



Rehabilitation of protected animals policy

Department of Climate Change,
Energy, the Environment and Water

Acknowledgement of Country

Department of Climate Change, Energy, the Environment and Water acknowledges the Traditional Custodians of the lands where we work and live.

We pay our respects to Elders past, present and emerging.

This resource may contain images or names of deceased persons in photographs or historical content.

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Preamble

This policy guides the activity of wildlife rehabilitation in New South Wales. Each year on average, over 90,000 protected animals from hundreds of species (including many threatened species) become injured, sick or orphaned for a range of reasons. When this happens, the community expects that help will be available, that it will be reliable, and meet best practice. Help for these animals may take the form of rescue, treatment, rehabilitation, release or euthanasia. Having help at hand is essential for the care and protection of animals in need, as it provides for their humane welfare and supports biodiversity conservation.

How people help in these situations is regulated by the NSW Department of Climate Change, Energy, the Environment and Water (the department), National Parks and Wildlife Service (NPWS), in administering the *Biodiversity Conservation Act 2016* (BC Act). Help is also often provided from veterinarians (and people under their authority) under the *Veterinary Practice Act 2003* (VP Act).

Wildlife rehabilitation involves specialised activities that need to be managed by government in accordance with a risk-based approach. These activities may trigger offences under the BC Act relating to the harm, possession, movement or release of protected animals unless a person or organisation holds a biodiversity conservation licence (licence) permitting such activities. For this reason, wildlife rehabilitation is a licensed activity under the BC Act, which means a person or organisation wanting to participate in wildlife rehabilitation (with a few exceptions explained below) must either participate as a member of an organisation holding a licence granted by the department or must independently hold a licence.

Wildlife rehabilitation in New South Wales relies heavily on licensed wildlife rehabilitation groups with volunteer members providing mostly home-based and some centre-based care facilities. There are a small number of individuals and animal display establishments that are also licensed by the department to undertake wildlife rehabilitation.

Wildlife rehabilitation broadly involves people rescuing, treating and temporarily caring for animals in need, and hopefully, releasing them back to the wild as quickly as possible. Some animals that cannot be released may be authorised to be retained for scientific, educational or conservation purposes or rehomed if they are found to be escaped, seized or surrendered pets.

The department's role in the wildlife rehabilitation sector is to set consistent standards of operation, and establish a strategic framework for the licensing and delivery of wildlife rehabilitation services. This policy provides the framework for achieving these objectives.

Principles

- Wildlife rehabilitation is a significant public good that needs to be supported and regulated to ensure high standards and a speedy response.
- Regulation of the wildlife rehabilitation sector will be equitable, proportionate and risk based.
- Humane treatment and care of injured, sick and orphaned protected animals, and wherever possible their timely release back to the wild, is the desired core outcome of wildlife rehabilitation.

Policy

Wildlife rehabilitation activities regulated in New South Wales

Rescue of an injured, sick or orphaned protected animal

1. The Biodiversity Conservation Regulation 2017 (BC Regulation) permits a person without a licence to take possession of (i.e. rescue) an animal that is not capable of fending for itself. This reference to an animal includes a protected animal, but does not include a marine mammal or marine turtle.
2. An injured, sick or orphaned protected animal may be considered to be a protected animal incapable of fending for itself (clause 2.15, BC Regulation).
3. A person taking possession of such an animal without a licence must:
 - a. advise the department in writing within 3 days (clause 2.15(b) BC Regulation)
 - b. take direction from the department about what to do in respect of the animal (clause 2.15(c), BC Regulation).
4. In such circumstances, the department's direction is that the person must, within 3 days of the rescue and preferably immediately, hand the animal over to a licensed wildlife rehabilitation provider or a registered veterinary practitioner (i.e. a veterinarian).
5. If a person or group seeks to rescue injured, sick or orphaned protected animals on a regular, ongoing and systematic basis, it is strongly recommended they apply for a licence. Going through the licence application process provides certainty and transparency about the quality of this service.
6. A person who rescues an injured, sick or orphaned animal and is operating under a licence for wildlife rehabilitation (including under the authority of a licensed group) must comply with the conditions of that licence and the procedures of the relevant group.
7. A person who does not hold a licence authorising the rescue and rehabilitation of marine species must not rescue a marine mammal or marine turtle. Instead, they must contact either a licensed wildlife rehabilitation provider or their local NPWS office.

Possession of an injured, sick or orphaned protected animal for the purpose of its rehabilitation

8. A person must have a licence for wildlife rehabilitation, or be under the authority of a licensed wildlife rehabilitation provider, to possess an injured, sick or orphaned protected animal beyond 3 days. It is an offence under the BC Act (sections 2.1 and 2.5) to do so unless licensed.

9. Exceptions include:
 - a. a person protecting a distressed protected animal in accordance with clause 2.15, BC Regulation
 - b. a veterinarian.

Release of a rehabilitated protected animal

10. A person who intends to release a rescued protected animal in a place other than its point of capture must obtain a licence authorising release or be an authorised licensed wildlife rehabilitation provider. It is an offence under the BC Act to release a protected animal anywhere other than its place of capture without a licence (section 2.6[2]).
11. A rescued injured, sick or orphaned protected animal must only be released to the wild when it meets the standards outlined in the department's codes of practice, or in exceptional circumstances, with the consent of the NPWS Wildlife Licensing Team.
12. The release of a protected animal into a park, reserve, marine park or aquatic reserve:
 - a. must be approved in writing by the relevant NPWS Area Manager (issued under clause 11(2) of the National Parks and Wildlife Regulation 2019) or relevant marine park manager
 - b. comply with the department's Translocation Operational Policy.

