

Standard Conditions - Forest Permit (Non-commercial Research)

PERMIT DETAILS			
Permittee:			
Purpose:		Permit Number:	

GENERAL INFORMATION

Forest Permits are issued to authorise the conduct of various prescribed activities on State forests, timber or flora reserves as outlined in Section 60 of the *Forestry Act 2012*.

One objective of the Permit system is the orderly supervision of and facilitation by Forestry Corporation of NSW (Forestry Corporation) staff of the pursuit of bona fide scientific research into the forest ecosystems of New South Wales which are managed by the Forestry Corporation.

Another objective is to ensure that day-to-day forest management activities do not conflict with or compromise scientific studies by undue or ill-timed interference with designated study areas or equipment installed thereon, and to minimise safety risks to researchers working in the forests.

Forestry Corporation recognises the value of the contributions made by external research workers to our knowledge of the forests. The incorporation of significant findings into forest management plans should ensure the maintenance of those forest values which foresters and research workers alike basically share. To this end, **a report is required to be submitted on the results of the activities conducted prior to expiry of the term of the Permit.**

Scheduled forest operations such as forest treatment, harvesting, roading, burning, etc. are likely to occur in the area being studied unless specifically excluded by agreement with Forestry Corporation. Forestry Corporation will not be held responsible for any damage or loss sustained on study areas as a result of such operations.

Permits are issued for a period of study up to three years. The Permit term is at the discretion of Forestry Corporation. Renewal of a Permit will depend upon compliance with the conditions.

The following conditions are the standard conditions of Permits for research. Further conditions may apply if necessary.

CONDITIONS

1. The permittee shall notify the contacts of proposed field work and visits to the State forest in which the research will occur in advance of any field work being undertaken.
2. The Permittee shall indemnify and hold indemnified Forestry Corporation of NSW, its officers, agents and employees against any claim by any person for damage to property or injury to persons arising out of or as a consequence of or incidental to the conduct of the specified activity.
3. The Permittee and the Participants will in no way hold Forestry Corporation responsible for any damage to their property or for any personal injuries to themselves or to any other person associated with them in the specified activity.
4. The Permittee will accept full responsibility for any damage caused to any property of Forestry Corporation including roads, resulting from the conduct of the specified activity. Where such damage occurs, the permittee will effect, without delay, repairs to the satisfaction of the Authorised Forestry Corporation officer or alternatively, if in the opinion of the officer, such repairs are being unduly delayed, or if it is impracticable for the Permittee to carry them out,

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pay Forestry Corporation in advance an amount determined by the officer to be the full estimated cost of such repairs.

5. All vehicles used during the specified activity must be properly registered for operation on a public street and driven by persons duly licensed to operate them. The requirements of all statutes, regulations and licences must be complied with.
6. This Permit shall be carried by the Permittees (or, if more than one Permittee, by one of them) at all times during the conduct of the activity and shall be produced for inspection upon the request of an officer of Forestry Corporation.
7. The Permittee and participants and other persons associated with the specified activity shall, in the event of any accident involving domestic livestock depastured with due authority on the forest, hold blameless the owner of such livestock.
8. The Permittee shall ensure that all persons associated with the specified activity shall comply with the provisions of the *Forestry Regulation 2012* and the *Rural Fires Act 1997*. The minimum requirements, unless varied by special condition, for the lighting and/or maintenance of fires will be:
 - (a) The lighting or maintaining of fires is prohibited other than in properly constructed fireplaces or other receptacles as approved by the Authorised Forestry Corporation officer, and should be surrounded for at least two metres by ground cleared of all inflammable matter and not within 4.5 metres of any log, stump or tree.
 - (b) No fire, once lit, shall be left unattended at any time.
 - (c) No person shall place, drop or throw any light cigarette, tobacco, cigar or match unless it is immediately and completely extinguished.
 - (d) The lighting or maintenance of campfires is prohibited during periods of notified forest solid fuel fire bans.
9. The Permittee shall, if he/she does not intend to proceed with and complete the specified activity on any specific date, so notify the Authorised Forestry Corporation officer as soon as possible after making that determination.
10. If in the opinion of the Authorised Forestry Corporation officer it should be necessary for Forestry Corporation to provide any supervision of the specified activity, the amount determined to the satisfaction of the Authorised Forestry Corporation officer to be the cost of such supervision shall be paid in advance by the Permittee to the Authorised Forestry Corporation officer.
11. The Permittee shall so organise and conduct the specified activity so as to avoid any undue interference with or disturbance of any native animals or domestic stock, and the Permittee shall compensate the owner for any damage to the stock or property of any occupant, licensee, lessee, or permittee upon the forest and for any costs incurred by him/her as a result of the dispersal of stock caused by or arising out of the conduct of the specified activity
12. The Permittee must ensure that no motor vehicle shall be driven on other than a constructed road or trail at any time. The Permittee shall obtain prior approval from the Authorised Forestry Corporation officer for any change to the agreed location of activities.
13. The Permittee shall comply with any directions given by an officer of Forestry Corporation of NSW in relation to the activity and shall not contravene the direction given in any control sign. Forestry Corporation reserves the right to redirect or cancel the activity when one or more of the following conditions prevail in the vicinity of the specified activity:
 - a) logging operations or other forestry activities;
 - b) bush fire, planned hazard reduction burning or conditions of very high fire danger;

