sup>6</sup></b> <input type="checkbox"/> Yes	
<b>Credit report (like for like) from the Biodiversity Assessment Method (BAM) Credit Calculator, or Credit Calculator for Major Projects/Biobanking, or Biodiversity Certification Assessment Method Credit Calculator</b>		<input type="checkbox"/> Yes
<b>Statement of assessment of reasonable equivalence of biodiversity credits issued by the Department of Planning and Environment for obligations issued in BioBanking Credits (if applicable)</b>		<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>Commonwealth EPBC Act controlled action approval including all conditions of approval relating to the offset obligation(s) to be met through payment into the BCF<sup>6</sup></b>		<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>GIS shape files (projected / georectified) of the development impact boundary<sup>6</sup></b>		<input type="checkbox"/> Yes

<sup>5</sup> Tick only one of the boxes here (Submitted or Approved) depending on whether you have a Submitted NSW Statutory Application or NSW Statutory Approval as defined on Page 1.

<sup>6</sup> Documentation is only mandatory at Stage 3 to make a payment into the Biodiversity Conservation Fund (but can be supplied with this application)

**Biodiversity credit obligations**

Indicate the type and number of credits you are seeking a Charge Quote for. If you choose to make a Payment, then the final number of credits can be varied.

IBRA subregion <sup>7</sup>	PCT ID <sup>7</sup>	Plant Community Type name or threatened species name <sup>7</sup>	Offset trading group <sup>7</sup>	Hollow-bearing Trees (Yes/No) <sup>7</sup>	EPBC Act Controlled Action (Yes/No) <sup>8</sup>	Number of biodiversity credits

<sup>7</sup> As displayed in the BAM Biodiversity Credit Report (Like for Like) generated from the BAM Calculator or the Statement of reasonable credit equivalence issued by the Department of Planning and Environment.

<sup>8</sup> Indicate 'Yes' if payment for the specific class of credits is intended to satisfy both an NSW statutory offset obligation and a Commonwealth EPBC Act offset obligation or 'No' if payment is intended to satisfy NSW statutory offset obligation only.

IBRA subregion <sup>7</sup>	PCT ID <sup>7</sup>	Plant Community Type name or threatened species name <sup>7</sup>	Offset trading group <sup>7</sup>	Hollow-bearing Trees (Yes/No) <sup>7</sup>	EPBC Act Controlled Action (Yes/No) <sup>8</sup>	Number of biodiversity credits

**PART C – DECLARATION**

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I/We:

- Apply to receive a Charge Quote to make payment to the Biodiversity Conservation Fund (BCF) to satisfy the requirement to retire biodiversity credits in accordance with section 6.30 of the BC Act and/or satisfy a Commonwealth EPBC Act offset obligation.
- Declare that, where the applicant is an organisation or comprises of more than one entity, I have authority to complete this form on behalf of the organisation or, if more than one entity, on behalf of all entities.
- Declare that the information in this application form (including any attachments) is accurate and up to date to the best of my/our knowledge.
- Understand and acknowledge that it is an offence under section 13.10 of the BC Act to provide information in connection with a matter under this Act (or under Part 5A of the *Local Land Services Act 2013* (NSW)) that a person knows, or ought to know, is false or misleading in a material particular. It is also an offence under section 307B of the *Crimes Act 1900* (NSW) for a person to give information to a public authority, knowing the information is false or misleading or omits any matter or thing without which the information is misleading.

I agree and acknowledge that:

- I give permission for the BCT to collect, store and use personal information contained in this application in accordance with the attached privacy notice and for the purpose of assessing the application.
  - I give permission for the BCT to access, store and use any information that is held by the Department of Planning and Environment (DPE) and the BCT, in accordance with the attached privacy notice and for the purpose of assessing the application. This includes information to verify the attributes of the offset obligation credits that are the subject of this application.
- I consent to the above agreements and acknowledgements (box to be checked to indicate consent).
- I give permission for the BCT to publish personal information contained in this application in accordance with the attached privacy notice, including for the purpose of publicly reporting on:
    - the Charge Quote requests received by the BCT
    - the value of Charges calculated by the BCT
    - the offset obligations held by the BCT
    - the offset obligations satisfied by the BCT.

