

Section 220ZW Licence

under the *Fisheries Management Act 1994* authorising an action that is likely to result in one or more of the following [please tick]:

Harm to a threatened species, population or ecological community (s220ZW(1)(a))		
Damage to a critical habitat (s220ZW(1)(b))		
Damage to a habitat of a threatened species, population or ecological community (s220ZW(1)(c))		
This application includes a Species Impact Statement		Y/N
<p>1. Applicant's Name : <i>(if additional persons require authorisation by this licence, please attach details of names and addresses)</i></p>		
<p>2. Australian Business Number (ABN):</p>		
<p>3. Organisation or company name and position of applicant : <i>(if applicable)</i></p>		
<p>4. Postal address :</p> <p>Email address:</p>		<p>Telephone :</p> <p>B.H.</p> <p>A.H.</p>
<p>Location of the action <i>(including decimal Latitude and Longitude references, Lot and DP and local government area and delineated on a suitably scaled map).</i></p>		

<p>6. Full description of the action and its purpose including construction, operational and decommissioning footprint <i>(e.g. describe proposed development, or provide copies of relevant documents etc.)</i></p>	
<p>7. Details of the area to be affected by the action and provide photos of the site <i>(e.g. site description, area to be impacted in hectares etc.)</i></p>	
<p>8. Duration and timing of the action <i>(including staging, if any).</i></p>	

<p>9. Is the action to occur on land (or waters) declared as critical habitat*? <i>(tick appropriate box)</i></p>	<p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, critical habitat for which species?</p> <p>.....</p>			
<p>10. Threatened species, populations or ecological communities to be harmed.</p>	<p><u>Scientific name</u></p>	<p><u>Common name</u> <i>(if known)</i></p>	<p><u>Conservation status</u> <i>(i.e. critically endangered, endangered or vulnerable)</i></p>	<p><u>Details of no. of individual animals and plants, or proportion and type of plant material</u> <i>(e.g. whole plants or plant parts)</i></p>
<p>* Critical habitat means habitat declared as critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i>.</p>				

<p>11. Species impact: <i>(please tick appropriate box)</i></p> <p>a) For action proposed on land (or waters) declared as critical habitat;</p> <p>or</p> <p>b) For action proposed on land (or waters) <u>not</u> declared as critical habitat.</p>	<p>a Species Impact Statement (SIS) is attached <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Items 12 to 24 have been addressed <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><i>N.B: Provision of a Species Impact Statement (SIS) is a statutory requirement of a licence application if the action is proposed on critical habitat. The provision of information addressing items 12 to 17 is a statutory requirement of a licence application if the action proposed is <u>not</u> on land (or waters) that is declared critical habitat. Information addressing all of the questions below must be attached to the application.</i></p>	
<p>12. Describe the type and condition of habitats in and adjacent to the land (or waters) to be affected by the action.</p>	
<p>13. Provide details of any known records or potential of a threatened species in the same or similar known habitats in the locality <i>(include reference sources)</i>.</p>	

<p>14. Provide details of any known or potential habitat for a threatened species on the land (or waters) to be affected by the action (<i>include reference sources</i>).</p>	
<p>15. Provide details of the amount of such habitat to be affected by the action proposed in relation to the known distribution of the species and its habitat in the locality.</p>	
<p>16. Provide an assessment of the likely nature and intensity of the effect of the action on the lifecycle and habitat of the species.</p>	
<p>17. Provide details of proposed measures to avoid or ameliorate the effect of the action.</p>	
<p><i>N.B: The Director-General must determine whether the action proposed is likely to significantly affect threatened species, populations or ecological communities, or their habitats. To enable this assessment, the</i></p>	

Applicant is required to address items 18 to 24. Any additional information referred to in addressing these items must be provided with the application.

18. In the case of a threatened species, is the action proposed likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction?

19. In the case of an endangered population, is the action proposed likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction?

