



Biodiversity  
Conservation  
Trust

# **BCT Credit Tender 24-01**

## **Participants guide**

**April 2024**

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# Glossary of terms

BAM	<a href="#">Biodiversity Assessment Method 2020</a>
BAM credits	Credits created under the <i>NSW Biodiversity Conservation Act 2016</i> using the BAM
BBAM credits	Credits created under the former <i>NSW Threatened Species Conservation Act 1995</i> BioBanking Scheme using the BioBanking Assessment Method
BC Act	<a href="#">Biodiversity Conservation Act 2016</a>
BC Regulation	<a href="#">Biodiversity Conservation Regulation 2017</a>
BCF	Biodiversity Conservation Fund
BCT	NSW Biodiversity Conservation Trust
Biodiversity Stewardship Agreement (BSA)	An agreement made under Division 2 of Part 5 of the BC Act.
Biodiversity Stewardship Site Assessment Report (BSSAR)	An assessment report required to accompany an application to enter into a BSA.
Credit class	For the purpose of the tender, a credit class is a group of credits with the same attributes, such as the same subregion, credit type, offset trading group and Hollow-bearing tree status. <sup>1</sup>
Credit class options	The range of credit classes that are available to acquit an obligation under the offset rules contained in the BC Regulation. <sup>2</sup>
Credit sale agreement (or CSA)	A contract entered into between the BCT and the credit owner or landholder committing both parties to a credit sale.
Credit Supply Taskforce (CST)	A team within DCCEEW that assess and approves new BSAs and operates the Biodiversity Credits Supply Fund.
Cumberland Plain Woodland (CPW)	A critically endangered threatened ecological community listed under the BC Act that occurs within the Sydney Basin.
DCCEEW	Department of Climate Change, Energy, the Environment and Water
EPBC Act	Commonwealth <a href="#">Environment Protection and Biodiversity Conservation Act 1999</a>
Equivalence statement	An ' <a href="#">Assessment of reasonable equivalence of biodiversity credits</a> ' is issued by DCCEEW for BBAM credits to determine the equivalent number of BAM credits.
Hollow bearing tree (or HBT) status	An attribute of a credit class which identifies Hollow bearing trees as either present or absent.
Obligation	The obligation the BCT is under to secure offsets from the money paid into the BCF by a developer (BC Act, s6.2(g)).
Offset Trading Group (or OTG)	An attribute of a credit class identified in Section 10.2 of the BAM.

<sup>1</sup> Refer to Section 10.2 of the [Biodiversity Assessment Method 2020](#)

<sup>2</sup> Refer to [Clause 6.2](#) of the BC Regulation.

PCT	Plant Community Type
Subregion	Interim Biogeographic Regionalisation of Australia (IBRA) subregion
Threatened ecological community (or TEC)	As defined in the BC Act.

## 1. Credit tender

This guide explains how landholders considering a Biodiversity Stewardship Agreement (BSA) and biodiversity credit owners can participate in a NSW Biodiversity Conservation Trust (BCT) credit tender.

A key function of the BCT within the NSW Biodiversity Offsets Scheme is to act as a market intermediary to secure offsets on behalf of developers who pay into the Biodiversity Conservation Fund (BCF). The BCT is responsible for securing biodiversity credits to meet these offset obligations.

A tender is one of the ways landholders and credit owners can sell their credits to the BCT. Other methods are described in Appendix 1.

**BCT Credit Tender 24-01 opens on 3 April 2024 and closes at 11:59pm on 24 April 2024. Bids received after the closing time may not be considered further at BCT's absolute discretion.**

## 2. How does the tender work?

**In a BCT credit tender, applicants offer a price at which they are prepared to sell their credits.**

The BCT considers the bids through a competitive, reverse auction process.

The tender is available to existing credit owners as well as landholders who are interested in establishing a Biodiversity Stewardship Agreement (BSA).

For existing credit owners, if the bid is accepted then the BCT will proceed directly with the transaction.

Landholders interested in establishing a BSA will need to submit a [BSA business case](#) or draft Biodiversity Stewardship Site Assessment Report (BSSAR) with their application. The BCT will review the business case or draft BSSAR as part of the bid evaluation process. If the bid is accepted, the BCT will commit to purchasing the credits by entering into a credit sale agreement with the landholder. The credits are then purchased once the BSA site is established and credits created.

By participating in the tender, landholders will have the BCT as a committed buyer of credits before proceeding with additional assessment costs of their BSA.