This may include publishing the name of the applicant, name of the development, statutory offsetting obligation reference, date a Charge Quote was issued, amount of Charge issued, date of payment (determined when paid) and amount of payment on the BCT’s website.

- I consent to the above agreement (box to be checked to indicate consent).

If the applicant is an organisation or comprises of more than one entity, then a person who has authority should complete this declaration and submit the application on behalf of the organisation or other entities.

Print name:	
<input type="checkbox"/>	I am the applicant.
<input type="checkbox"/>	OR I am authorised to complete the declaration and submit the application on behalf of the applicant.
Date:	
Position	
Organisation (Enter NA if not applicable)	



## PART D – PRIVACY NOTICE

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The Biodiversity Conservation Trust of NSW (BCT or we/us) is subject to the *Privacy and Personal Information Protection Act 1998* (Privacy Act) in managing your personal information. We are committed to protecting your privacy.

The BCT is part of the Department of Planning and Environment (DPE). The [DPE Privacy Management Plan](#) describes how the agency meets its privacy obligations.

This notice describes how the BCT will manage your personal information that you (the applicant) provide when you apply to make an offset payment into the Biodiversity Conservation Fund (BCF).

Personal information means information or opinion about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion.

In the above circumstances you may also provide the personal information of other persons. This could include information about other persons that together comprise the applicant. Before providing the personal information of any other person you must first obtain the consent of that person for the BCT to collect their information and for it to be used in accordance with this privacy notice.

We may use personal information collected from you for the following purposes:

- to assess your application to receive a Charge Quote or to make an offset payment into the BCF.
- to obtain information that is held by DPE and the BCT to assess your application. This includes information to verify the attributes of the offset obligation credits that are the subject of this application.
- to assist the BCT and DPE in financial audits and policy development.
- to include details in the BCT's annual report of how the BCT has applied the offset and variation rules in securing biodiversity offsets in accordance with clause 6.6(3) of the *Biodiversity Regulation 2017* and
- to publicly report on:
  - the Charge Quote requests received by the BCT
  - the value of Charges calculated by the BCT
  - the offset obligations held by the BCT
  - the offset obligations satisfied by the BCT.
- This may include publishing the name of the applicant, name of the development, statutory offsetting obligation reference, date a Charge Quote was issued, amount of Charge issued, date of payment (determined when paid) and amount of payment on the BCT's website

We may share the personal information that you provide with DPE when it is consistent with the above purposes. We will not otherwise disclose your personal information to any other person unless you have provided consent, or we are permitted or required to do so under law.

There is no legal requirement for you to provide us with your personal information and/or to give us permission to collect, store and use your personal information. However, if you do not provide all required information requested and give permission for the BCT to collect, store and use the information, we may not be able to consider your application.

Your personal information will be stored in a secured database.

You have the right to access your personal information that we hold. You also have a right to request that we update or amend this information. If you would like more information, or have any questions regarding privacy, then please contact:

NSW Biodiversity Conservation Trust

Locked Bag 5022

PARRAMATTA NSW 2124

Phone: 1300 992 688

Email: [info@bct.nsw.gov.au](mailto:info@bct.nsw.gov.au)

## **PART E – LODGING APPLICATION**

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Once you have fully completed and signed the form, send the application with all attachments to the Biodiversity Conservation Trust in one of the following ways:

**By email:**

Email your complete application with the required accompanying documentation to [bcfpayments@bct.nsw.gov.au](mailto:bcfpayments@bct.nsw.gov.au).

If the email and its attachments are too large to send, please contact us via the mailbox to organise method of delivery.

**By post:**

Post your complete application with the required accompanying documentation to:

**Biodiversity Conservation Trust**

**Locked Bag 5022**

**PARRAMATTA NSW 2124**

**Australia**