20. In the case of an endangered ecological community or critically endangered ecological community, is the action proposed:

(i) likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction? or

(ii) likely to substantially

<p>and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction?</p>	
<p>21. In relation to the habitat of a threatened species, population or ecological community describe:</p> <p>(i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</p> <p>(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and</p> <p>(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality.</p>	
<p>22. Whether the action</p>	

<p>proposed is likely to have an adverse effect on critical habitat (either directly or indirectly).</p>	
<p>23. Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan.</p>	
<p>24. Whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.</p>	
<p>Important information for the applicant</p> <p>Processing times and fees</p> <p>The <i>Fisheries Management Act 1994</i> provides that the Director-General (or delegate) must make a decision on the licence application within 120 days where a species impact statement (SIS) has been received. No timeframes have been set for those applications which do not require a SIS. The Department of Primary Industries (DPI) will assess your application as soon as possible. Applications that do not require a SIS will generally be determined and a response sent within 28 days. These applications will receive a certificate under s220ZZ(4). You can assist the assessment process by providing clear, concise and accurate information in your application. Applicants will be charged a licence processing fee. The Director-General is required to advise prospective applicants of the maximum fee payable before the licence application is lodged. Therefore, prospective applicants should contact DPI prior to submitting a licence application.</p> <p>The total licence fee consists of an Application Fee plus an Assessment Fee and is based on the following schedule:</p>	

Application fee (for all applications)	\$168.00
Plus:	
Applications determined to have no significant impact and only requiring the issuance of a certificate will be considered either:	
Minor assessments – takes up to 3 hours to complete	\$168.00
Moderate assessments – takes between 3 to 7 hours to complete	\$392.00
Major assessments – takes between 7 to 21 hours to complete	\$1,402.00

Applications determined to **have a significant impact** and that require a 220ZW licence will be considered complex assessments as the assessment involves more than 21 hours to complete. The cost of a complex assessment is \$3,644.00.

In accordance with s221 of the FM Act, applications seeking a 220ZW licence will also be charged the cost of advertising the licence application and species impact statement in a newspaper circulating throughout the State.

Do not send payment with this application form. A Departmental Officer will contact you to advise the total amount of the licence processing fee and you will be sent an invoice for the total fee once the application has been lodged.

Request for additional information

The Director-General may, after receiving the application, request additional information necessary for the determination of the licence application. The 120 day determination period is suspended until the additional information is provided.

Species Impact Statement (SIS)

Where the application is not accompanied by a SIS, the Director-General may decide, following an initial assessment of your application, that the action proposed is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. In such cases, the *Fisheries Management Act 1994* requires that the applicant submit a SIS. Following initial review of the application, the Director-General will advise the applicant of the need to prepare a SIS.

Director-General's requirements for a SIS

Prior to the preparation of a SIS, a request for Director-General's requirements must be forwarded to DPI. The SIS must be prepared in accordance with section 221J and 221K of the FM Act and must comply with any requirements as notified by the Director-General (or delegate).

Certificates

If the Director-General decides, following an assessment of your application, that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, or their habitats, a Section 220ZW Licence is not required and the Director-General must, as soon as practicable after making the determination, issue the applicant with a certificate to that effect.

Public Register of s220ZW Licences

A Public Register provides a list of s220ZW licences granted. Copies of all licences issued under section 220ZW of the Act are available on the DPI website at:

<http://www.dpi.nsw.gov.au/fisheries/species-protection>

or in hardcopy can be requested from NSW DPI Threatened Species Unit by email to: fisheries.threatenedspecies@dpi.nsw.gov.au

I confirm that the information contained in this application is correct. I hereby apply for a licence under the provisions of Section 220ZW of the *Fisheries Management Act 1994*.

Applicant's name
(Please print)

Applicant's Position &
Organisation/Company
(if relevant)
(Please print)

Applicant's signature

Date

When completed, email your licence application (with all relevant attachments) to:

fisheries.threatenedspecies@dpi.nsw.gov.au

For more information, contact:

Threatened Species Unit
Department of Primary Industries – Fisheries NSW
Phone: (02) 4478 9103
Email: fisheries.threatenedspecies@dpi.nsw.gov.au