Other related activities

13. The NPWS Wildlife Licensing Team may authorise wildlife rehabilitation providers via a licence to undertake other related activities, including the following:
 - a. catch and release of reptiles from premises (see clauses 91–94 of this policy)
 - b. catch and release of possums and gliders from premises (see clause 95 of this policy)
 - c. possession for the purposes of rehoming protected animals that are escaped or surrendered pets or seized by law enforcement agencies (see clauses 103–108, 118 of this policy)
 - d. in situ treatment of free-living mange affected wombats (see clauses 96–99 of this policy)
 - e. supplementary feeding of protected animals in emergency situations as approved under emergency protocols (see clauses 109–110 of this policy)
 - f. identification of (i.e. tagging, banding or microchipping) protected animals captured for rehabilitation purposes (see clause 111–112 of this policy).
14. The NPWS Wildlife Licensing Team will require that a wildlife rehabilitation provider must demonstrate through a process of quality assurance that they have people with the skills, training and experience to participate in other related activities.

Framework for regulating wildlife rehabilitation providers

15. The department's priorities for regulating the wildlife rehabilitation sector are to:
 - a. facilitate access to wildlife rehabilitation services by anyone in wildlife rehabilitation activities regulated in New South Wales who needs them
 - b. continue to support the operation and growth of a volunteer-based network of wildlife rehabilitation providers and associated enterprises to maximise availability of services
 - c. give more flexibility to how and where people can participate in wildlife rehabilitation
 - d. require wildlife rehabilitation providers (groups and individuals) to meet the department's quality assurance standards.

Licensing of wildlife rehabilitation providers

Who does National Parks and Wildlife Service licence to conduct wildlife rehabilitation?

16. There are 4 entities to which a licence may be granted to conduct wildlife rehabilitation in wildlife rehabilitation activities regulated in New South Wales:
 - a. a home-based wildlife rehabilitation group
 - b. a central facility
 - c. an animal display establishment licensed by the NSW Department of Primary Industries and Regional Development (DPIRD) under the *Exhibited Animals Protection Act 1986* (EAP Act) (animal display establishment) but excludes wildlife sanctuaries exempt from licensing under the EAP Act
 - d. an independent wildlife rehabilitator (i.e. an individual person).
17. The process for being granted a licence differs for each of these 4 entities and is described below (from clause 18 of this policy).

Licensing of home-based volunteer wildlife rehabilitation groups

18. An application for a licence must be made by the head of the group or other suitable nominee such as the Chief Executive Officer or Secretary.
19. A group will need to meet certain quality assurance standards prior to being granted a licence.
20. A newly licensed group will be allocated a geographic member zone, and a map will be provided to the nominated contact for the group.

What is a zone?

21. A zone is the geographic area from which a group must draw the core of its active wildlife rehabilitators. Its purpose is to create a coordinated, stable network of volunteers who are supported, trained, actively supervised and effectively connected to their local veterinary services.
22. A group's zone:
 - a. is comprised of one or more suburb boundaries
 - b. does not preclude where a person can rescue an animal
 - c. does not define where the group can fundraise, erect signs, or undertake media or social media activities. However, in respect of on-ground activities, the sector does operate on the principle of mutual respect and understanding, and it is expected that groups will not actively go beyond their allocated zones for these purposes.

23. A licensed wildlife rehabilitation group can draw its non-active members such as committee and financial members or persons who perform solely administrative roles such as training or phone operators from outside its zone.

Can a zone be amended?

24. A group can expand its zone into an unoccupied area with the NPWS Wildlife Licensing Team's permission, in consultation with surrounding groups.
25. A group can expand its zone into another group's area with the permission of the NPWS Wildlife Licensing Team and the committee or board of the existing groups servicing that area. The NPWS Wildlife Licensing Team will not approve such an expansion unless the existing groups agree, or it has been determined that an additional service is required in the area.
26. A group can also reduce its zone with permission from the NPWS Wildlife Licensing Team. In this instance, the NPWS Wildlife Licensing Team may seek expressions of interest from existing surrounding groups to expand their zones and, if no such group is selected, may advertise for the formation of a new group for that area.

Who can participate in a licensed home-based wildlife rehabilitation group?

27. A licensed wildlife rehabilitation group may issue an authority to be an **active wildlife rehabilitator** to any person who resides within the group's zone.
28. A licensed wildlife rehabilitation group may permit up to 5% of its active wildlife rehabilitators to reside outside its zone. These individuals must:
- be identified as 'out of zone' on the group's membership list and annual membership list submitted to the NPWS Wildlife Licensing Team
 - agree that their name and contact details be shared with the group in whose zone they reside
 - only join a group under this clause as an active member if that group shares a boundary with the group in whose zone they reside.
29. Groups must also enter a memorandum of understanding (MOU) with their surrounding groups for the purpose of increasing the number of members who reside outside of their zone beyond 5% of their total membership. If such an MOU exists these individuals must:
- be identified as 'out of zone' on the group's membership list and annual membership list submitted to the NPWS Wildlife Licensing Team
 - agree that their name and contact details be shared with the group in whose zone area they reside.
30. A person cannot be an active wildlife rehabilitator providing home-based care for 2 or more groups at the same premises at the same time, **except** when they are either:
- authorised to care for a species for one group not listed on the licence of the other group

- b. a member of a licensed central facility or animal display establishment and do not take animals home from these places (note exception in clause 36b).

Licensing of a central facility

- 31. A central facility is a facility that operates exclusively out of a single location, focusing on a single species or group of similar species (e.g. sea turtles). A central facility's aim is to assist other wildlife rehabilitation providers with specialised services for that species and have its members attend the central facility to provide these services.
- 32. The facility must be operated by an incorporated association, registered charity or other legal entity other than an individual person.
- 33. An application for a licence for wildlife rehabilitation must be made by the head of the facility or other suitable nominee.
- 34. The NPWS Wildlife Licensing Team may grant a central facility a licence for wildlife rehabilitation provided it meets the:
 - a. quality assurance standards
 - b. requirements outlined in the relevant NPWS codes of practice for the selected species
 - c. any other requirements specified in the licence application form.
- 35. A central facility is not limited to a zone and can draw active members from anywhere.
- 36. Where its volunteers are not active members of a home-based rehabilitation group, a central facility may permit volunteers to take animals to their homes when such activity is:
 - a. undertaken on a temporary basis and not for the duration of the rehabilitation process
 - b. solely for the purpose of providing continuity of care (e.g. overnight feeding/administration of drugs).

Licensing of an animal display establishment

- 37. Animal display establishments are licensed separately by the Department of Regional NSW under the EAP Act.
- 38. An application for a licence for wildlife rehabilitation must be made by the head of the animal display establishment or other suitable nominee, for instance the EAP Act licence holder.
- 39. The NPWS Wildlife Licensing Team may grant an animal display establishment a licence provided it:
 - a. can confirm that the applicant has notified the authority that regulates its licence under the EAP Act (currently DPIRD) of their intention to conduct wildlife rehabilitation at the premises and provided a copy of its EAP Act licence to the NPWS Wildlife Licensing Team

- b. can demonstrate physical and operational separation of free-living and exhibited animals from rehabilitation animals
 - c. meets quality assurance standards in Part 7 of the application form
 - d. meets the requirements outlined in the NPWS codes of practice
 - e. meets any other requirements specified in the application form.
40. An animal display establishment can utilise the services of volunteers, provided those volunteers are identified in the annual membership report provided to the NPWS Wildlife Licensing Team.
41. Where its volunteers are not active members of a home-based rehabilitation group, an animal display establishment may permit volunteers to take animals to their homes when such activity is:
- a. undertaken on a temporary basis and not for the duration of the rehabilitation process
 - b. solely for the purpose of providing continuity of care (e.g. overnight feeding/ administration of drugs).
42. An animal display establishment is not limited to a zone and can draw active members from anywhere.

Licensing of an individual licence holder (independent wildlife rehabilitator)

43. NPWS prefers to license groups and centres rather than individuals. Groups and centres provide an ability to scale up activity when required, and provide stronger assurances about maintaining service standards and guarantees about the continuity of care.
44. There are a small number of existing independent licence holders that will be permitted to retain their licence subject to meeting the required standards.
45. The NPWS Wildlife Licensing Team may grant an application for a new licence to operate as an independent wildlife rehabilitator if the:
- a. applicant resides outside the zone of a wildlife rehabilitation group
 - b. required quality assurance standards as an independent are met.
46. A person granted a licence to operate as an independent wildlife rehabilitator cannot authorise another person to operate under their licence.
47. An independent wildlife rehabilitator may authorise other members of the nominated household to assist with the independent wildlife rehabilitation work as associates provided, they:
- a. are at least 12 years of age
 - b. reside at the same household premises
 - c. comply with the conditions of the licence.
48. An independent licence holder cannot operate at a location not stated on their licence without the permission of the NPWS Wildlife Licensing Team.

49. An independent licence holder is not restricted to a zone.

Other participants in wildlife rehabilitation

Registered charities and wildlife sanctuaries

50. A person or other entity seeking to conduct wildlife rehabilitation as a wildlife sanctuary or registered charity must:
- a. be a member of a licensed volunteer wildlife rehabilitation group
 - b. apply as a central facility or an independent.

Veterinarians and veterinary hospitals

51. Veterinarians have a crucial role in the assessment and treatment of injured, sick and orphaned wildlife and work closely with wildlife rehabilitation providers.
52. Veterinarians or a veterinary hospital licensed under the VP Act will not require a licence to either:
- a. rescue and treat an injured, sick or orphaned protected animal
 - b. release a protected animal at the location at which it was rescued.
53. However, a veterinarian and/or licensed veterinary hospital will require a licence to, for instance:
- a. possess a protected animal for purposes other than veterinary treatment
 - b. release a protected animal in a location other than its point of rescue
 - c. import or export the animal interstate
 - d. identify; that is, band or tag an animal that is to be released. The permanent marking of birds and bats for release will require an additional approval from the Australian Bird and Bat Banding Scheme (ABBBS). Banding must be undertaken by an authorised bander under the scheme and in conjunction with an approved ABBBS project.
54. Veterinarians or veterinary hospitals that intend to import and/or export protected animals interstate on a regular basis should acquire a licence for a prescribed timeframe rather than apply for a licence on a case-by-case basis.

Operational considerations

Licence application process

How does a group, facility, establishment or person apply for a licence to conduct wildlife rehabilitation?

55. A person can make an application to conduct wildlife rehabilitation by completing a 'Provider of Wildlife Rehabilitation Services' application form by the NPWS Wildlife Licensing Team.
56. When assessing the merits of an application, the NPWS Wildlife Licensing Team will consider the matters specified in the BC Regulation (clauses 2.26 and 2.27).
57. As an example, criteria relevant to the public interest (clause 2.26 (g), BC Regulation) will include but will not be limited to:
 - a. impact on the continuity of existing wildlife rehabilitation services
 - b. provision of additional specialised services that are currently unavailable in the nominated area or elsewhere in wildlife rehabilitation activities regulated in New South Wales
 - c. increase in service capacity, particularly with respect to key phases of wildlife rehabilitation such as intensive care or pre-release of animals
 - d. the applicant's ability to comply with the department's quality assurance standards and licence conditions.
58. As another example, criteria relevant to any other matters (clause 2.26 (h), BC Regulation) will include but will not be limited to:
 - a. local community interest
 - b. other exceptional circumstances.
59. The NPWS Wildlife Licensing Team may also issue a call for new applications in an area where an existing wildlife rehabilitation provider:
 - a. has ceased to operate
 - b. cannot meet service demands
 - c. is unable or can no longer meet the quality assurance standards, or refuses to comply with the conditions of their licence.
60. Applications will first be open to existing wildlife rehabilitation providers and if considered necessary new service providers. Following assessment, the allocated area may be made available to more than one provider.

What is the term of a licence?

61. A new wildlife rehabilitation holder will be issued a licence for a period of one year. Prior to expiry of the licence, a renewal application form will need to be completed and submitted to the NPWS Wildlife Licensing Team.

62. The NPWS Wildlife Licensing Team may conduct a review of the quality assurance standards prior to renewing the licence (see clauses 69–74 below). Failure to meet the standards may result in a licence being suspended or cancelled.
63. For existing wildlife rehabilitation providers, the term of the licence is 3 years initially, and 5 years thereafter, unless the NPWS Wildlife Licensing Team has reason to grant outside of the standard licence terms.

What is the timeframe for assessing an application or renewal of a licence?

64. The NPWS Wildlife Licensing Team will assess a new, or renewal licence application within the timeframe prescribed in the BC Regulation (clause 2.29).

Is there a licence application or renewal fee?

65. The NPWS Wildlife Licensing Team will waive the \$30 standard application fee for a licence (section 14.6(2) of the BC Act).
66. There is no prescribed renewal fee for a licence.

What happens if my application for a licence is refused, or my licence is suspended or cancelled?

67. The NPWS Wildlife Licensing Team will provide a written statement of reasons for the decision if these are requested by the group or individual whose licence has been refused, suspended or cancelled.
68. An appeal may be lodged to the Land and Environment Court against a decision to refuse, suspend or cancel a licence as prescribed in the BC Regulation (clause 2.30).

Quality assurance standards for a licence

69. Quality assurance is a method for the NPWS Wildlife Licensing Team to assess whether an applicant for a licence can comply with specified standards of operation. The department's quality assurance standards are stated in Appendix A.

Who must be assessed?

70. The department requires all wildlife rehabilitation providers to meet its quality assurance standards prior to being issued with a licence.
71. The department will not quality assess veterinarians or licensed veterinary hospitals who participate in wildlife rehabilitation.
72. A veterinary hospital seeking a licence as a central facility will be required to meet quality assurance.

How do I know if I meet the standards?

73. The applicant will need to submit a licence application form with a completed quality assurance checklist. The NPWS Wildlife Licensing Team will assess the application and, if successful, will issue a licence.

How long does quality assurance last?

74. The quality assurance assessment will be valid for the term of the licence. At the time of a licence renewal, the NPWS Wildlife Licensing Team may require certain quality assurance standards to be re-assessed.

Administration of a licence

How can I add a new protected animal species or group of species to a licence?

75. A new wildlife rehabilitation provider will be required to nominate which species or group of species they will be rehabilitating on the licence application form.
76. An existing wildlife rehabilitation provider must seek written permission from the NPWS Wildlife Licensing Team to amend the species or group of species on its licence. The applicant will also be required to demonstrate it can comply with the department's relevant codes of practice for the new additions.

What is the permitted minimum age of persons operating under a licence?

77. Persons 12 to 18 years of age may be authorised to participate in wildlife rehabilitation if they do so under the direct supervision of an authorised person who is 18 years of age or over. Such an authority must show the name of the designated person who will provide the supervision.
78. Persons who catch and release reptiles must be at least 18 years of age.
79. It is the responsibility of the wildlife rehabilitation provider to:
- a. obtain all consents and approvals necessary for, and comply with all laws in relation to, engaging a person under the age of 18, including compliance with the *Child Protection (Working with Children) Act 2012*
 - b. ensure their insurance provides coverage for persons under the age of 18.

Who is responsible for monitoring compliance with a licence?

80. A wildlife rehabilitation provider is responsible for:
- a. ensuring persons authorised to operate under a licence are trained and supervised to comply with the conditions of the licence, including the department's codes of practice
 - b. addressing instances of non-compliance through internal compliance assessment, dispute management or disciplinary processes.
81. It is the responsibility of providers to manage non-compliance or disagreements about animal care. The department does not adjudicate animal welfare concerns but will clarify the intent of the codes of practice or this policy at the wildlife rehabilitation provider's request.
82. The NPWS Wildlife Licensing Team will set consistent statewide standards by:
- a. implementing a program of quality assurance to meet the requirements for a licence

- b. developing training standards that describe the competencies (skills and knowledge) needed to apply the codes of practice
 - c. requiring groups to ensure authorised persons comply with the codes of practice
 - d. setting conditions on the licence in accordance with the BC Act (section 2.14)
 - e. undertaking periodic random audits of wildlife rehabilitation providers to monitor compliance and inform ongoing improvements to the department's standards.
83. The NPWS Wildlife Licensing Team will provide standard templates for wildlife rehabilitation providers to conduct internal compliance assessments.

Do licensed wildlife rehabilitation providers require a separate licence to export or import a protected animal from or into New South Wales?

84. The department recognises that licensed wildlife rehabilitation providers may need to export sick, injured or orphaned animals from New South Wales for assessment and treatment (or to meet the release requirements of a code of practice) and import them back into the state for rehabilitation and release if appropriate.
85. The department may automatically authorise the export and import of these animals for this purpose on the licence; a separate licence will not be required.
86. This authorisation of movement of animals out of and into New South Wales will:
- a. not apply to the relocation of healthy 'catch and release' animals
 - b. be subject to conditions specified in the licence, including keeping records of animal movements.
87. The wildlife rehabilitation provider must comply with the regulatory requirements of other jurisdictions with respect to the import and export of an animal into, or from that jurisdiction.

Other related wildlife rehabilitation activities

88. The department supports the involvement of wildlife rehabilitation providers in other activities that benefit the community and assists protected animals.
89. An individual or group does not need a biodiversity conservation licence to fundraise, market, advertise, educate, advocate or recruit for the purposes of supporting wildlife rehabilitation.
90. Wildlife rehabilitators should be aware of other regulatory requirements related to the operations of registered charities and incorporated associations that undertake such activities.

Capture and release of reptiles from premises

91. Wildlife rehabilitation providers must ensure authorised members either:

- a. have at least 2 years of prior experience handling reptiles, including but not limited to through an animal display establishment, a wildlife rehabilitation group, or private keeping of venomous snakes or similar
 - b. have completed a practical reptile handling course with key skill areas, including identification and venomous snake handling.
- 92. Persons who capture and release reptiles must be at least 18 years old.
- 93. Persons who capture and release reptiles must hold a current first aid certificate and carry first aid bite equipment to a site.
- 94. Capture and release of reptiles must comply with relevant conditions stated in the licence.

Capture and release of possums in roofs

- 95. Wildlife rehabilitation providers must ensure they, or their individual members who are authorised to catch and release possums in roofs to protect property are competent to implement the department's *Possum Management Policy*.

Treatment of in situ wombats affected by mange

- 96. The department requires that only a licensed wildlife rehabilitation provider, or a member of a licensed wildlife rehabilitation group, uses chemical products approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) for the in situ control of sarcoptic mange in wombats.
- 97. Wildlife rehabilitation providers must ensure they, or persons operating under their authority, are trained, and assessed as competent in the application of the APVMA approved product for the control of sarcoptic mange in wombats.
- 98. Non-compliance with the APVMA chemical product dosage conditions may be an offence under the BC Act (section 2.14[4]).
- 99. Prior consent from the relevant NPWS Area Manager is required for a wildlife rehabilitation provider to apply APVMA approved treatments on parks and reserves.

Use of firearms and dart guns

- 100. NPWS considers the use of firearms to be an acceptable humane method of euthanasia for distressed animals where death is imminent or full recovery is impossible.
- 101. Dart guns may be used to deliver tranquilisers or other medication to facilitate capture, treatment, euthanasia and relocation of wildlife. If a person is proposing to administer the tranquilliser (or other medication) using a dart gun, that person must hold a Tranquilliser Permit issued by the NSW Police Force Firearms Registry.
- 102. The administration of a tranquilliser, sedative or anaesthetic agent is a restricted act of veterinary science but can be performed by an accredited or authorised person under the immediate and direct supervision of a veterinarian (clause 4(1)(c), Veterinary Practice Regulation 2013).

Possession of surrendered and seized protected animals

103. Wildlife rehabilitation providers are authorised to temporarily possess surrendered or seized protected animals.
104. These animals may be assessed by providers to determine the animal's suitability for rehoming, if rehabilitation is required or whether euthanasia is necessary.
105. The NPWS Wildlife Licensing Team will assist with rehoming such animals as soon as possible and will provide guidance and advice to groups in holding and managing the rehoming of such animals.
106. Animals cannot be rehomed without the approval of the NPWS Wildlife Licensing Team.
107. The NPWS Wildlife Licensing Team will establish rehoming pathways to expedite the rehoming of surrendered and seized protected animals to minimise the time such animals are held by groups.
108. In the event that protected animals are unable to be released or rehomed, they may have to be euthanased.

Supplementary feeding of animals in distress

109. The department does not support the supplementary feeding of protected animals, except:
 - a. in a wildlife emergency and in accordance with official advice given by the NSW Government
 - b. as part of a supervised agreed conservation measure
 - c. when specified in the department's codes of practice.
110. It is an offence to feed marine mammals in the wild without authority to do so (clause 2.7, BC Regulation).

Tagging, banding and microchipping of animals

111. Permanent marking of birds and bats for release will require an additional approval from the Australian Bird and Bat Banding Scheme (ABBBS). Banding must be undertaken by an authorised bander under the scheme and in conjunction with an approved ABBBS project.
112. The wildlife rehabilitation provider must determine whether an additional approval is required in each circumstance.

Non-releasable protected animals

Permanent care with licensed rehabilitators

113. A request to permanently retain non-releasable protected animals permanently maybe be considered, if:
 - a. the animal belongs to a species that needs to be rehabilitated in a social group and will serve as a companion under these circumstances

- b. the animal will be involved in community education activities specified in the licence or training programs for wildlife rehabilitators with learning outcomes based on the relevant code of practice
- 114. An application to permanently retain a non-releasable protected animal must be submitted to the NPWS Wildlife Licensing Team immediately following determination of the non-releasable status of the animal. Species experts may be consulted by the NPWS Wildlife Licensing Team as part of the application assessment. The form can be obtained from the NPWS Wildlife Licensing Team.
- 115. Protected animals retained in a social group or for community education activities or a training program must not be bred.

Retention by licensed rehabilitators that are also authorised exhibitors

- 116. An animal display establishment must apply to the NPWS Wildlife Licensing Team to transfer a non-releasable protected animal to its exhibitor's licence, subject to the approval of the relevant regulatory authority for the exhibitor's licence.
- 117. The authorised animal exhibitor must complete an application to retain a non-releasable protected animal form from the NPWS Wildlife Licensing Team and include:
 - a. a report from a veterinarian outlining the justification for the animal being non-releasable and its suitability for exhibition
 - b. evidence of the acquisition being part of a collection management plan
 - c. justification for the retention
 - d. written approval from the General Manager of the applicant animal display establishment.
- 118. An application to retain a non-releasable protected animal permanently must be submitted to the NPWS Wildlife Licensing Team immediately following determination of the non-releasable status of the animal (e.g. animal sustained an injury that will impede its ability to survive in the wild). Species experts may be consulted by the NPWS Wildlife Licensing Team as part of the application assessment.

Placement with authorised animal exhibitors

- 119. If an application to permanently hold a non-releasable native animal is not made or is refused, the NPWS Wildlife Licensing Team may consider placing the animal with an authorised animal exhibitor that has the facilities and expertise required for the specialised care and treatment of the animal.
- 120. To determine a suitable animal display establishment for a non-releasable protected animal, the NPWS Wildlife Licensing Team may seek advice from:
 - a. the head of the wildlife rehabilitation provider that holds the animal
 - b. the regulatory authority that licenses animal display establishments
 - c. the Zoo and Aquarium Association (when placing species that are managed by a breeding program under the Australasian Species Management Program)

- d. the Mobile Wildlife Educators Association, when placing other species
 - e. any other expert the NPWS Wildlife Licensing Team deems relevant.
121. An application to retain a non-releasable protected animal must be submitted must be submitted to the NPWS Wildlife Licensing Team immediately following determination of the non-releasable status of the animal. Species experts may be consulted by the NPWS Wildlife Licensing Team as part of the application assessment.

Escaped pets

122. If there is strong evidence that the animal is an escaped pet (e.g. it was found well outside of its natural range), the rescuer should either:
- a. make reasonable efforts to locate the owner and return it; for example, by taking the animal to a veterinarian to determine if it is microchipped or by calling the local herpetology group
 - b. complete an application to rehome a protected animal form from the NPWS Wildlife Licensing Team.

Rehabilitation and release of non-protected animals

123. The NPWS Wildlife Licensing Team will not authorise the rehabilitation or release to the wild of animals that are not protected animals as defined in Schedule 5 of the BC Act. It is an offence under the BC Act (section 2.6[1]) to release any animal (except for a captured protected animal in its place of capture) without a licence.

Internal operations of wildlife rehabilitation providers

What is the department's involvement in internal disputes and disciplinary procedures?

124. The department adopts a strategic approach to conflict resolution in the wildlife rehabilitation sector. The department does this by:
- a. providing the sector with clear guidelines for resolving conflict
 - b. requiring wildlife rehabilitation providers to meet standards of governance to become eligible under the quality assurance standards and acquire a licence.
125. The department does not have the authority under the BC Act to investigate or intervene in any of the following operational matters:
- a. disputes relating to a breach of the Constitution or charity status of a wildlife rehabilitation provider
 - b. disputes between members, or a member and the committee of a wildlife rehabilitation group
 - c. disputes relating to the internal management, including financial management of a wildlife rehabilitation group
 - d. disputes involving the conduct of a general meeting, or the process by which members of the committee are elected
 - e. the validity of the appointment or removal of a public officer.

126. These matters should be resolved by the wildlife rehabilitation provider itself, or with the assistance of independent mediation (e.g. from a nationally accredited mediator or by contacting NSW Fair Trading or the Australian Charities and Not-for-profit Commission). Unresolved matters may require the wildlife rehabilitation provider to seek independent legal advice.
127. The department does not arbitrate or mediate different positions about the management of protected animals under the control of a wildlife rehabilitation provider. It is the responsibility of the committee of a wildlife rehabilitation group to resolve these issues using the department's codes of practice and initial treatment and care guidelines.
128. Non-compliance with codes of practice and the directions of a committee may lead to the withdrawal of an authority. If an authority is withdrawn, animals can no longer be held and must be transferred to another authorised person nominated by the group's committee.
129. The department **does** have discretion under the BC Act to investigate and intervene in the following matters:
- a. suspected offences under the BC Act and the BC Regulation
 - b. suspected offences under the *National Parks and Wildlife Act 1974* and the National Parks and Wildlife Regulation 2019
 - c. suspected breaches of a licence.
130. Overt or intentional acts of violence towards animals, neglect, or failure to provide for the welfare of an animal should be referred to the RSPCA, Animal Welfare League or NSW Police.
131. If a matter remains unresolved after all the above avenues have been explored, the parties may wish to employ a professional mediator or seek independent legal advice.

Does the department pay for expenses incurred by volunteer wildlife rehabilitators?

132. NPWS does not pay for expenses incurred by wildlife rehabilitation providers and/or their authority holders.

How is the privacy of authorised members protected by the department?

133. The NPWS Wildlife Licensing Team will require a wildlife rehabilitation provider to periodically submit personally identifiable information such as an email address, name, home or work address and telephone number of persons authorised under the licence.
134. The NPWS Wildlife Licensing Team may:
- a. use personal information for the purposes of regulating the wildlife rehabilitation sector and administering this policy

- b. disclose personal information to third parties for the purpose of confirming information given by the wildlife rehabilitation provider and for law enforcement purposes.
135. The NPWS Wildlife Licensing Team will provide a privacy notice on its standard report templates outlining wildlife rehabilitators' rights with respect to accessing their personal information.

Can the department publish wildlife rehabilitation data collected by licensed wildlife rehabilitation providers?

136. The NPWS Wildlife Licensing Team will collate and publish data collected by licensed wildlife rehabilitation providers. Data will be published on the department's website and databases, in reports and/or in scientific publications, to improve collective knowledge and understanding of the practice of wildlife rehabilitation and details of protected animals needing assistance. This published data will not include information that would allow individuals to be identified (without their permission) unless the provider is an independent licence holder.

About the policy

Policy first adopted **July 2010**

Policy last updated **June 2025**

Scope and application

This policy applies to the rescue, rehabilitation and release of all injured, sick and orphaned protected animals in New South Wales. It includes escaped, seized and surrendered animals or those considered a threat to life or property.

Objectives

This policy aims to:

- provide a clear and transparent framework for the conduct of wildlife rehabilitation in New South Wales
- clearly articulate the role of the department in wildlife rehabilitation
- provide reliability in the long-term delivery of wildlife rehabilitation services across all of New South Wales
- ensure wildlife rehabilitation providers conduct their activities in accordance with established standards
- ensure the welfare of injured, sick and orphaned protected animals under the control of licensed wildlife rehabilitation providers
- contribute to the maintenance of biodiversity through the successful return of temporarily disadvantaged animals to their natural habitat and to manage the risks associated with such actions.

Definitions

Active wildlife rehabilitators

These are persons who are authorised under a licence to participate in wildlife rehabilitation. It does not include persons who perform solely administrative roles.

Animal display establishment

Premises used for the exhibition of animals or housing of animals used for exhibition. This includes a zoological park, marine park and oceanarium as defined under the EAP Act (excluding wildlife sanctuaries as defined in this policy) and all classes of animal display establishments prescribed under the *Exhibited Animals Protection Regulation 2021* (fixed establishments, mobile establishments and off-display establishments).

Authorised animal exhibitors

Persons or establishments authorised to exhibit animals under the EAP Act.

Authority

The approval for a person to rescue, rehabilitate and release protected native animals, granted by a rehabilitation group in accordance with the terms of its licence.

Biodiversity conservation licence (licence)

An approval granted by the Environment Agency Head (NPWS) to a person to conduct an act that would otherwise be an offence under the BC Act.

Central facility-based wildlife rehabilitation provider

A single premise from which wildlife rehabilitation is mostly conducted and where members of that facility go to care for injured, sick and orphaned protected animals.

Distressed animal

An animal not capable of fending for itself in the wild (see clause 2.15, BC Regulation): that is, assessed as either injured, sick, escaped or orphaned.

Free-living animal

An animal that lives independently in the wild.

Home-based wildlife rehabilitation provider

A volunteer group whose members are authorised to rescue and rehabilitate sick, injured and orphaned animals from their homes or, in the case of marine mammals, rescue, rehabilitate in situ and/or transfer animals to appropriate facilities.

Independent wildlife rehabilitation provider

A person or persons who are authorised to rescue and rehabilitate from their residential premises.

Introduced free-living animals

Non-protected animals that are free-living.

Licensed animal keeper

A person licensed to keep a protected animal as a pet.

Marine mammal

An animal of the order Cetacea or Sirenia or the family Otariidae or Phocidae; for example, whales, dolphins, dugongs and seals.

Member zone

The geographic area from which a home-based volunteer wildlife rehabilitation group must draw the core of its membership.

Memorandum of understanding

A written signed agreement between 2 or more wildlife rehabilitation providers.

Non-releasable protected animal

A protected animal that cannot be released back to the wild.