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- c) very wet or windy conditions; or
 - d) road damage is likely to occur.
14. The Permittee shall immediately notify an officer or employee of Forestry Corporation of the outbreak of any fire and shall require all participants in the activity to make all reasonable efforts to suppress and extinguish the fire.
 15. Liquid fuel shall not be stored (other than in fuel tanks of machines) nor shall machines be refuelled unless authorised by, and in accordance with conditions issued by, the Authorised Forestry Corporation officer.
 16. Any gates opened for the purpose of, or in the course of, the specified activity shall be closed after participants have passed through them. The Permittee shall ensure that stock do not stray through such gateways.
 17. Where approval has been given and unforeseen circumstances, including dangerous, wet or extreme fire conditions, arise such approval may be cancelled or amended without notice.
 18. The Permittee shall remove all rubbish which may have been deposited on the State forest by anyone associated with the permitted activity.
 19. The Permittee shall take out and keep current for the term of this Permit, a Public Liability Policy for an amount not less than \$20,000,000.00 (twenty million dollars) per claim.
 20. The Permittee shall provide a Certificate of Currency completed by the insurer to Forestry Corporation confirming that the appropriate Public Liability Policy cover is in place.
 21. The Permittee shall ensure that persons involved in the specified activity do not, without the prior approval of Forestry Corporation:
 - a) Cut, disturb or remove trees or undergrowth, forest materials or products on State forest;
 - b) Establish or construct campsites on the State forest; or
 - c) Construct improvements on the State forest.
 22. Forestry Corporation reserves the right to issue other Permits or Authorities over the subject area and the issue of this Permit does not confer any rights for exclusive use of the subject area.
 23. The Permittee shall not interfere with the lawful rights of any person authorised to access the area.
 24. The Permittee shall not carry or discharge any firearms on State forest.
 25. Forestry Corporation makes no guarantee as to the condition or trafficability of any road or track, which is to be used for the specified activity.
 26. The Permit is not transferable without Forestry Corporation written consent.
 27. The Permittee will notify Forestry Corporation within five working days (24 hours if it is a fatality or major incident) via the incident reporting form of any injury sustained during the permitted activity that requires transport to hospital.
 28. The Permittee acknowledges that the speed limit in all NSW State forests is 60km/h unless otherwise signposted.
 29. The Permittee must comply with all conditions of this permit. Any permit non-compliance constitutes a breach of the Forestry Act.

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30. This Permit shall be carried by the holder (or, if more than one holder, by one of them) at all times during the conduct of the activity and shall be produced for inspections upon the request of an officer or employee of the Forestry Corporation.
31. The issue of this Permit is conditional upon the Permit holder contacting the Authorised Forestry Corporation officer of the Region/s covered by this Permit, prior to commencement of activity, to provide prior notice of any period during which the activity will be conducted and to discuss the activities specified in this Permit. The Permit holder shall comply with any direction given by an officer or employee of the Forestry Corporation in relation to the activity.
32. All local rulings regarding forest safety are to be observed. It is the responsibility of Permit holders to ascertain these from the most appropriate office nearest to the site of the proposed activities.
33. Many forest roads are not all weather roads. Natural surface roads are not to be used during or following wet weather when the pavement is soft and susceptible to damage.
34. The holder shall furnish to the Forestry Corporation a written report on the results of the activity within two months of its completion. In addition, the holder shall furnish the Forestry Corporation with a summary report on the results of the activity within each period of 12 months after the date of issue of the Permit and prior to expiry of the term of the Permit. These reports should be sent to the Forestry Corporation region in which the research took place.
35. Where sightings of threatened species listed on Schedules 1 and 2 of the *Biodiversity Conservation Act, 2016*, occur or where flora, fauna or other features which are rare or otherwise important are found, the details are required to be entered into the NSW BIONET database and a receipt of the data entry provided.
36. Where the Permit authorises the collection of protected fauna or flora, the holder shall also carry the appropriate NSW Scientific Licence and must hold valid Animal Care and Ethics approval, where appropriate. A copy of such licence or authority is required to accompany the Permit application.
37. Where the Permit authorises activities involving vertebrate animals, the holder shall also carry the appropriate Animal Research Authority as required by the *Animal Research Act 1985* and *Animal Research Regulation 2010*. A copy of the proposal application and letter of approval from the Animal Care and Ethics Committee is required to accompany the Permit application. This must include any conditions pertaining to the Authority.
38. Where the Permit authorises the capture and release of birds, the holder shall be a current member of the Australian Bird and Bat Banding Scheme and shall carry the appropriate authority. A copy of authority is required to accompany the Permit application.
39. Where the term of any licence, authority or approval relevant to the Permit expires prior to the Permit expiry date, evidence of renewal is necessary to cover the full term of the Permit and is to be forwarded to Forest Permits for Research, Forestry Corporation. Failure to comply may result in cancellation of the Permit.
40. Any collections of fauna and flora should, as far as practicable, be made out of the sight or sound of members of the public.
41. Collections will not be permitted from flora reserves, forest preserves or specified areas unless specific approval has been obtained.

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42. The holder shall not cause any damage or disturbance beyond that reasonably necessary for the purposes of carrying out the activity.
43. The holder shall not offer for sale any specimens collected under the authority of the Permit.
44. The holder shall deposit with the Agricultural Scientific Collections Unit, Orange (insects), Australian Museum, Sydney (other fauna), the National Herbarium, Sydney (flora) or Plant Pathology Herbarium, Orange Agricultural Institute, Orange (fungi), with appropriate documentation, holotype specimens of any new species of insects, fauna, flora or fungi found during the conduct of the activity. Where possible, paratype material should be lodged in the Australian Museum (insects and fauna) or CSIRO Insect Collection (insects).
45. Special Conditions are:
- **To be inserted as appropriate.**

PERMITTEE ACKNOWLEDGEMENT

I _____ have read and understood the conditions of this Permit and undertake to abide by them while conducting the permitted activity.

Signature:

Date: