Scientific Licensing Policy

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Introduction

Persons seeking to undertake scientific, education or conservation actions in NSW may require a 'scientific licence' under section 132C of the *National Parks and Wildlife Act 1974* (NPW Act) if that action is likely to result in:

- Harm to any protected fauna, or to an animal that is of, or is part of, a threatened species, an endangered population or a threatened ecological community (TEC)
- The picking of any protected plant or of any plant that is of, or is part of, a threatened species, an endangered population or an endangered ecological community
- Damage to critical habitat or
- Damage to a habitat of a threatened species, an endangered population or an endangered ecological community.

The types of scientific, education and conservation actions that can trigger the requirement for a scientific licence include research investigations, volunteer organisations conducting surveys, biodiversity surveys, bush regeneration and seed collection activities, bird and bat banding, fauna and flora translocations, captive breeding programs, and holding fauna for educational purposes.

A number of these actions, particularly those involving research and biodiversity surveys may be proposed on lands reserved under the NPW Act. Research can not be carried out in a park without consent under clause 23 of the *National Parks and Wildlife Regulation 2009* (NPW Reg.).

Office of Environment and Heritage (OEH) is responsible for the overall administration of scientific licences and has a responsibility to assess and mitigate the likely impacts of any proposed actions on conservation values.

OEH may refuse a licence or impose conditions that limit access to sensitive sites and target species, restrict the quantities or volume of animals, plants and/or habitats proposed to be harmed and otherwise modify the methods proposed to be used to reduce impact.

People proposing to undertake research actions which involve animals may also require a separate approval from an Animal Care and Ethics Committee (ACEC) constituted under the *Animal Research Act 1985* (AR Act). The key objective of this Act is to protect the welfare of animals used in connection with research.

OEH does not have a role in assessing impacts to the welfare of fauna from proposed research actions that are subject to ACEC approval, other than where this may impact on those factors identified in this policy.

Objectives

This policy aims to ensure that the:

- Regulation of scientific, education and conservation actions is conducted in a consistent, equitable and transparent manner
- Applicant understands OEH scientific licensing requirements, including application and consultation procedures, standard processing times, licence fees and reporting obligations
- Applicant is aware of any additional approvals that may be required with respect to animal welfare impacts under the AR Act or joint management arrangements under the NPW Act and
- Relevant OEH units are consulted and/or notified about proposals for work on NPWS estate or species and ecological communities listed under the TSC Act.

Scope and application

This policy outlines the roles and responsibilities of all parties involved in the application, assessment and issue of scientific licences, including the:

- Applicant
- OEH Wildlife Licensing and Management Unit (WLMU)
- Other OEH business units and
- Animal Care and Ethics Committees

Definitions

ACEC: Animal Care and Ethics Committee

Animal: Is defined in the NPW Act as any animal, whether vertebrate or invertebrate, and at whatever stage of development, but does not include fish within the meaning of the *Fisheries Management Act 1994* other than amphibians or aquatic or amphibious mammals or aquatic or amphibious reptiles.

Associate investigator: A person named on the licence that may assist with or undertake those activities authorised on the licence.

BCS: Biodiversity and Conservation Sections, OEH

CMA: Catchment Management Authority

Critical Habitat: Habitat declared under Part 3 of the TSC Act

DEC: NSW Department of Education and Communities

Key Threatening Processes: means a process specified in Schedule 3 of the TSC Act

KGU: Karst and Geodiversity Unit

NPWS estate: Land (including submerged land) reserved under the National Parks and Wildlife Act 1974

OEH: Office of Environment and Heritage

Park: a generic term referring to all reserve categories under the *National Parks and Wildlife Act 1974*, including national park, nature reserve, state conservation area, historic site, karst reserve, etc.

Project: A finite set of identifiable research activities

Protected fauna: Means fauna of a species not named in Schedule 11 of the NPW Act.

Protected native plants: Means a native plant of a species named or referred to in Schedule 13 of the NPW Act.

REF: Review of Environmental Factors, a form of environmental impact assessment under part 5 of the *Environmental Planning and Assessment Act 1979* and described in the *Proponents Guide guidelines for the Review of Environmental factors (DECCW 2011)*

Scientific licence: A licence issued under section 132C of the NPW Act to persons or organisations approved to undertake scientific, education or conservation actions

Specimen: A specimen may be a plant or plant parts (should import or export provisions apply), whole animal or samples from animals such as blood, skin or bones, tissue or other parts.