### 3. What biodiversity credits are being sought?

The tender is limited to credits on the BCT's Wanted Credits List which is available on the BCT's [Credit Offer Portal](#) (refer to section 6.2).

The Wanted Credits List is specifically developed for the tender and is released prior to the tender opening. It identifies the number of credits wanted by the BCT for each credit class. An applicant can offer to sell any number of credits up to this maximum number.

Information on how to use the Wanted Credits List is provided in Section 6.2. Detailed guidance is also available on the [Credit Offer Portal](#) webpage.

#### 3.1 How does the Wanted Credits List work?

The Wanted Credits List identifies the number of credits wanted by the BCT for each credit class and is based on the developer offset obligations received by the BCT.

The BCT can acquit an obligation with credits from a range of different credit classes. The credits wanted for an obligation are therefore listed in each of the possible credit class options. The list is then compiled by summing the number of credits required from all obligations for each credit class (See Box 1).

##### **Box 1 Example of how the Wanted Credits List works**

The BCT has received an obligation for 100 ecosystem credits. The obligation can be acquitted by a number of different credit classes i.e. combinations of IBRA subregion, Offset Trading Group, Plant Community Type and Hollow Bearing Tree status.

The Wanted Credit List will display 100 credits as being wanted for each of these credit classes.

If different obligations share the same credit class option, then the Wanted Credits List will show the total number of credits being sought from all obligations for the credit class.

The Wanted Credits List is updated and revised for each credit purchase program (e.g. for each tender). The Credit Offer Portal displays the date the Wanted Credits List was last updated.

### 3.2 Wanted TEC credits

Owners with credits for TECs can submit bids for wanted credits of the TEC and / or for wanted credits of non-TEC credit classes provided they conform with guidance provided in DCCEEW's [Offset rules and ecosystem credits practice note](#).

#### **Box 2 Example of using TEC credits to submit a bid for a non-TEC credit class**

A credit owner holds PCT 1230 credits within the Endangered Ecological Community (EEC) Offset Trading Group: Swamp Sclerophyll Forest.

The BCT Wanted Credits List displays 60 credits for PCT 1230 in the non-TEC Offset Trading Group: Coastal Swamp Forest 70-90% cleared.

In this case, the credit owner can submit a bid for their PCT 1230 in the EEC Offset Trading Group credits against the non-TEC wanted credits, as long as the other credit attributes (subregion and hollow bearing tree status) match the wanted credits.

### 3.3 Wanted credits in Western Sydney with specific eligibility requirements

[Cumberland Plain Woodland in the Sydney Basin Bioregion](#) (CPW) credits in the Cumberland, Sydney Cataract or Yengo subregions are wanted by the BCT and specific eligibility requirements apply.

The eligibility requirements for these credit classes are listed in Appendix 2.

**Handy hint:** If you are a landholder or credit owner with CPW credits in the Cumberland, Sydney Cataract or Yengo subregions you should consider participating even if you are unsure about whether you meet the eligibility requirements. The BCT will review your bid information to determine whether it meets the relevant eligibility criteria. Please note that the BCT may request additional information including plot data or spatial shapefiles to review and process your bid.

CPW credits are being sought to meet current and future requirements of two offset programs for urban growth in Western Sydney (refer to Appendix 2 for details).

## 4. Who is eligible to bid?

The tender is open to applicants who:

- own existing credits created under the current Biodiversity Offsets Scheme (termed BAM credits); or
- own existing credits created under the former BioBanking Scheme (termed BBAM credits) and have obtained an **equivalence statement** to determine the equivalent number of BAM credits; or
- are landholders and have obtained a [BSA business case](#) or a draft BSSAR from a BAM accredited assessor or have submitted an application for a BSA.

**Handy hint:** If you own BBAM credits make sure to allow sufficient time to obtain an equivalence statement before applying for the tender. Use this [link](#) to apply for a statement.

### 4.1 Conflicts of interest

Applicants with successful bids will be required to declare any conflicts of interest and how these will be managed. The declaration will be required when you enter into a credit sale agreement with the BCT (refer to Step 5 in Table 1).

Applicants who have associations that are considered by the BCT to represent a conflict of interest which is unable to be managed may not be eligible.

BCT staff and Board members (and their close family members) and any contractors involved in the delivery of the tender are not eligible to participate. Any offers received from such parties will not progress further in the process.

## 5. Tender process

The steps for participating in the tender are outlined in Figure 1. Note that some of these steps are bypassed if you have existing credits.

**Figure 1. Steps to participate in the tender**





## 5.1 BCT seeks bids

The BCT will seek bids by promoting the tender through the BCT website and notifying accredited assessors and other known participants in the biodiversity credit market.

## 5.2 Submit an application

To participate in the tender you will need to complete and submit the on-line application form that is available on the BCT's [Credit Offer Portal](#). Read the [Guide to the Credit Offer Portal](#) before submitting your tender application.

The Credit Offer Portal provides access to the Wanted Credits List for the tender.

### How to use the Wanted Credits List

Search the the Wanted Credits List by filtering for the following credit class attributes:

- IBRA subregion
- PCT ID
- OTG
- Hollow-bearing tree status.

**BAM credit owners** - the credit class attributes for your credits are provided on the biodiversity credit report or biodiversity credit ownership report

**BBAM credit owners** - the credit class attributes for your credits are provided on the **equivalence statement**.

**Landholders looking to establish a BSA** - the number of credits and credit class attributes expected to be generated at the proposed site will be provided in the Business case or draft or finalised BSSAR.

There is also [information for new landholders wanting to offer credits to the BCT](#), including a link to a map to assist you in determining the subregion in which your property is located.

**Search for species credits:** simply search for the species you are offering to sell using either the common or scientific name.

**Search for ecosystem credits:** search for all **four** credit class attributes of the credits you are offering to sell:

More guidance on how to search the Wanted Credits List is available on the [Credit Offer Portal](#) webpage.

If the specific credit class you hold is not visible in the Wanted Credits List, then unfortunately the BCT is not seeking your credits (unless the exception referred to in section 4.2 applies).

### Submitting an application

An application can be submitted for one or more wanted credit classes, and for any number of credits up to that displayed on the Wanted Credits List. The application must be for the same credit classes

as the credits you own or propose to create (note an exception for TECs in section 4.2) and can not exceed the number of credits you own or propose to create.

### Submitting multiple applications

You can submit more than one application. Each application must only contain bids for credit classes that are from:

- the same agreement (or proposed site),
- the same credit status (i.e., either existing or proposed credits, not both), and
- the same offset scheme (i.e., either BAM or BBAM credits, not both).

There is no need to submit separate applications for each credit class you are offering if all credit classes are from the same site, have the same status and were created under the same offset scheme.

### Submitting different bid prices for the same credit class

An applicant can submit a number of bids with different bid prices for the same credit class. Each bid with a different price will require a separate application. For example, an applicant with 100 credits of a credit class may submit one application for 40 credits at Price A and a second application for 60 credits at Price B.

Note however, that an applicant cannot submit different bids for the same individual credits. If different bids are received for the same credits, then the BCT will only make an offer to the bid with the lowest credit price. For example, if the applicant with 100 credits submits two bids for the same 100 credits, then the BCT will only accept the lowest priced bid.

### Supporting documents

The application requires you to upload the documents that are relevant for you in Table 1. An application may be rejected if the required documents are not uploaded.

**Table 1: Documents required for an application to sell credits to the BCT through the tender**

Applicant	Documents required
Owner of BAM credits	<ul style="list-style-type: none"> <li>• Finalised Biodiversity Credit Report (not the summary report) and/ or</li> <li>• Credit ownership report</li> </ul>
Owner of BBAM credits	<ul style="list-style-type: none"> <li>• Credit ownership report and</li> <li>• 'Assessment of reasonable equivalence of biodiversity credits' report (i.e. equivalence statement)</li> </ul>
Landholder proposing a BSA	<ul style="list-style-type: none"> <li>• Either a Business Case,</li> <li>• or if available, a draft BSSAR,</li> <li>• or if available, a BSSAR submitted with a BSA application.</li> </ul>

**Notes:** Reports may be redacted to remove any commercially sensitive information.

The application authorises the BCT to verify the credits with DCCEEW.

## **Business case for proposed credits**

A business case (or a draft or finalised BSSAR) needs to be submitted with a bid for proposed credits. Business cases should include the content described on the BCT's [Business case](#) information sheet.

The business case must provide sufficient evidence to substantiate the estimated number, type and credit class attributes of the credits that are included in the bid. The BCT will only assess the bid if sufficient evidence is provided but reserves the right to seek additional information or clarification on any bid during the assessment process.

The purpose of the business case is to assist the landholder in making an informed decision on proceeding with a BSA and the price at which credits can be sold. It also allows the BCT to make sure its not committing to purchase credits that are unlikely to be delivered and so preventing other participants from having the opportunity to sell these credits.