Park or reserve

A national park, historic site, state conservation area, regional park, nature reserve, karst conservation reserve or Aboriginal area, or any land acquired by the Minister under Part 11 of the *National Parks and Wildlife Act 1974*, and includes all roads and waters within the boundaries of any such park, site, area, reserve or land, unless specifically excluded.

Protected animal

An animal of a species listed in Schedule 5 of the BC Act.

Note: A protected animal does not cease to be the property of the Crown even when a person takes possession of it because it is incapable of fending for itself in the wild.

Quality assurance

The department's assessment process for ensuring wildlife rehabilitation services are being provided in a consistent, reliable and credible manner in accordance with established standards.

Rescue

The capture of a protected animal that cannot fend for itself and, if necessary, its transport to a licensed wildlife rehabilitation provider, veterinary hospital or place where it can be attended to by a registered veterinary practitioner (i.e. a veterinarian).

Sick, injured or orphaned protected animal

A protected animal that is not capable of fending for itself in the wild.

Wildlife hospital

A wildlife hospital is not specifically defined under NSW legislation. This policy considers a wildlife hospital to be a veterinary hospital (as defined under the VP Act) that is devoted to treating wildlife.

Wildlife rehabilitation

Wildlife rehabilitation means the rescue and/or temporary care of an injured, sick or orphaned protected animal with the aim of successfully releasing it back into its natural habitat.

Wildlife rehabilitation provider

A person or organisation that is licensed to do wildlife rehabilitation.

Wildlife sanctuary

For the purposes of this policy, wildlife sanctuary refers to an area specifically built for wild animals held in captivity (including those run by charities or community associations) but excludes wildlife sanctuaries exempt from licensing under the EAP Act (see clause 4(3) of the Exhibited Animals Protection Regulation 2021).

Relevant legislation or other mandating instruments

Legislation and/or mandating instruments that this policy refers to are:

- *Associations Incorporation Act 2009*
- *Biodiversity Conservation Act 2016*
- *Biodiversity Conservation Regulation 2017*
- *Child Protection (Working with Children) Act 2012*
- *Exhibited Animals Protection Act 1986*
- *Exhibited Animals Protection Regulation 2021*
- *National Parks and Wildlife Act 1974*
- *National Parks and Wildlife Regulation 2019*
- *Prevention of Cruelty to Animals Act 1979*
- *Veterinary Practice Act 2003*

Related policies and other documents

Policies

- Quality assurance standards for wildlife rehabilitation service providers in New South Wales
- Possum Management Policy
- Translocation Operational Policy

Codes of practice

NPWS codes of practice set standards for the care and housing of protected animals that are incapable of fending for themselves in their natural habitat. They comprise both enforceable provisions and guidelines. Enforceable provisions are identified by the word 'standards' and must be followed.

Training standards

The training standards are based on the relevant codes of practice and ensure minimum training standards are in place for volunteer wildlife rehabilitators across the sector. This gives greater certainty about the quality of care provided to protected animals in rehabilitation, and informs the competency standards.

Initial treatment and care guidelines

The codes of practice are complemented by guidelines for the initial treatment and care of protected animals. These documents aim to give best practice guidance to wildlife rehabilitation providers on assessment and first aid treatment principles for animals presenting for care.

Conflict management toolkit for wildlife rehabilitation sector

The toolkit is a package of resources to help the sector avoid and manage conflict within its organisations.

Accountabilities

Responsibilities of all persons who are involved in implementing the policy and ensuring its implementation.

Positions with significant responsibilities

Manager, NPWS Wildlife Programs and Regulation

Team Leader, NPWS Wildlife Licensing Team

NPWS Area Manager (clauses 12 and 99)

More information

- [Australasian Species Management Program](#)
- [Australian Bird and Bat Banding Scheme \(ABBBS\)](#)
- [Australian Charities and Not-for-profit Commission](#)
- [Codes of Practice](#)
- [Conflict Management Toolkit for the Wildlife Rehabilitation Sector in New South Wales](#)
- [Initial treatment and care guidelines](#)
- [Mediation service providers in New South Wales](#)
- [Mobile Wildlife Educators Association](#)
- [NPWS offices](#)
- [NSW Fair Trading](#)
- [NSW Fauna and Marine Parks Association](#)
- [NSW Police Force Firearms Registry](#)
- [Possum Management Policy](#)
- [Translocation Operational Policy](#)
- [Wildlife rehabilitation standards webpage](#)
- [Zoo and Aquarium Association](#)

Contacts for further advice

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Appendix A: Quality assurance standards for wildlife rehabilitation providers

All wildlife rehabilitation providers must meet the department's 6 quality assurance standards to be issued a licence for wildlife rehabilitation.

Standard 1: The structures, activities and operations of a wildlife rehabilitation provider are in accordance with the principles of legal compliance, probity, transparency and accountability.

Standard 2: Wildlife rehabilitation providers have a structured program of training and support in place that ensures wildlife rehabilitators are competent to effectively perform their role.

Standard 3: Wildlife rehabilitation providers have a system of quality assurance for the management of animals in their care.

Standard 4: Wildlife rehabilitation providers demonstrate an efficient phone rescue service and capacity to effectively respond to calls for assistance.

Standard 5: Wildlife rehabilitation providers have quality systems in place to ensure data integrity in reporting and have demonstrated compliance with the department's reporting requirements.

Standard 6: Wildlife rehabilitation providers have systems in place for ensuring they engage with veterinary practitioners in a consistent, structured and ethical manner.