



National Parks and Wildlife Act 1974, Section 131

Application for a Licence to
PICK PROTECTED NATIVE PLANTS FOR SALE

MAKING AN APPLICATION

Persons wishing to pick protected native plants from Group 2 of Schedule 13 of the *National Parks and Wildlife Act 1974* (NPWA), from property they **do not own** or lease, need to obtain a Picker licence. Applications for a picker licence can be made using this application form. Additional copies are available at www.environment.nsw.gov.au/wildlifelicences/PlantLicenceDetails.htm.

The following checklist is provided to assist you in completing the picker licence application form. Please ensure you have read and understand all the conditions associated with the issue of a licence, and make sure you have provided the following information in your application:

- your full name, address, contact telephone numbers and recent photograph
- the full name, address, contact telephone number and photograph of all those working for you
- the name address, contact telephone number and signature (acknowledging permission) of the landowner, occupier or lessee for each parcel of land, where appropriate
- a full description of each property that will be picked from, including a map or sketch showing access from the nearest town to the property
- a sketch map showing the approximate location of the protected native plants on the property that would assist an inspecting officer to locate the site
- a sketch map showing the location of the photographic point and a description of the marker
- a list of the species to be picked and the proposed quantities. Quantities may be recorded in either stem numbers or bunches but information on the number of stems per bunch must be supplied
- a population estimate for each of the target species; plots may include several species (Appendix K)
- an estimate of the total annual harvest
- details of where the picked plant parts will be processed and stored
- a record of any approval from appropriate authorities for land clearing or other major disturbance
- a statement of whether the property is managed under a conservation agreement or other covenant.
- a statement on the likely impacts of the proposed harvest and proposed mitigation measures
- whether there have been recent changes to the area proposed to pick from, for example from fire or land clearing
- your signature, and date of signing
- the application fee

Please be advised that the properties from which you are picking from may be inspected either before or after a licence is granted. You should also be aware of the associated licence application fees and any tag fees where applicable, the address for submission of applications and reports, any relevant offence provisions under the NPWA with respect to protected and threatened species, and any conditions relating to the issue of a protected native plant licence.

The applicant must be able to demonstrate that the proposed harvest is sustainable. Any reasonable restriction or limitation can be placed on a picker licence to ensure that the harvest is sustainable.

Licence applications will be considered on their merits, but licences will be issued only if the proposed activity is, as assessed by the authorised officer, sustainable.



PLEASE USE BLOCK LETTERS TO COMPLETE THIS FORM

Please attach photograph of licence applicant here

I, (name in full) : _____ Date of Birth _____

of (postal address) _____

_____ Postcode _____

Residential address _____

_____ Postcode _____

Business name _____

Contact telephone number(s) Home _____ Mobile _____

Fax number _____

Email address: _____

hereby apply for a licence under Section 131 of the *National Parks and Wildlife Act 1974*, to pick for sale the protected native plants listed below from the lands described.

If insufficient space is available to answer any question(s) please attach a signed and dated statement.

1. Details of persons working on behalf of the named picker – list the name, address and contact telephone number of each person working on behalf of the licensed picker. Please provide a passport quality photograph of each worker, including yourself, with the name of the person printed clearly on the back of the photograph.

Name (in full)	Address	Contact Telephone Number(s)	Photo Provided Yes/No

2. Whole plants/ plant parts to be picked (please tick) whole plants cut flowers foliage
(more than one may be ticked where appropriate)



PROPERTY 2.

(a) Land District, County, Parish, Shire or Municipality and Address _____

(b) Area in hectares _____ (c) Freehold or Leasehold _____

(d) Full particulars of the title to each portion of land to be licensed - State portion, deposited plan and lot numbers, or Crown Lands holding numbers (eg Conditional Lease, Settlement Purchase etc.)

(e) If the applicant is not the owner of the private lands referred to above, the written consent of the owner must be provided in the following declaration:

I, (name in full) _____ of (address) _____

Telephone Number _____ E-mail _____

being the owner of the lands described above, certify that the protected plants listed above are growing on my land and I hereby consent to the applicant picking the indicated species and numbers of those protected plants.

Signature of land owner _____ Date _____

PLEASE ATTACH ANY FURTHER PRIVATE LANDS DETAILS (PROPERTY DESCRIPTIONS AND OWNER'S CONSENTS) TO THIS APPLICATION.

5. State Forests - description of lands within State forests:

Name of State Forest(s) _____

Forestry District _____

Relative road alignment, compartments (if known) and description of picking site _____

Please attach a copy of the relevant NSW State Forests Products licence (if applicable).

6. Please provide a sketch map or a copy of the relevant section of the most detailed map available eg. 1:25 000 topographic map, identifying the location of a marked photographic point. Provide brief road directions from the nearest town to access the lands described in this application.

GENERAL INFORMATION

- Before any licence is issued, a Service officer may inspect the land involved in the application.
- Each species of protected native plant must be growing in what the authorised Officer considers to be ecologically sustainable quantities before a licence may be issued to permit picking.
- It is an offence for a licence holder to pick any protected native plants grown on the property other than those described in his or her licence.



- Note: It is an offence carrying a maximum penalty of \$3300 to make any statement or provide any information or other material in an application for a licence or certificate that the applicant knows, or ought reasonably to know, is false or misleading.

Picker licence requirements and conditions

The following requirements and conditions are current at the time of publication and are subject to change at any time.

1. Picker licences are issued by the DECC under section 131 of the NPWA.
2. Picker licences are issued for a maximum period of one year.
3. Harvest returns must be submitted no later than 1 month from the anniversary of the licence start date.
4. Licences will not be renewed until harvest returns are submitted.
5. Picker licences are required for those who pick protected native plants from another's property for the commercial cut-flower or related industry. A picker licence for protected native plants on private land is not required for non-commercial purposes if the picker has the consent of the owner, occupier or lessee of the land.
6. Picker licences will not be issued for harvesting threatened species, endangered populations or ecological communities, or as otherwise specified in this plan.
7. A picker licence may only be issued to a person, company or body corporate. A licence cannot be issued to a trading name or partnership. In the case of a partnership the licence may be issued in the name of a partner and the existence of a partnership may be acknowledged on the licence such as 'James Buck (for and on behalf of James Buck, Nicole Doe and Tim Fawn)'.
8. Where a person, company or partnership employs people to pick, each person must be included in the licence. The applicant will be required to provide the full name, birth date, address and a passport quality photograph for each person nominated.
9. Licence holders and all those acting on their behalf are to pick all wild sourced plant parts in accordance with relevant guidelines or as set down by the proposed Code of Practice for the Taking and Use of Protected Plants.
10. Pickers and each person working on their behalf are to keep a copy of the licence either with them or immediately accessible while picking.
11. Tags are not required for those species that may be taken under a pickers licence
12. Picker licences are required for picking in state forests or other Crown land. A Forests NSW forest product licence will also be required to pick in state forests. The picker licence is to be accompanied by and used in conjunction with a forest product licence issued under the *Forestry Act 1916*.

General licence conditions

1. **The licensee shall only pick protected native plants on the land specified and described on the licence.**
2. **The licensee and pickers must only pick the species of protected native plants and in quantities up to those specified in the licence.**
3. **It is the responsibility of the applicant to confirm the identification of the species that they intend to pick. Where this is in doubt the species should be formally identified through a recognised authority such as the NSW herbarium.**
4. When requested, the licensee shall produce the licence to any authorised officer or any owner, occupier or lessee of the land specified and as described on the licence.
5. The licensee and pickers must pick the protected native plant parts in accordance with any applicable guidelines and the proposed Code of Practice for the Taking and Use of Protected Plants.
6. **The licensee and pickers must keep a copy of the licence either on their person or within their immediate possession while picking. A period of time will be permitted after granting of the licence for the licensee to nominate pickers, particularly as most are itinerant. This will not be considered a licence variation.**
7. The licensee and pickers must, on request, produce the licence to an authorised officer or any owner, occupier or lessees of the land specified on the licence.
8. The licensee shall produce the licence to all persons who buy or receive protected or threatened plant parts from the licensee.
9. Plant parts that require tagging must be tagged on the land specified and described on the licence prior to being transported.
10. Any place where plants are picked, stored or processed are to be made available for inspection upon request by an authorised officer.
11. The licensee must comply with any requirements in this management plan as amended or replaced from time to time.
12. Receipts for protected native or threatened plant sales will be kept for a minimum period of two years. The licensee will make these receipts available for inspection upon request by an authorised officer.



13. The licensee must forward to the DECC local area office a copy of harvest records for the licence period no later than 28 days after the licence has expired. No new licence will be granted until the harvest report has been submitted.
14. The licensee will establish a fixed photographic point which covers a representative area of the harvest area. The photographic point is to be marked in the field by a permanent marker and include the licensee's licence number.
15. Photographs must be taken immediately before and after picking at each site. These photographs must be provided to the DECC local area office at the completion of the harvest.
16. Applications for a licence renewal will not be granted until photographic point conditions have been fulfilled.
17. The licensee agrees to indemnify to the full extent permitted by law, and keep indemnified, the Crown in right of NSW (DECC), the NSW Minister responsible for the environment and administering the NPWA, the Director General, and their employees, agents and contractors, in the absence of any wilful misconduct or negligence on their part, from and against all actions, demands, claims, proceedings, losses, damages, costs (including legal costs), charges or expenses suffered or incurred by them resulting from:
 - any damage or destruction to any real or personal property
 - **injury suffered or sustained (including death) by any persons arising out of or in connection with the activities undertaken pursuant to this licence.**
18. Licences cannot be transferred.

7. APPLICANT DECLARATION: I declare that all information provided by me in this application is true and correct. I declare that I have read and understand all conditions related to the issue of a licence under S131 of the NPW Act, and I agree to comply with all conditions placed on the licence.

Signature of Applicant _____ Date _____

This completed application should be forwarded with the relevant fee to your local NPWS area office. Fees for Picker licences are currently as follows:

- 1-2 sites: \$75 per site
- 3 to 5 sites: \$200
- 6-10 sites: \$500
- 11 or more sites: \$1000.

FOR OFFICE USE ONLY:

Date application was received in office: _____

Number of sites: _____ Licence Fee: _____

Date Fee Received:

Please tick:

- Application details confirmed
- All landowner consents provided
- Site inspection undertaken
- Recommendation based on site inspection: Grant/Refuse licence application
- DECC Licence issued Licence Number: _____
- Licence application rejected (provide reason) _____

Information entered into database

All action complete

SIGNATURE _____ DATE _____ POSITION HELD _____