## **Completing the application**

Please check your application carefully before submitting it.

**It's important to ensure that the above requirements of applications are met and that credit details are exactly the same as in your supporting documents. If the details are incorrect then your application may be rejected.**

For example, if the credits you own are identified in the credit report as Hollow-bearing tree absent, then the bid must be for Hollow-bearing tree absent credits.

The application must be completed by either the registered owner of the credits, or the landholder of the property for the proposed BSA, or a person authorised to represent the credit owner or landholder.

Once the on-line application is submitted you will receive an emailed acknowledgement of its receipt.

**Handy hint:** Consider taking screen shots of bids as they are entered into the online Credit Offer Portal. This will provide a useful reference if needed.

## **Applications are non-binding**

Applications are not binding, meaning applicants can choose not to accept an offer from the BCT to purchase credits from the tender.

## **What do I do if I'm also participating in a CST reverse auction?**

Applicants may submit applications concurrently for both a Credit Supply Taskforce (CST) reverse auction and a BCT tender. If an applicant is unsuccessful in a CST reverse auction then they are free to accept an offer from the BCT.

If credits included in a BCT tender application are no longer available for sale, then applicants are required to inform the BCT immediately.

### 5.2.1 Bid price

An application must specify a bid price (excluding GST) per **BAM** credit for each credit class offered for sale. Only a single bid price will be accepted for each credit class.

If BBAM credits are being sold, then the equivalent bid price per BAM credit can be calculated by the applicant using the equivalence statement. If the bid is successful and the purchase proceeds, the BCT will confirm the final number of BBAM credits to be purchased and the price per BBAM credit.

**Handy hint:** Remember that your bid price must be sufficient to meet the relevant proportion of the Total Fund Deposit (TFD) that is required to be paid for a BSA. The BCT reserves the right to reject a bid where the bid price does not meet these requirements. Box 3 provides more details.

#### Box 3 Total Fund Deposit requirements

Credits cannot be sold unless the relevant proportion of the remaining TFD is paid into the Biodiversity Stewardship Payment Fund. The 'relevant proportion' refers to the proportion that the number of biodiversity credits to be transferred bears to the number of biodiversity credits created at the site (refer to s6.21 of the BC Act).

The relevant proportion of the remaining TFD can be determined using the approach identified in Part D of the ['Application to transfer biodiversity offsets scheme credits'](#). The relevant proportion is calculated based on both ecosystem and species credits.

Example:

- 100 credits are created on a BSA with a remaining TFD of \$1,000,000.
- You intend to sell 50 credits (i.e. 50% of the credits since 50 of 100 credits = 50%).
- The relevant proportion of the remaining TFD that must be paid through the sale is therefore 50% which is equal to \$500,000 (i.e. 50% of \$1,000,000 = \$500,000).
- The minimum price at which you can sell your credits must be, on average, \$10,000 (since 50 credits at \$10,000 per credit = \$500,000)
- If the credit sale price is lower, you will be required to pay the balance of the relevant proportion before the credit transaction can proceed.

The BCT's [BSA Landholder Guide](#) (Section 5.4.1) provides an additional example of determining the TFD requirement.

It is the credit owner's responsibility to ensure that they only agree to a credit sale price if the TFD requirements of the BC Act can be satisfied. For proposed credits, the TFD requirements for selling credits will be estimated through the business case or draft or finalised BSSAR and then finalised when the BSA is established.

## **5.2.2 Obligation not to disclose bidding strategy**

A participant must not disclose a bid, proposed bid or bid related information that could affect the integrity or outcome of the tender. Any participant in this process is expected to adhere to the [BCT's Statement of Business Ethics](#).

A participant is not prevented from disclosing a bid, proposed bid or bid related information, for the purpose of obtaining finance, or for obtaining financial, legal or other advice, or if the disclosure is required or permitted by any law.

## **5.2.3 Disqualification from participating in future BCT programs**

The BCT reserves the right to disqualify a participant from participating in future BCT programs for an identified period of time. This can be done if the BCT believes on reasonable grounds that the participant has engaged in misconduct in relation to any purchasing process. In determining whether to disqualify a participant, the BCT may take into account whether the participant has breached:

- The participant guide for the tender
- A direction given by the BCT in relation to this tender
- The occurrence, suspected occurrence or possible future occurrence of conduct intended to affect the integrity of the process. This includes disclosing a bidding strategy.

## **5.2.4 Withdrawing a bid**

A participant may withdraw a bid during the tender period. This will become an ineligible bid and will not progress through the tender process. Applicants are required to inform the BCT immediately if any credits offered in a bid have been sold to another party prior to notification of the results of the tender. This will result in the bid being withdrawn.

If successful, the credit owner reserves the right to decline the offer by the BCT to purchase credits as a result of this Biodiversity Credit Tender.

### **Notifying the BCT if credits are no longer available**

If credits included in an application are no longer available for sale, then applicants are required to inform the BCT immediately. Similarly, the BCT will notify the applicant as soon as possible if the credits are no longer being sought (refer to section 6.4.1).

## 5.3 Bid evaluation

### 5.3.1 Reserve price

No reserve price will be set for each credit class. All submitted bids will be assessed by the evaluation panel using a range of factors to determine value-for-money bids (refer to section 6.3.3).

The BCT is not obliged to purchase any biodiversity credits offered within each credit class.

### 5.3.2 Evaluation process

#### Review of applications

The BCT will review applications to ensure that they are complete. **Applications that are incomplete, or contain incorrect credit details, may be rejected at BCT's absolute discretion.**

The BCT may, at its absolute discretion and according to its interests, decide to amend incorrect details using information provided, or to request additional information from an applicant and may accept the information as part of the application. This may occur, for example, for some applications with minor errors and/or with sought-after credits.

#### Review of business cases

A business case (or draft or finalised BSSAR) needs to be provided with a bid to sell proposed credits. The BCT will undertake a review of the business case to ensure that the proposed credits for the bid are likely to be created. The business case is accepted if the BCT, in its sole discretion, is satisfied that the proposed BSA is likely to create the required number and types of wanted credits. If the business case is not accepted then further assessment of the bid will be terminated.

#### Evaluation Panel assessment

Bids will be assessed by an evaluation panel. The panel will be independent of the BCT staff directly involved in running the biodiversity credit tender. It will include an independent representative, external to the BCT and the evaluation process will be overseen by a probity advisor.

Bids will be assessed by the evaluation panel 'blind', meaning that identifying information will be removed and bids assigned a generic identifier. Where a credit owner has submitted multiple bids, either as part of a single application or multiple applications, each bid will be given a separate identifier and assessed separately throughout the process.

The evaluation panel will provide recommendations to the BCT on bids that are considered 'value-for-money' in accordance with the tender evaluation plan. In making these recommendations the panel may consider a range of factors, including the bid price in relation to market information on the credit class and the number of credits being offered for sale. Other considerations may include the level of credit supply for the credit class, the level of market activity, and the length of time that offset obligations for the credit class have been held.

Bids for credits of threatened ecological communities in Western Sydney, as described in Section 4.3, will be evaluated according to the evaluation process set out in Appendix 2.

## **BCT decision**

The BCT will consider the panel's recommendations in determining which 'value for money' bids are to be accepted. 'Value for money' bids will be accepted and prioritised for making offers based on the cost implications of the credit purchase and consideration of other factors, such as the preferencing of purchases with higher conservation benefits, or that reduce the BCT's transaction timeframes and risks (e.g.; preferencing existing credits over proposed credits). The decision of the BCT is final.

The BCT will make offers to prioritised, value for money bids until either:

- all wanted credits for a credit class have been obtained through committed purchases, or
- the available budget has been exhausted.

## **Prioritising applications from other programs**

In prioritising bids, the BCT may also consider applications to sell credits received from other credit purchase programs. Offers may be received and accepted from other programs at any time, including during, and following a tender. Once the tender bids have been evaluated they will be prioritised with any offers from other programs that are still outstanding at the time of prioritisation.

## 5.4 BCT offers to buy credits

If you included multiple bids in your application then you will receive a separate response for each of your bids. Successful bids will receive an offer from the BCT to purchase credits, and unsuccessful bids will receive a notification (Section 6.4). The BCT may offer to purchase credits up to the number offered in your bid. If the BCT makes an offer then your bid price and the number of credits offered to be purchased by the BCT is not negotiable.

You will be provided **four business days to respond to an offer**. This timeframe is required to enable the BCT to make offers to other applicants in a timely manner if you choose not to accept the BCT's offer. Responses to the offer will be received up to 11:59pm on the due date, as determined by the date stamp of your return email. An extension of this timeframe may be made by the BCT at its sole discretion.

