



SECTION 37 MISCELLANEOUS PERMIT APPLICATION

Fisheries Management (Aquaculture) Regulation 2007

This form is to be completed in full when applying for a permit under section 37 of the Fisheries Management Act 1994 to authorise a person to take and possess fish or marine vegetation for any purpose prescribed by the regulations and any other purpose approved by the Minister that is consistent with the objects of the Act.

Do not use this form if you are applying for:

- Aquatic specimen collection for school groups
Charity fish auctions/raffles
Taking fish for Aboriginal cultural or ceremonial use
Scientific or research collection
Aquarium collection
Marine vegetation collection for commercial purposes

Please note that there are separate application forms for these activities.

Note: the average timeframe for the assessment of these applications is 4 to 6 weeks. To avoid delays or refusal, this form should be completed in full with all relevant information, including location maps. The exclusion of any requested information will delay the progression of your application.

Applications are considered on merit and the issue of a permit is not guaranteed. Factors considered include: the proposed collecting methods, the species and quantity to be collected, the proposed collecting locations. An application fee applies (refer to the current fee schedule).

Is this a new application or a renewal of an existing/expired permit?

New Application [] Renewal []

If a Renewal, please provide the existing/expired Permit Number _____

Please indicate timeframe that permit is needed for: 1 year [] 3 years [] 5 years []
(Permits can be granted for a period of up to 5 years).

Are you applying for a blanket permit? Yes [] No []

(Blanket permits cover the entire state. A Code of Practice must be submitted if applying for a blanket permit)

1. APPLICANT DETAILS

Applicant's full name: (Proposed permit holder) []

Applicant's home address: []

Applicant's postal address:
(Insert 'As above' if same as
home address)

Contact details:

Home:

Office:

Mobile:

Fax:

Email:

2. ACTIVITY DETAILS

Proposed location(s) for activity:
(Please provide
a map if collecting)

LOCATION MAPS FOR EACH PROPOSED SITE MUST BE PROVIDED WITH THE APPLICATION.

Note: if the application is for a blanket permit (i.e. covers the entire state of NSW), a Code of Practice must be completed and submitted with the application.

Is the location saltwater or
freshwater?

Are any of the locations in a(n):

Aquatic Reserve:	Yes <input type="checkbox"/> *	No <input type="checkbox"/>
Marine Park:	Yes <input type="checkbox"/> *	No <input type="checkbox"/>
Culturally Significant Area:	Yes <input type="checkbox"/> *	No <input type="checkbox"/>
National Park:	Yes <input type="checkbox"/> *	No <input type="checkbox"/>

* If yes to any of the above,
you must provide details:

Please also advise if you have
already consulted with
Fisheries, Marine Parks Or any
other authority.

What method(s) will be used for collection?

Hand held net

Dip and Scoop Net

Snorkel

Other

If 'Other' please specify:

What species (scientific and common name) and quantity of individuals are to be collected/affected:

(**quantity is mandatory)

Species (scientific & common name)	Number of individuals to be collected over term of permit**

Do you wish to collect prohibited sized species Yes No

If yes, please justify the reason for this:

NOTE: Under the *Environmental Planning & Assessment Act 1979*, any proposed activity that is likely to have an impact on threatened species, endangered populations, endangered ecological communities, or their habitats, will need to address the requirements of Section 5A of the *EP&A Act 1979* (7 Part Test). If the assessment indicates that a significant effect is likely, then a Species Impact Statement (SIS) must be prepared. This will need to be lodged with NSW DPI **BEFORE** this application is processed.

3. SIGNATURE AND DECLARATION OF APPLICANT

The information I have provided in this application is true and correct in every detail.

Name:	Signature:	Date:
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4. PAYMENT OPTIONS

- Submit a cheque or money order, made payable to Department of Trade and Investment, with the application.
- Complete the credit card section on this application form to make payment by credit card.

Credit card payment: to pay the application fee by credit card, fill out the credit card authority below. Once your application has been received, a DPI Officer will contact you to obtain your 3 digit CVV number.

Card type (please circle to indicate card type)	American Express	Master Card	Visa
Card number	_ _ _ _ _ _ _ _ _ _		
Card Expiry date	_ _ / _ _		
Amount to be debited	\$		
Name of card holder			
Signature of card holder			

**Please note that a surcharge applies to the following card(s):

Visa	0.4%	
Mastercard	0.4%	
American Express	1.50%	
Diners Club	2.40%	(Surcharge calculated at time of processing)

5. SUBMITTING YOUR APPLICATION

WARNING: Any person convicted of introducing noxious fish into the waters of NSW is liable to a maximum penalty of \$5,500 (\$11,000 for a corporation).

Your completed application should be lodged with NSW DPI at the following address:

**Miscellaneous Permits
NSW Department of Primary Industries
Locked Bag 1
NELSON BAY NSW 2315**

Enquiries: Monday to Friday 8:30 am – 4:30 pm
Telephone (02) 4982 1232 **Facsimile: (02) 4982 1107**

Email: fisheries.permits@dpi.nsw.gov.au

PRIVACY INFORMATION - Information collected by way of this application form is subject to the *Privacy and Personal Information Act 1998*. The information will be used only for the purposes of assessing this application and where necessary to support lawful systems used to manage the industry to which this application relates. Information is stored securely and is held in the strictest confidence but may be pooled in a manner not identifying individuals to form industry-based statistics. Information may be given to authorised agencies for purposes approved by the Privacy Commissioner. For more privacy information please contact the NSW DPI Privacy Officer on (02) 9527 8453 or visit our Internet homepage on www.dpi.nsw.gov.au.



Review of Environmental Factors (REF) Pro-forma for Fishing Related Activities

ENVIRONMENTAL ASSESSMENT FOR THE PURPOSE OF PART 5 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (EPA ACT)

This pro-forma is designed to assist you, as the proponent of an activity, to prepare a Review of Environmental Factors (REF) for a proposed activity. Once completed, the REF should be submitted to NSW DPI for review and approval, in connection with your application for a permit.

If you require more space to address an issue, please include your response on a separate piece of paper and attach it to this form. Please indicate on this form that additional information is attached.

For activities where potential impacts are complex or detailed information or analysis is required to understand the impacts, a stand alone REF should be prepared instead.

For further information on preparing a REF (whether using this form or preparing a stand alone REF), please refer to NSW DPI Guidelines for Environmental Assessment of Fishing Related Activities. This pro-forma includes references to relevant parts of these guidelines for further information.

A PROPONENTS DETAILS

Refer Part 7.1 of the Guidelines for Environmental Assessment of Fishing Related Activities.

A1 Name: _____

A2 Organisation: _____

A3 Address (street and postal): _____

A4 Phone: _____ Mobile: _____

Fax: _____

B DESCRIPTION OF PROPOSED ACTIVITY

Refer Part 7.2 of the Guidelines for Environmental Assessment of Fishing Related Activities.

B1 Describe the proposed activity (e.g. use eel traps in farm dams): _____

B2 Expected duration of activity (e.g. 1/1/10 – 1/1/11): _____

B3 Expected number of occasions activity will occur (e.g. total 5 days, intermittently): _____

B4 Purpose of the proposed activity (e.g. commercial harvest, research): _____

B5 Provide a justification for the proposed activity in terms of environmental, economic and social considerations. Discuss feasible alternatives, the reason for your preferred approach, and consequences of not carrying out the proposed activity:

B6 Describe any measures you proposed to take to minimise impacts on the environment (including any impacts identified while completing the remainder of this form):

Provide any additional information necessary to accurately explain the proposed activity in full, including where relevant diagrams, photos, and/or detailed descriptions of particular aspects of the activity, particularly those aspects that may contribute toward the activity having an impact on the environment.

C SITE IDENTIFICATION

Refer Part 7.3 of the Guidelines for Environmental Assessment of Fishing Related Activities

C1 Name and maps of river, creek, lake, waterway, site: _____

C2 Is the activity expected to take place (in part or in full) in waters that are:

In a Marine Park yes no

Any related issues/comment? _____

In an Aquatic Reserve? yes no

Any related issues/comment? _____

In waters closed to the activity? yes no

Any related issues/comment? _____

In an important commercial fishing area? yes no

Any related issues? _____

In an important aquaculture area? yes no

Any related issues? _____

D IDENTIFICATION AND EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

Refer Part 7.4 of the Guidelines for Environmental Assessment of Fishing Related Activities

Identify potential environmental issues and assess the risk of potential impacts (direct and indirect) arising as a result of the proposed activity. In each case where the risk is assessed as being high or moderate, please provide information regarding the environmental consequences.

What is the risk that there will be:		High	Moderate	Low	Nil
D1	Any impacts on a community? Identify species and impact. Also detail consequences if risk is high–moderate: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2	Any transformation of a locality? Identify species and impact. Also detail consequences if risk is high–moderate: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D3	Any environmental impact on the ecosystem of the locality? Identify species and impact. Also detail consequences if risk is high–moderate for a species: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D4	Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality? Identify species and impact. Also detail consequences if risk is high–moderate: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D5	Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations? Identify species /disease and impact. Also detail consequences if risk is high–moderate: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D6	Any impact on the habitat of protected fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i>)? Identify species and impact. Also detail consequences if risk is high–moderate: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REVIEW OF ENVIRONMENTAL FACTORS FOR FISHING ACTIVITIES

What is the risk that there will be:

High

Moderate

Low

Nil

D7 Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?

Identify species and impact. Also detail consequences if risk is high–moderate: _____

D8 Any long-term effects on the environment?

Identify species and impact. Also detail consequences if risk is high–moderate for a species: _____

D9 Any risk to the safety of the environment?

Identify species and impact. Also detail consequences if risk is high–moderate: _____

D10 Any reduction in the range of beneficial uses of the environment?

Identify species /disease and impact. Also detail consequences if risk is high–moderate: _____

D11 Any pollution of the environment?

Identify species and impact. Also detail consequences if risk is high–moderate: _____

D12 Any environmental problems associated with the disposal of waste?

Identify species and impact. Also detail consequences if risk is high–moderate: _____

D13 Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?

Identify species and impact. Also detail consequences if risk is high–moderate for a species: _____

E IDENTIFICATION OF POTENTIAL IMPACTS ON THREATENED SPECIES AND THEIR HABITATS

Threatened species impact assessment is an integral part of environmental impact assessment in NSW. Refer Part 7.5 of the Guidelines for Environmental Assessment of Fishing Related Activities.

E1 Are any **threatened species, populations or communities** of plant, mammal, bird, reptile, amphibian or fish likely to occupy, depend upon, pass through or use the waters or site where the activity is proposed to occur (i.e. are the waters or site likely to be habitat for a threatened species, population or ecological community)?

yes no

If yes, please list species/populations/ communities: _____

If you answered yes to the question above, you will need to assess the significance of potential impacts by completing a Test of Significance (see next page) for each species, population and community.

E2 Is the activity proposed to occur in declared **critical habitat** for a threatened species or population?

yes no

If yes, please list the critical habitats: _____

If the activity is a proposed to take place in a critical habitat for a threatened species or ecological community a Species Impact Statement must be prepared. Alternatively you may modify your proposal. Requirements for the SIS must be obtained from NSW DPI or Office of Environment & Heritage depending upon the species concerned.

E3 Is the activity one that could be categorised as a **key threatening process**, either wholly or partly?

yes no

If yes, please explain: _____

If the activity is one that could be categorised as a key threatening process, either wholly or partly, an assessment of whether the activity is consistent with relevant priority action statements (previously threat abatement plans and recovery plans) is required. Alternatively you may modify your proposal.

Test of Significance (7 Part Test)

Only complete the Test of Significance if you answered "yes" to E1 on the previous page. A Test of Significance is required for each threatened species, population or ecological community identified as likely to occur in the waters or site where the activity is proposed to take place.

Factor	Yes	No
1 In the case of a threatened species, whether the action proposed is 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:	<input type="checkbox"/>	<input type="checkbox"/>
Comment: _____ _____		
2 In the case of an endangered population, whether the action proposed is 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:	<input type="checkbox"/>	<input type="checkbox"/>
Comment: _____ _____		
3 In the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:	<input type="checkbox"/>	<input type="checkbox"/>
i) is 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) is likely to substantially and adversely modify the composition of the ecological community such that its occurrence is likely to be placed at risk of extinction:		
Comment: _____ _____		
4 In relation to the habitat of a threatened species, population or ecological community:	<input type="checkbox"/>	<input type="checkbox"/>
i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and		
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		
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:		
Comment: _____ _____		
5 Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly):	<input type="checkbox"/>	<input type="checkbox"/>
Comment: _____ _____		
6 Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan:	<input type="checkbox"/>	<input type="checkbox"/>
Comment: _____ _____		
7 Whether the action proposed constitutes or is of a Key Threatening Process or is likely to result in the operation of, or increase the impact of, a Key Threatening Process:	<input type="checkbox"/>	<input type="checkbox"/>
Comment: _____ _____		

REVIEW OF ENVIRONMENTAL FACTORS FOR FISHING ACTIVITIES

If the Test of Significance indicates that impacts are likely to be significant for one or more of the seven (7) factors above, you have two choices;

- (a) modify the proposal to eliminate or ameliorate the potential impacts. This may include redesigning the proposal, including additional ameliorative measures, including compensatory actions or offsets, rescheduling etc.*
- (b) prepare a Species Impact Statement and submit it with the application. Requirements for the SIS must be obtained from NSW DPI or Office of Environment & Heritage depending upon the species concerned.*

F IDENTIFICATION OF POTENTIAL IMPACTS ON MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) establishes a system of environmental assessment and approval by the Commonwealth for actions that significantly affect matters of national environmental significance. Matters of national environmental significance require consideration during development assessment and approval processes in NSW under the Environmental Planning and Assessment Act 1979 (EPA Act). Refer Part 7.6 of the Guidelines for Environmental Assessment of Fishing Related Activities.

F1 In accordance with the NSW Assessments Bilateral Agreement, please advise NSW DPI if the proposed activity is likely to have an impact upon any 'Matter of National Environmental Significance' under the EPBC Act, such as:

- | | | | | |
|--|-----|--------------------------|----|--------------------------|
| (a) heritage values of World Heritage properties | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (b) listed National Heritage places | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (c) wetlands of international importance (Ramsar Wetlands) | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (d) Commonwealth listed threatened species | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (e) Commonwealth listed ecological communities | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (f) listed migratory species | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (g) Commonwealth marine environment | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |

If you believe it will, you have an obligation under the EPBC Act to refer the proposal to the Commonwealth Environment Minister for a decision as to whether the action is a 'controlled action' and therefore requires assessment and approval.

F2 If yes to any of the above, has the proposal been referred to the Commonwealth Environment Minister?

yes no n/a

F3 If yes, what was the Commonwealth Environment Minister's determination?

Not a controlled action: no assessment required

A controlled action: assessment required

G DECLARATION

G1 Person who prepared REF (if different from the proponent in Part A): _____

G2 Qualifications of person who prepared the REF: _____

G3 I declare that the information given in this REF is correct:

Name: _____

Signature: _____

Date: _____