SPO: Senior project officer, WLMU. This position holds delegated authority to issue a scientific licence

TEC: Threatened Ecological Community, An ecological community listed under the TSC Act and may include Vulnerable, Endangered or Critically Endangered Communities.

Threatened Species, populations and ecological communities: Means those species, populations and ecological communities listed in Schedules 1, 1A and 2 of the TSC Act

WLMU: Wildlife Licensing and Management Unit

Relevant legislation or other mandating instruments

Animal Research Act 1985 (AR Act)

Environmental Planning and Assessment Act 1979 (EPA Act)

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

National Parks and Wildlife Act 1974 (NPW Act)

National Parks and Wildlife Regulation 2009 (NPW Reg.)

Threatened Species Conservation Act 1995 (TSC Act)

Policy

Principles

The licensing of scientific, education and conservation actions will be undertaken in accordance with the following principles:

- The proposed research on native animals and plants is credible and valid
- Potential impacts on wild populations and the park system are minimised
- Actions proposed on lands reserved under the NPW Act are consistent with the management principles of the reserve category
- Licences are issued on a discrete project by project basis and
- Data collected from licensed activities is maintained and used to support future management requirements.

Licence administration

OEH WLMU is responsible for the administration of scientific licences. This includes the:

- Assessment, consultation and coordination of comments on licence applications
- Issue of licences and processing of renewals and amendments and
- Maintenance and analysis of data and reporting

Licence application

Applications for a scientific licence must be submitted online via the NSW Government Licensing Service. Detailed requirements for applicants are provided in Appendix 1.

WLMU will process 90% of all scientific licence applications and renewals within six weeks from receipt of a full and complete application. The applicant will be notified if this cannot be met.

Associate investigators

An applicant may nominate up to 15 associate investigators to participate in the activities authorised under the licence. These names will be individually listed on the licence.

When a licensee requires more than 15 associates, a condition will be placed on the licence requiring the principal investigator to maintain a register of associate investigators.

Field assistants who will only assist under the direct supervision of the licensee are not required not be named on the licence. However the

applicant must identify that associates of this type will be involved so that suitable conditions can be applied.

Licence assessment and consultation

The following factors will be taken into account when assessing a scientific licence application:

- Potential impacts to target and non-target species or populations, in particular threatened species, populations, ecological communities and identified critical habitat
- Potential impacts to the habitat of species and other site or ecosystem values, in particular the values of the NPWS reserve system
- Potential impacts to karst, geodiversity and/or other non-biotic features
- The risk of spreading disease, pathogens, pest species or factors contributing to a listed Key Threatening Processes.

Relevant stakeholders will be consulted, where required, to ensure that the benefits and risks of an application are fully assessed. A communications plan is provided in Appendix 2.

Project based licensing

Scientific licences are usually issued for a single project. A project may include multiple parties, species or sites.

Licence duration and renewal

Licence terms will be up to five years depending on the nature and scope of the proposed activity. Indicative licence terms for each class of licence are provided in Appendix 3.

A licensee may seek the renewal of a licence subject to completion of any annual reporting requirements and compliance with the conditions of the licence.

Licence fees

A $50 licence administration fee will be charged at the time of application and renewal. Amendments to the licence will be issued free of charge.

Reporting requirements

A standard condition of all scientific licences is the submission of an annual report, which may include the provision of:

- Data on all species encountered or used under the authority of the licence in a format to allow for its inclusion in the OEH Atlas of NSW Wildlife
- A list of the sites, projects, and/or surveys that were conducted
- Final project reports
- Copies of any scientific publications arising from the work and
- Any other requirements that may be specific to the project.

WLMU will prepare an annual report on the scale and nature of activities regulated under a scientific licence.

Animal Welfare

An ACEC is responsible under the AR Act for approving research that may impact on the welfare of animals.

OEH will not comment on matters under consideration by an ACEC unless proposed actions impact on the conservation of target taxa, other non-target taxa, the reserve system or other environmental values.

Applicants for a scientific licence will be required to show evidence of a current approval or pending application for projects involving animals as defined under the AR Act.

If an ACEC approval of a project is pending, OEH may issue a licence with a condition that animals will be managed in accordance with the aforementioned approval.

The licence will come into force when ACEC approval is granted. The licence will cease to be in force if the ACEC subsequently withdraws its approval.

To assist in assessment of an application for a scientific licence, copies of applications and approvals granted by an ACEC may be requested by the WLMU.

Release of animals back to nature

OEH will ensure that the conservation risks associated with licence applications that propose the release of wild caught animals, after an extended period of time in captivity, are minimised.

Licences that intend to release fauna back to the wild may be subject to conditions requiring such actions as veterinary review, health screening, or pathology testing of the animals prior to release. These will be at the licensee's expense.

Criteria for assessing applications that propose the collection and re-release of animals to the wild are provided in Appendix 4.

Import and export requirements

Scientific licence applications that propose the import or export of specimens to or from NSW will include an additional authorisation to meet the requirements of s106 of the NPW Act, at no extra cost to the applicant.

The scientific licence will specify the types (and numbers where appropriate) of specimens that may be imported or exported.

Development related activities

Actions which impact on threatened species, protected species and/or their habitats and which must be undertaken to comply with an EPA Act consent are unlikely to require a scientific licence.

However, the defence provided by an EPA Act consent is usually limited to actions that occur within the location where the consent applies.

Other actions such as off-site seed collection and translocation of protected or threatened flora and fauna to or from another site may not be covered by the consent.

Approval authorities should consult with OEH prior to including such actions in an EPA Act consent as they will trigger a third party approval and licence requirement from OEH.

Biobank agreements

Actions undertaken in accordance with a Biobanking agreement will not require a scientific licence for threatened species or threatened ecological communities as these actions are afforded a defence via their approval as a Property Management Plan under the TSC Act. A s132c licence is not required.

Biobank actions that may result in the picking of protected plants and/or harm to protected fauna may require a licence under the NPW Act as these actions are not afforded a defence via the Biobank agreement or its approval as a Property Management Plan under the TSC Act. Agreement holders should contact their local NPWS Area office prior to undertaking actions on their properties.

Translocation of flora and fauna

Translocations of fauna or flora species may be used as a conservation tool to promote the recovery or persistence of a species as part of a specific conservation program. In these cases a scientific licence will be required.

Translocations of threatened fauna or flora species or protected flora or fauna to offset the impacts of development or land clearing are generally not supported. However these situations will be assessed on a case by case basis.

OEH must be consulted prior to the inclusion of translocation as a condition of an EPA Act consent as it will trigger a third party approval and licence requirement from OEH.

Bush regeneration

Bush regeneration activities only require a scientific licence when the work is proposed in threatened ecological communities, the habitat of threatened species or identified Critical Habitat. However, Bush regeneration activities on NPWS estate that are requested by NPWS staff can be authorised via a local consent under the NPW Reg. and not require a scientific licence.

Licences will generally be issued to the land owner, manager or organisations such as Catchment Management Authorities and Land Care Groups rather than individual contractors to ensure that the work is undertaken in a strategic and coordinated manner.

A scientific licence will not be issued for site or asset maintenance activities, the installation of signs, fences, access paths or other assets or equipment. Where these actions may result in pick or harm offences, other approvals should be sought such as a Development Approval or a review of Environmental factors.

A scientific licence may authorise the use of fire as a mechanism to stimulate regeneration of some threatened ecological communities. In these cases the extent of fire used will be limited to pile burns constructed in accordance with the NSW Rural Fire Services (RFS) standards on pile burns. Should the extent of the proposed fire be outside of these standards applicants should seek advice from the NSW RFS.

In all cases where fire is to be used the proponent must contact the local RFS office to seek a permit for the burn. Within the Sydney Metropolitan area an Open burn approval may also be required and proponents should contact the Sydney Industries Section of the Environment Protection Authority.

Environmental consultants

A scientific licence can be issued to environmental consultants seeking to conduct ecological surveys and biodiversity assessments. Licences of this type cover general survey works and will generally not require the survey location(s) to be identified in the application.

Multiple persons can be authorised under the licence to undertake work on behalf of the licensee. See Associate investigators.

Volunteer organisations

A scientific licence can be issued to volunteer organisations seeking to conduct self directed ecological surveys and biodiversity assessments. Licences of this type can cover general survey works or bird surveys.

Bird and bat banding projects

The use of banding as a research tool is very wide spread. In addition to a scientific licence, researchers are required to apply for an Australian Bird and Bat Banding Scheme (ABBBS) authority to band birds or bats in the state of NSW.

In addition, the ABBBS coordinates bird and bat banding projects nationally and researchers are required to have an approved and active project before receiving bands or applying them to birds or bats.

Licensing of OEH staff

A scientific licence is not required for those OEH staff with delegation under s171 of the NPW Act to undertake routine management or incidental actions on NPWS estate. Examples of actions that are covered by s171 are:

- fell a tree or cut up a tree that has fallen across a trail
- pick a plant specimen to confirm its identification
- move an animal off a road or trail
- capture an injured animal to take to a veterinarian or carer and
- collect bones, scats or carcasses for identification

OEH staff undertaking co-ordinated activities such as survey, monitoring or other research, whether on or off NPWS estate will require a scientific licence and also ordinarily require an approval from an ACEC.

Volunteers assisting OEH staff with research must comply with the OEH Volunteer Policy.

Work within NPWS Estate

The management principles of all reserve categories, with the exception of regional parks, make provisions for appropriate research and monitoring within the reserve system.

Clause 23 of the NPW Regulation makes it an offence to conduct research within an NPWS managed park without the consent of the park management authority.

Scientific licenses issued under the NPW Act for projects within the NPWS estate will also give consent under the regulation for the projects to be undertaken. No additional formal consent will be required.

Following the issue of a licence, and prior to commencing work in a park, or in a new park, the licensee must contact the local NPWS Area office. This is to ensure that licensees provide adequate notice to staff and that staff are able to assist in site selection and inform licensees of any current management or operational requirements.

Location and timing of research

Wherever possible, research activities must be undertaken away from high-use public visitation areas and otherwise should not be undertaken during peak periods of park use. This will reduce disturbance to research programs and also ensure that there is limited impact on other park users.

Unless specifically authorised by NPWS Area staff, access to a park will be via publicly accessible roads and trails only. Vehicle access to restricted or gated management trails for researchers is at the discretion of the relevant NPWS Area staff.

Vehicle entry fees

Licensees will not be required to pay vehicle entry fees to those parks for which their project is approved. Other charges for parking, camping or access to other park facilities will be at the discretion of the relevant local NPWS Area staff.

Managing research impacts across the NPWS estate

Research activities are often not evenly distributed across the landscape, resulting in some areas of the park system being constantly used while other areas remain under-used.

WLMU, in consultation with local NPWS Area staff, may advise applicants to direct their activities away from heavily utilised areas or areas subject to local management actions to minimise the impacts of these activities on the conservation values of the park system.

WLMU may refuse an application that proposes research in an area that is already subject to ongoing research.

NPWS Area staff must consult with WLMU if they intend to prohibit licensees from having access to, or conducting work already authorised on NPWS Estate.

Research and collection of plants and animals

The NPWS reserve system provides ideal opportunities for a range of ecological, biological, atmospheric, and geological research and investigations. However these research activities need to be balanced against the conservation priorities of different parks and the potential impact they may have on their values.

Scientific, conservation and educational activities that are considered of least risk to the park system include:

- Research activities that are passive or otherwise involve minimal disturbance to target or non-target species and their habitats such as bird watching or sound recording
- Capture and *in situ* release of fauna such as survey or population monitoring and

- Collection of voucher specimens of animal and plant material when collection is limited to those numbers that are assessed as necessary to provide representative vouchered records for the locality, or to confirm identification.

Research proposals that are considered to pose a greater risk to the conservation values of the park system are those that:

- Permanently remove whole individuals of plants or animals from the wild for purposes other than creating voucher specimens. These proposals will be assessed in accordance with the criteria outlined in Appendix 4
- Impact on threatened species or other species, or their habitats where data on the population and/or abundance of these species are insufficient to assess the likely impact

  In these circumstances OEH may require the applicant to collect and provide baseline data on the target species to ensure that potential impacts are mitigated prior to any approval of the licence
- Are located in areas that are subject to long-term threat abatement management programs or other environmental pressures such as pests, weeds or fire. OEH may refuse applications to collect or study plants and animals from these locations.

Activities that propose the installation of monitoring equipment and or the clearing of vegetation (for example installing a pit fall trap line) may be subject to additional environmental assessments under the EPA Act such as an REF.

Research within Aboriginal joint managed parks and lands

Various parts of the NPWS reserve system are managed under joint management arrangements with Aboriginal people. Research in these areas may be subject to additional consultation or approval requirements, depending on the type of arrangement under which a particular park or reserve is managed.

OEH will seek to inform potential applicants of these requirements. Additional information is available on the Aboriginal joint management of parks webpage.

Catchment Management Authorities (CMAs), other statutory bodies or government agencies

OEH will provide a simplified application process for CMAs and other government bodies undertaking low risk activities such as the collection of small amounts of plant material for identification or general biodiversity surveys associated with their core business operations.

The General Manager (or delegate) of the CMA or other government body may submit a single application including the names of staff and associates involved in the work, their dates of birth and a brief description of the project itself.

Associate investigators will be managed in accordance with the licence administration process described above.

Research within NSW Karst environments and collection of abiotic samples

A scientific licence is required to undertake research in Karst environments or collect abiotic samples such as soil, geological, fossil and sub-fossil material on lands within NPWS estate.

A Karst Research Prospectus has been developed to assist people in developing their proposal and in identifying the appropriate areas for research focus. This prospectus should be referred to when developing research proposals.

The environment within caves poses inherent risks to human safety and as such, licensees must abide by the OEH Cave Access Policy at all times.

Schools and Childcare Centres

A scientific licence may be issued to a school to hold protected fauna at the school for educational purposes. The applicant must be an individual associated with the school such as a teacher or school principal.

A Schools Animal Care and Ethics Committee (SACEC) approval must be received prior to an application being lodged with OEH. A copy of the SACEC approval must be provided to OEH in support of the application.

OEH may issue a scientific licence to a non-DEC affiliated childcare centre to hold protected fauna at the centre for educational purposes. Evidence must be provided on the legality of holding protected fauna at the premise.

Breeding animals under these licences can only be done if approved by the SACEC.

Compliance and enforcement

OEH will monitor compliance with the conditions of the licence.

Failure to comply with the conditions of a scientific licence may result in a licence not being renewed, or in severe cases a penalty infringement notice may be issued or a prosecution initiated.

NPWS Area staff may direct a licensee to leave a park if the licensee does not contact the NPWS Area office before commencing work on NPWS estate or otherwise comply with any other licence conditions.

Data sets provided by licensees as part of the licence conditions will be audited.

Procedural guidelines

Scientific licence administration

Provision of information to OEH staff and community

1. WLMU will ensure that information for applicants, supporting documentation and access to the Government Licensing Service (GLS) is provided on the OEH website.
2. WLMU will maintain a list of responses to frequently asked questions about the licence administration process and place it on the OEH website to help guide applicants.

WLMU application assessment process

WLMU will process licence applications in accordance with the following procedure:

3. The SPO will undertake a preliminary assessment of a licence application within two weeks of its receipt.
4. The SPO will request additional or missing information via email from the applicant as soon as possible within this two week period.
5. The SPO will undertake the necessary consultation as described in the communications plan (Appendix 2).
6. The six week licence processing period will stop once a request for further information has been sent. Once additional information is provided the application process will recommence.
7. Where a response to a request for additional information has not been received by the SPO within three months, the application will be formally refused and the applicant will be notified of their appeal rights under the NPW Act.

Data provision to OEH staff

8. WLMU will provide reports about scientific licensing to OEH staff that are relevant to their area of work. Reports must be requested by the Manager of the business unit, and five days must be allowed for the data to be prepared.

Consultation on scientific licence applications on NPWS estate

9. The SPO will consult with the relevant NPWS Area Manager for works proposed on NPWS estate in accordance with the communications plan provided in Appendix 2.
10. A licence may be issued without consultation with the NPWS Area manager when the proposed activities are assessed as low risk and distributed across a number of parks. However, the issued licence will require the licensee to contact the relevant Area office prior to accessing the park.

11. Area Managers should clearly communicate their expectations in relation to ongoing contact requirements with the licensee during the initial contact phase of the project.

    In addition, Area Managers should specify if the licensee is required to provide specific notice prior to each visit, or if it is sufficient for the licensee to provide an indicative schedule of visits for the duration of the project. These requirements will vary depending on the nature and duration of the research proposed.

Amendments to licences

12. A licensee may seek an amendment to any aspect of the licence that does not substantially change the nature of the project being undertaken. This may include the addition or modification of participating associates, contact details, area of work, or species targeted.
13. Amendments must be sent to the WLMU via the scientific.licensing@environment.nsw.gov.au email.
14. Changes to areas of work may trigger consultation with NPWS areas where new NPWS estate are proposed to be added.
15. Where associates are to be added or changed the licensee must provide all necessary details including their full name, date of birth and contact information.

Licence renewals

16. WLMU will send renewal reminders to current licensees approximately 4-6 weeks prior to the expiry date of the licence. This renewal reminder will outline the process required to seek renewal and any information that is to be supplied.
17. Licences will not be renewed until all reporting and data provision requirements have been met.

Related policies and other documents

OEH Cave Access policy

OEH Policy for the translocation of threatened fauna in NSW

OEH Volunteer policy and procedures

Australian Code of Practice for the Care and Use of Animals for Scientific Purposes

Australian Network for Plant Conservation's Guidelines for the Translocation of Threatened Plants in Australia

Accountabilities

This section of the Scientific Licensing Policy outlines the responsibilities of all persons who are involved in implementing the policy and/or ensuring its implementation.

Positions with significant responsibilities

Position	Responsibility
Senior Project Officer/ Scientific Licensing officer WLMU	Receive and assess licence applications Issue, amend, finalise licences Consult with licensees, Area staff and BCSs Report on performance of scientific licensing program
Director	Cancel licences
NPWS Area Managers	Coordinate review of proposals at an area level Issue approvals for access to parks estate
Manager Karst and Geodiversity Unit	Review proposals relating to Karst environments
BCS Managers	Review proposals relating to threatened species
Wildlife data unit	Upload licensee data into Atlas of NSW Wildlife

Policy review

The WLMU is responsible for coordinating the review of this policy.

Appendix 1: Application process for persons applying for a scientific licence

Standard procedures and requirements for applying for a scientific licence are described below:

1. Application forms must be complete and provide sufficient information to enable a thorough assessment of a project to be made.
2. OEH may request additional information to help with assessment if required.
3. Applicants must ensure that they:
    - Provide complete details of all associate investigators to be named on the licence including their full names, dates of birth, email addresses and salutations, and qualifications and relevant experience.
    - Identify which species, populations or communities listed under the TSC Act may be affected by their activities, if any
    - Provide sufficient detail about their methodology, the species and location/s involved and the likely impacts of the project on the target species, non-target species, habitats and other environmental parameters
    - Demonstrate that any likely impacts on a species, population or ecosystem are outweighed by the benefits of the project
    - Identify whether proposed actions are an OEH listed priority recovery or threat abatement action for the threatened species, population or ecological community
    - Confirm whether works are to be carried out on NPWS estate. These areas must be identified (and specific location/s therein) and justification provided for their use over other land tenures
    - Are capable of carrying out the project as proposed in their application
    - Are capable of complying with the requirements of any issued licence including reporting
    - Are capable of implementing the requirements of any ACEC approval and
    - Declare that all parties listed on the licence understand the licence conditions and their obligations.
4. OEH will only seek to modify the scale, method or duration of a project only if the project may impact on one of the factors outlined in Appendix 4.
5. OEH will not evaluate the quality of the research proposed unless modification to the experimental design or methodology will assist in limiting environmental impacts.

Appendix 2: Communications plan for licence assessment

General consultation

WLMU will consult with all relevant parties to ensure a thorough assessment of a licence application is made.

Communication with the applicant or licensee will generally be via email. Relevant forms and guidelines will be available on the OEH website.

OEH may seek input from the referees nominated on the application form in relation to any matter concerning the project. Consent to undertake this consultation is provided on the application form.