**Handy hint:** Be prepared to receive an offer! Check your emails and your 'spam folder' in case the email is not displayed in your inbox. Unfortunately, if you miss the offer then the BCT, at its sole discretion, may terminate the bid and make an offer to the next applicant.

The offer is accepted if the applicant provides emailed advice of acceptance by the due date.

The offer is refused if either the applicant advises in writing via email that they refuse the offer or there is no response within the required time period.

If the credit owner accepts the BCT's offer then the BCT will provide confirmation of its in-principle commitment to purchase the credits and details of the next steps in the process.

### 5.4.1 Unsuccessful bids

Your bid may be unsuccessful for the following reasons:

- The bid was determined by the BCT to not be 'value for money', or
- The bid was considered 'value for money' however the wanted credits were obtained from higher priority bids up to the limit of the available budget, or
- The business case or draft BSSAR for proposed credits was not accepted (refer to section 6.3.3), or
- The application was rejected during the review of applications (section 6.3.3), or
- A BCT offer to purchase credits was not responded to in the required timeframe (section 6.4), or
- The bid didn't meet the eligibility criteria for wanted credits in Western Sydney with specific eligibility requirements (refer Appendix 2).

If your bid is unsuccessful then you will be notified of this decision as soon as possible.

### 5.4.2 Unsuccessful bids may be considered further

If the BCT has received additional credit obligations since the Wanted Credits List was released, then it may re-consider and make an offer for unsuccessful bids. In these circumstances, the bids to receive a BCT offer will be prioritised from recently held credit purchase programs with the aim of providing best value for money and for reducing the BCT's risks and transaction timeframes.



## 5.5 Enter into credit sale agreement

The credit sale agreement (CSA) provides a contractual agreement in which both parties commit to proceed with the credit transaction. The BCT will enter into a CSA with an applicant who has agreed to proceed with the sale of credits.

### Agreements are binding

If a participant breaches a CSA without adequate justification, then the BCT may at its sole discretion, disqualify a participant from participating in future BCT programs for an identified period of time.

#### 5.5.1 What happens if the BSA does not create the required credits?

The CSA is a commitment by the landholder and the BCT to proceed with the credit transaction in accordance with the terms of the CSA. If less credits are created by the BSA than expected then, subject to the terms of the CSA, the BCT will purchase as many credits as are created.

#### **Important note:**

By entering into a CSA the BCT is not in any way committing to the landholder that the BSA will create the required credits.

The landholder is responsible for their decision to establish the BSA and to enter into a CSA with the BCT. It is recommended that the landholder carefully consider the advice from an accredited assessor on the number and type of credits likely to be created by a BSA, as well as any financial advice that is required for their decision. Valuable advice is also provided on DCCEEW webpage for [generating credits from a BSA](#).

#### 5.5.2 Purchase of additional credits

If more credits are available for sale, then the BCT may offer to purchase additional credits of the same credit type and at the same credit price as that offered by the applicant through the tender. The purchase of the additional credits would be facilitated through a variation to the CSA, which may occur at any time until the transaction has been completed by mutual agreement of the parties.

## 5.6 Establish a BSA

***This step is not required for existing credit owners.***

The landholder will require an accredited assessor to prepare the BSSAR and other documents that support a BSA application.

The submitted BSA application is reviewed by the [Credit Supply Taskforce](#) (CST). This ensures that the proposed management and details of the BSA are established independently of the credit sale to the BCT. This means that the BCT's earlier review of the business case to inform its decision to enter a CSA has no bearing on the subsequent review of the BSA application by the Taskforce.

Landholders will need to demonstrate that adequate progress is being made to establish the BSA. The required timeframes will be specified in the CSA. Table 2 provides an example of these timeframes. If satisfactory progress is not occurring in accordance with the CSA then the CSA may be terminated.

**Table 2: Example of timeframes for landholders to establish a BSA**

Documents to be provided to the BCT	Required date
Evidence of engagement of an accredited assessor to prepare a BSSAR	<ul style="list-style-type: none"><li>Two calendar months following signing of the credit sale agreement</li></ul>
Evidence of submission of an application to enter into a BSA	<ul style="list-style-type: none"><li>Twelve calendar months following signing of the credit sale agreement</li></ul>

**Note:** *The above timeframes for submitting an application are examples and final timeframes will be specified in the CSA.*

## 5.7 Sell credits

For applicants with existing credits, the credit transaction usually proceeds within six weeks of the CSA being executed (subject to the terms of the CSA).

For landholders with a proposed BSA, the credit transaction usually occurs within six weeks of the BSA being registered on title (subject to the terms of the CSA).

## 6. Use of personal information

The application form seeks your consent for the BCT to access, store and use personal information that you have submitted, and also information held by DCCEEW and the BCT.

We will use this information for the purpose of assessing your application to sell credits. With your consent, this includes information from DCCEEW and the BCT to verify the ownership and attributes of the credits that are the subject of your application. It also includes attributes of the BSA or Biobanking agreement that created the credits, such as data on the Total Fund Deposit.

There is no legal requirement for you to provide us with personal information. However, if you do not provide all required information, we may not be able to consider your application.

If your application includes personal information about other persons that together comprise the applicant, then you must first obtain the consent of that person for the BCT to collect and use their information.

The Privacy Notice included in the application provides further information.

## 7. Additional information

Further information on the credit tender is available on the BCT's [credit tender](#) website.

Additional information can be sought by contacting [offsets@bct.nsw.gov.au](mailto:offsets@bct.nsw.gov.au).

Please note, the BCT cannot provide any additional information that has the potential to provide the enquirer with a competitive advantage over other possible applicants for the tender, but can provide procedural information on the application process.

# Appendix 1 - How does the BCT obtain credits?

The BCT uses a suite of credit purchase methods to acquit the offset obligations it receives from developers (see Table 3).

**Table 3 BCT credit purchase methods**

Credit purchase method	
<b>Credit tender</b>	<ul style="list-style-type: none"> <li>• <b><i>Applicants offer a price at which they are prepared to sell their credits.</i></b></li> <li>• Credit owners or landholders submit a bid price through a competitive, reverse auction process.</li> <li>• Open to existing credit owners and / or new landholders willing to establish a BSA.</li> <li>• New landholders must submit a BSA business case or draft BSSAR with their bid.</li> <li>• Bids are considered on a competitive basis.</li> </ul>
<b>Open fixed price offer</b>	<ul style="list-style-type: none"> <li>• <b><i>BCT offers applicants a price at which it wants to buy credits.</i></b></li> <li>• Credit owners or landholders apply to obtain the BCT's offer price.</li> <li>• New landholders must submit, as a minimum, a BSA feasibility assessment with their application.</li> <li>• Applications are considered in a ranked order.</li> <li>• BCT offers to purchase credits at a non-negotiable fixed price.</li> </ul>
<b>Targeted fixed price offer</b>	<ul style="list-style-type: none"> <li>• BCT offers to purchase credits directly from the credit owner / landholder.</li> <li>• May be open to both existing and prospective credit owners.</li> <li>• Will be used in limited circumstances and specific regions to obtain highly sought-after credits.</li> </ul>
<b>Revolving fund</b>	<ul style="list-style-type: none"> <li>• BCT purchases a property, establishes a BSA over the site to generate the relevant biodiversity credits which would then be used to acquit credit obligations. Property on-sold with BSA. Likely to be used opportunistically.</li> </ul>

# Appendix 2 – Eligibility and evaluation process for western Sydney TECs

## Eligibility requirements that apply to credit classes sought in western Sydney.

Western Sydney TECs are being sought for the following programs:

### 1. Growth Centres Biodiversity Offset Program

The Growth Centres Biodiversity Offset Program aims to offset the impacts on biodiversity that are occurring as Sydney’s North West and South West Growth Centres are developed by permanently protecting some of the best remaining bushland in Western Sydney and surrounding regions. Bushland is protected under the program by acquiring land from willing landowners for new reserves, purchasing biodiversity credits from existing biodiversity stewardship sites and by establishing new biodiversity stewardship sites on private land.

### 2. Cumberland Plain Conservation Plan Biodiversity Stewardship Program

The Cumberland Plain Conservation Plan (CPCP) is a landscape scale conservation program delivering strategic conservation planning in western Sydney. It will deliver conservation outcomes in areas of regional biodiversity significance across western Sydney, including investment in biodiversity stewardship sites on private and publicly owned land and ecological restoration of the Cumberland Plain’s native vegetation communities. The program seeks to secure biodiversity credits to offset the biodiversity impacts of urban and transport development approved under the CPCP

Table 4 identifies the eligibility requirements for Cumberland Plain Woodland credits.

