



# Office of Environment and Heritage

## Scientific Licence

### *Biodiversity Conservation Act 2016*

## Example licence conditions

### General

1. Only the person/s named on the licence, or authorised to operate under the terms and conditions of the licence, may undertake the work. This licence is not transferable except with written confirmation from the Wildlife Team.
2. The principal licensee may vary the associated parties authorised during the term of the licence only by maintaining a signed and dated register of the associates. A copy of the register must be provided to the Wildlife Team at renewal or on request by an authorised officer.
3. The licensee must carry this licence at all times whilst work is being undertaken in the field. Where multiple parties are listed, photocopies will suffice provided some other proof of identity can be provided e.g. Driver's licence.
4. The licensee must provide other parties authorised to conduct the specified activities with a copy of this licence.
5. The licensee must obtain the permission of the owner, manager or occupier of lands upon which research is conducted (for persons working on National Parks and Wildlife Service lands see also conditions 18-20).
6. Specimens or samples taken under this licence must not be sold, bartered, given, lent or promised to others without the prior written approval of the Environment Agency Head or delegate.
7. Collections or research shall, as far as is possible, be carried out away from the view of the public.
8. The licensee shall indemnify and keep indemnified, so far as the law allows, Her Majesty Queen Elizabeth II, the Minister administering the *Biodiversity Conservation Act 2016*, the Government of New South Wales, the Environment Agency Head of the Department of Planning and Environment, and the National Parks and Wildlife Service and its servants, agents or contractors (herein jointly and severally referred to as Office of Environment and Heritage), from and against all lawful suits, claims, demands, proceedings, costs, (including solicitor - client costs) and expenses of any nature whatsoever which the Office of Environment and Heritage (OEH) may suffer or incur in connection with loss of life, personal injury or damage to property from an occurrence in connection with any land, premises, vehicle or other mode of conveyance or other item under the care, control or management of the OEH, and arising either directly or indirectly from any negligent or wrongful act or omission of the licensee in the course of an operation or activities pursuant to the licence or otherwise.

### Reporting requirements

9. The licensee undertaking survey, research or other biodiversity assessment works must provide a full report of the work carried out under this licence online via Bionet using the most recent version of the Atlas data sheet available at [www.environment.nsw.gov.au/resources/atlas/AtlasDatasheet.xls](http://www.environment.nsw.gov.au/resources/atlas/AtlasDatasheet.xls)
10. The licensee must ensure that all coordinates provided as part of the data submitted to OEH include a measurement of the accuracy of those coordinates. Coordinate accuracy should not be greater than zero but no greater than 100 metres.
11. The licensee must submit reports online using a secure login acquired from OEH Biodiversity Information Systems. Contact [bionet@environment.nsw.gov.au](mailto:bionet@environment.nsw.gov.au) for account details and guidelines.

12. Licensees undertaking work that cannot be supplied in the above format must provide a report to the OEH specifying:
  - a. title of the project
  - b. a precise description of the locality including geographic coordinates where practical
  - c. results of the project.
13. The licensee may also be required to complete a metadata proforma for works on National Parks and Wildlife Service (NPWS) estate.
14. Licensees undertaking permanent/semi-permanent marking, banding or tagging must provide marking details (e.g. tag number, date, location, species) to Wildlife Team with any renewal application.
15. The licensee must provide a copy of any final report and/or any scientific papers relating to this work to the Environment Agency Head (marked 'attention Wildlife Team') when the study is completed.

### **Additional reporting requirements for consultants**

16. Licences granted to consultants and consulting companies for survey and assessment purposes are required to provide a list of the sites where work was conducted and a list of the reports produced. A copy of these reports may be requested.
17. Reports in accordance with licence conditions 9. to 16. must be provided annually, from the 'valid from' date of the licence.

### **Projects undertaken on NPWS managed land**

18. The licensee may only undertake works in NPWS managed lands with the prior written approval of the relevant Area Manager and comply with any imposed restrictions or conditions.
19. The licensee must maintain regular contact with the NPWS Area office throughout the project as park management activities and other events may affect access to research locations. Access to reserves may be restricted during management activities or while the reserve is closed for other reasons.
20. The licensee must only use vehicles on public roads unless otherwise approved by an authorised officer.

It is an offence under the *Biodiversity Conservation Act 2016* to breach any of the conditions of this licence, issue any false receipt, make a false entry in any record, or otherwise keep a false record or provide false or misleading records or information.

### **Additional Information for licence holders**

It is the licence holder's responsibility to ensure they are familiar with any other relevant statutory or regulatory provisions relevant to this licence such as the National Parks and Wildlife Regulation 2009, particularly with respect to activities undertaken on NPWS managed lands, the *Firearms Act 1999*, any local council, building and health requirements and codes of practice under the *Prevention of Cruelty to Animals Act 1979*, as well as specific requirements under the *Animal Research Act 1985*. On the expiration of your permit the onus is on you to renew. While OEH forwards renewal notices to permit holders, it will not be responsible for the non-receipt of such a notice.

It is the licensee's responsibility to inform themselves of any likely hazards and ensure that appropriate risk management and emergency procedures are developed and in place for works undertaken on NPWS managed lands. The risk management and emergency procedures will also extend to cover OEH staff and any other third parties which may be impacted by the licensee's works. OEH accepts no responsibility for any event which results in the licensee suffering any loss. The licensee will be held liable for any damages resulting from their works which have impacted on OEH staff or any other third party.