All details contained in the application may be provided to other OEH staff and/or OEH specialists during consultation.

If advice about the application from an external party is required, only those details necessary for the review will be provided to ensure that the privacy of the applicant is not compromised. The approval of the applicant will be sought before any other information is released.

Applications for translocation projects will be forwarded to two independent reviewers for comment. Details identifying the applicant and organisation will only be omitted on specific request from the applicant.

Consultation with NPWS Area Offices

WLMU will consult with local NPWS Area offices, via the local Area Manager, about projects proposing work on NPWS estate that:

- May potentially have moderate to high conservation risk or impacts on park values, particularly threatened species, endangered populations or TECs
- May be highly visible or invasive such as the use of machinery for sampling or survey purposes, including mechanical augers, pumps or geological imaging equipment
- Seek to remove more than five samples of 500ml in volume of soil or abiotic material from any single park or a total volume greater than 2.5 litres regardless of the sample size from any single park
- May be affected by other circumstances such as recent fire history, identification of new pests, weeds or pathogens, or, high level public visitation
- May conflict with current management practices
- Focus on one or a few parks and
    - Include trapping or potentially destructive sampling, or
    - Require more than two visits to the park or
    - Involve propagule collection from NPWS estate

The Area Manager may delegate their responsibility for providing feedback to other Area staff but must inform the SPO when this occurs.

NPWS Area staff should provide comments, or advise that further time for consideration is required within 7 days of receipt of an application.

A licence may be issued without input from Area staff where no comments have been received within fourteen days.

WLMU may not consult with NPWS staff in circumstances where the proposed activity will be distributed across a number of parks or otherwise is assessed as low risk.

Karst and Geodiversity Unit

Applications proposing research in karst environments will be referred to the KGU for review and comment. The WLMU may also refer initial enquiries regarding the scope and nature of research proposed to the Manager KGU to assist prospective researchers in developing their proposal.

WLMU will seek input from the KGU on any proposal to collect fossil or sub-fossil material and may seek comment on any project involving geological sampling. However small scale soil collection projects will be exempt from this requirement.

Biodiversity Conservation Units (or equivalent specialist staff)

The SPO may consult an OEH Biodiversity Conservation Unit (BCU) when the project:

- Targets a species listed under the TSC Act
- Involves a threatened population, TEC or critical habitat listed under the TSC Act
- Methodology is a Key Threatening Process under the TSC Act or
- Contains a priority action as identified in the Priorities Action Statements (PAS)

The BCU:

- Should provide comments, or advice that further time for consideration is required, within five working days of receipt of the application
- Should comment on the extent, scale or numbers proposed to be used in the project to the extent that it may impact or benefit the recovery of a threatened species, endangered population or TEC or better deliver on an action in the PAS
- Should comment on the experimental design to the extent that modification will lessen the likely impacts on the species, population or TEC or better deliver an action in the PAS
- Should comment on the methodology to the extent that changes to the methods will impact on the recovery of a threatened species, endangered population or TEC or better deliver an action in the PAS
- Should communicate to the applicant through the SPO unless requested otherwise by the SPO
- May request limits to the locations in which work may be conducted, or the number of samples or individuals involved
- May request that the licence be conditioned such that the applicant is required to report directly to the BCU on the implementation of priority actions or other significant projects
- May provide comment about the end point of species involved such as their suitability for release to the wild, or inclusion in captive populations.

Appendix 3: Scientific licence class descriptions and licence terms

A description of each class of scientific licence and the indicative licence term is provided below. These terms may vary depending on the nature and proposed duration of the project.