**Table 4 Eligibility requirements for *Cumberland Plain Woodland in the Sydney Basin Bioregion***

Offset trading group	Specific eligibility requirements – Growth Centres
<a href="#">Cumberland Plain Woodland in the Sydney Basin Bioregion</a>  IBRA subregions: Cumberland, Sydney Cataract and Yengo.	Bids are eligible for the tender if the credits are: <ol style="list-style-type: none"> <li>i. Either existing credits, or proposed credits with a business case as a minimum level of assessment, and</li> <li>ii. derived from a BSA or biobank site that is within, or partially within, the Priority 1 Area<sup>3</sup> for the Growth Centres Biodiversity Offset Scheme, and</li> <li>ii. derived from vegetation that satisfies the <a href="#">EPBC Act listing</a> for this community.</li> </ol>
Offset trading group	Specific eligibility requirements – Cumberland Plain Conservation Plan
<a href="#">Cumberland Plain Woodland in the Sydney Basin Bioregion</a>  IBRA subregions: Cumberland, Sydney Cataract.	Bids are eligible for the tender if the credits are: <ol style="list-style-type: none"> <li>i. Either existing credits, or proposed credits with a business case as a minimum level of assessment, and</li> <li>ii. the credits are derived from a BSA or biobank site that is within the Strategic Conservation Area for the Cumberland Plain Conservation Plan<sup>4</sup>.</li> </ol>

<sup>3</sup> The Priority 1 Area is identified on the map on the [Growth Centres Biodiversity Offset Scheme web page](#).

<sup>4</sup> The Strategic Conservation Area is identified on the spatial viewer on the [Cumberland Plain Conservation Plan mapping web page](#).

## Evaluation process for the Growth Centres Biodiversity Offset Program

The evaluation panel will provide recommendations to the BCT on the bids that are considered to be value for money, and the BCT will then rank those bids in line with the prioritisation process outlined below.

### Ranking of bids

Eligible, value for money bids will be ranked from lowest to highest value.

In order to prioritise the purchase of existing credits when bids have a similar price, bids within each credit class will be grouped into 'price bands' (i.e., groups of bids within the same range) using a pre-determined method. Bids in the lowest-price band will be prioritised over bids in a higher-priced band.

The BCT will prioritise the purchase of **existing credits** within each band. If two or more bids are submitted with the same price for the same credit class, then bids for existing credits will be given priority over proposed credits. This reduces BCT's risks and transaction timeframes.

If multiple bids are received within the same price band for **existing credits or proposed credits**, then priority is given to bids with the lowest price per hectare. This is to ensure the greatest area of eligible vegetation is secured in line with the area-based targets of the Growth Centres Biodiversity Offset Program.

When ranking bids for proposed sites, the BCT may also prioritise more progressed sites. That is, credits from a submitted BSA may be prioritised over credits with a draft BSSAR, and then a business case. Prioritising credits from more progressed sites aims to reduce the BCT's risks and transaction timeframes.

## Evaluation process for the Cumberland Plain Conservation Plan Biodiversity Stewardship Program

The evaluation panel will provide recommendations to the BCT on the bids that are considered to be value for money, and the BCT will then rank those bids in line with the prioritisation process outlined below.

### Initial sorting of bids

Eligible, value for money bids will be sorted from lowest to highest value.

### Prioritising sites within the CPCP Strategic Conservation Area

The BCT will preference the purchase of target biodiversity credits from priority areas of the CPCP's Strategic Conservation Area<sup>4</sup> in line with the conservation land principles set out in the CPCP.

### Prioritisation of existing biodiversity credits

The BCT will prioritise the purchase of **existing credits** from within the priority areas of the CPCP's Strategic Conservation Area. If two or more bids are submitted with the same priority area status, then bids for existing credits will be given priority over proposed credits. This reduces the BCT's risks and transaction timeframes.

If multiple bids are received for **existing or proposed credits with the same priority area status**, then priority is given to bids with the lowest price per hectare. This is to ensure the greatest area of eligible vegetation is secured in line with the area based-targets of the Cumberland Plain Conservation Plan Biodiversity Stewardship Program.

When ranking bids for proposed credits, the BCT may also prioritise more progressed sites. That is, credits from a submitted BSA may be prioritized over credits with a draft BSSAR, and then a business case. Prioritising credits from more progressed sites aims to reduce the BCT's risks and transaction timeframes.

### **Other considerations**

Following the prioritisation of bids as outlined above, the BCT may consider additional factors when ranking value for money bids. The factors include:

- 1) Whether acceptance of the bid will trigger active management of the BSA.
- 2) If the site provides additional conservation benefits such as connectivity (to intact vegetation and/or existing protected areas) and riparian habitat.
- 3) If the site contains habitat for target threatened species.