Scientific licence class	Description	Licence may be issued to	Licence term
Research	All actions for scientific research purposes that are undertaken by academics, their students, private researchers, volunteer or government organisations. Projects may be specific or broad-based in nature.	Academics, students, private researchers, volunteer or government and non-government organisations.	Low conservation risk projects will have extended licence terms and may apply to students doing Honours (1 year), Masters (2 year) or a PhD (3 year). Extended licence terms may apply to volunteer organisations.
Ecological Survey/consultancy	Specifically for commercial consultants who undertake general flora and fauna surveys The location of work and target species may not be known prior to application and can potentially cover many sites. The area covered by the licence may instead be based on a broader geographic region or, in some cases, be issued state-wide.	A licence class specifically for commercial consultants.	1 year.
Biodiversity assessment/ Species Impact Statement assessments	Applies to projects for Species Impact Statement preparation and for general or targeted biodiversity survey activities involving protected native plants and fauna.	Academics, students, private researchers, volunteer or government and non-government organisations.	1-3 years. Longer terms may be used for projects where the project is associated with a government department or similar statutory authorities
Translocations/reintroductions	Projects for the experimental introduction, reintroduction or supplementation of a species to	Academics, students, private researchers, volunteer or government and non-	Project dependent (up to 3 years).

Scientific licence class	Description	Licence may be issued to	Licence term
	the wild.	government organisations.	
Bush regeneration	Bush regeneration activities for conservation purposes in Threatened Ecological Communities (TEC), the habitat of Threatened species or critical habitat.	Academics, students, private researchers, volunteer or government and non-government organisations.	2-5 years for landholder managed sites. Other sites are project dependent.
Seed collection	The collection of seed or cutting material of protected flora for regeneration, propagation or ex situ conservation purposes. This is generally used in conjunction with bush regeneration applications. It excludes collection for commercial use.	Academics, students, private researchers, volunteer or government and non-government organisations.	2-5 years for landholder managed sites. Other sites are project dependent.
Ecological burns	Permits areas of TEC or threatened species habitat to be burnt for ecological purposes. Generally used in conjunction with bush regeneration applications.	Most commonly for local council or land managers	Linked to bush regeneration time frames and burning approvals.
Karst research	Karst environment, including any component species or habitat. Licences are only required where the research is to be conducted within NPWS estate.	Academics, students, private researchers, volunteer or government and non-government organisations.	Up to 3 years for low conservation risk projects.
Bird/Bat banding	Bird and bat banding activities on approved project sites within NSW. Banding approvals are issued separately via the Australian Bird and Bat Banding Scheme.	Academics, students, private researchers, volunteers.	5 years
Education	Issued to educators to house some species of protected fauna at a school, or the collection of	Predominantly for schools and child care centres.	Up to 3 years

Scientific licence class	Description	Licence may be issued to	Licence term
	protected plant samples for teaching purposes. Can also apply to holding a reference collection of fauna specimens, excluding taxidermy animals.		
Abiotic sampling	Applies to projects for research and sampling of non-living specimens such as soil, water, fossil and sub-fossil material. Licences are only required where the research is to be conducted within NPWS estate	Academics, students, private researchers, volunteer or government and non-government organisations.	Up to 3 years for low conservation risk projects.
Other	Projects not adequately covered by any of the above classes e.g. visitor surveys, field trips etc.	Academics, students, private researchers, volunteer or government and non-government organisations.	Up to 3 years for low conservation risk projects.

Appendix 4: Assessment criteria: Collection and release of plants and animals back to nature

Criteria for assessing a licence application that proposes to collect animals and plants from the wild are as follows:

- Where the species can be found across a range of land tenures and the project objectives are not dependent on “reserved populations”, opportunities to source individuals from areas outside of the park system must be exhausted before access to the park system will be approved
- Capture and removal of animals and plants from the park system must be justified. For example this may be on the basis of collecting individuals from certain parts of that species range or to investigate genetic diversity within a species
- OEH may impose restrictions on the number of plants and animals that may be collected from any one location
- OEH may impose restrictions on the methods used to collect plants and animals where the method may adversely affect target or non-target species, or other environmental factors
- OEH may specify the area where collection is to be undertaken

When animals are to be moved away from the point of capture and re-released at some future point in time, the OEH will consider the following factors before granting any licence.

- The conditions and extent to which the animals have been quarantined so as to reduce the potential for pathogen transfer
- The duration of time over which they have been held
- Available research on the same or similar taxa in relation to densities, site fidelity or other relevant factors
- The extent to which individuals are able to be linked to a specific site of collection and the capacity to identify the precise point of capture
- The extent to which individuals from various locations have been exposed to one another
- Consequences for the individuals should the habitat and niche at the release site be occupied
- The potential for diseases or pathogens to be introduced into the environment upon release of captive-held animals