

Information sheet

Threatened Species

Commercial wildlife harvesting licence (protected plants)

Overview

In Queensland, all plants that are native to Australia are “protected plants” under the *Nature Conservation Act 1992* (the Act). The Department of Environment and Heritage Protection (EHP) administers the Act to ensure that protected plants (including whole plants, plant parts and seeds) are not illegally removed from the wild or illegally traded.

The harvesting and use of most protected plants from the wild is regulated by a licensing system. Persons who wish to harvest protected plants from the wild for any purpose are required by law to obtain a licence, permit or authority from EHP or have an exemption under a regulation or conservation plan. A licence or authority may also be required to propagate or sell protected plants.

The various types of licences relating to protected plants are addressed in a series of information sheets. This information sheet focuses on the legislative requirements associated with obtaining a commercial wildlife harvesting licence (protected plants).

What is a commercial wildlife harvesting licence?

This licence type authorises the holder to take specified protected plants from the wild for commercial purposes (i.e. selling or trading a protected plant for economic benefit). A commercial wildlife harvesting licence can be obtained for any land tenure except protected areas managed under the Act (e.g. national parks, conservation parks).

What activities are authorised under this licence?

A commercial wildlife harvesting licence is required to harvest whole plants and plant parts from the wild for a commercial purpose. A licence cannot be issued to harvest whole plants except for use as stock plants, bioprospecting or in circumstances of salvage. A licensee can only sell whole plants or plant parts harvested under a commercial wildlife harvesting licence to the holder of a commercial wildlife licence (protected plants).

Whole plant harvesting

The harvesting of all whole protected plants from the wild for a commercial purpose requires a commercial wildlife harvesting licence. The harvest of protected plants constitutes clearing under the *Vegetation Management Act 1999*. Therefore, wildlife harvesting licences for protected plants cannot be issued for areas of remnant vegetation as mapped by the Queensland Herbarium under the *Vegetation Management Act*, unless under salvage where an exemption is being exercised.

The harvesting of whole plants from the wild for a commercial purpose is not permitted, except for plants harvested for use as stock plants, bioprospecting or in circumstances of salvage. This is to make sure that slow growing plants such as grasstrees and cycads can continue to exist in the wild. Most other plants are now propagated and sold from nurseries. A salvage plan will need to be approved for all commercial wildlife harvesting licences for salvage of whole protected plant.

The *Nature Conservation (Protected Plants Harvest Period) Notice* (the harvest period notice) restricts the harvest of endangered, vulnerable, rare and near threatened species, and prescribed genera under a

commercial wildlife harvesting licence. Commercial wildlife harvesting licences for these plants cannot be issued, except for use as stock plants or for bioprospecting activities.

Commercial wildlife harvesting licences for salvage will only be issued to applicants who can demonstrate that a lawful clearing will destroy the plants and the reason for the clearing is not the commercial harvesting of the plant. This is to be demonstrated through an approved salvage plan. Further details are provided in the *Guideline – Completing a salvage plan to harvest whole protected plants*.

Harvesting plants for stock plants will only be licensed under specific circumstances described in the *Nature Conservation (Protected Plants) Conservation Plan 2000*. Commercial wildlife harvesting licences for stock plants will be restricted to holders of an authorisation to propagate.

Plant part harvesting for flowers and foliage

The harvesting of flowers and foliage from all protected plants for a commercial purpose requires a commercial wildlife harvesting licence. The harvest period notice contains restrictions on the harvest of certain plant parts for commercial purposes. Plant parts of the genus *Microsorium* may not be harvested, except in cases of salvage or for use in a bioprospecting activity.

Harvesting of sandalwood (*Santalum lanceolatum*) requires a commercial wildlife harvesting licence. The harvest period notice has set a quota on the amount of sandalwood that may be harvested. No more than 500 tonnes of protected plant parts of sandalwood may be taken from all State land, and no more than 50 tonnes may be taken from land other than State land (e.g. freehold land) during the harvest period, under all commercial wildlife harvesting licences. This quota does not include dead material or stumps of sandalwood. Protected plant parts of sandalwood harvested under commercial salvage may be taken in excess of the quota.

Plant part harvesting for seeds and other propagating material

A commercial wildlife harvesting licence is needed to harvest seeds and other propagating material from type B restricted plants (refer to the *Nature Conservation (Protected Plants) Conservation Plan 2000*). Seeds and other propagating material from all other plants are exempt from licence requirements under the Act at this time.

Plant part harvesting for the holder of an exhibitors licence

A commercial wildlife harvesting licence is needed to harvest protected plant parts from least concern plants in the wild, if the plant parts are used to feed or care for an animal kept under an exhibitors licence. Plant parts are only to be taken from those least concern species that are considered a food tree for the animal kept under this licence.

Who can apply for a licence?

Applicants for a commercial wildlife harvesting licence for protected plants may be:

- Any individual who is at least 18 years of age; or
- A corporation with an office in Queensland.

Applicants must be able to demonstrate knowledge, skill and the possession of equipment relevant to commercial and sustainable harvesting of protected plants.

How do I apply for a licence?

To apply for a licence, you will need to complete an application form and submit the application form along with the correct licence fee. The form can be downloaded from http://www.ehp.qld.gov.au/ecoaccess/plants_and_animals/ or obtained by contacting Permit and Licence Management on 1300 130 372 or by email at palm@ehp.qld.gov.au.

You can lodge an application at your nearest EHP office in person or mail it to Permit and Licence Management at GPO Box 2454, Brisbane QLD 4001.

How long will it take to obtain a licence?

Your application will be decided within 40 business days after the application is received if no additional information is required.

If your application requires additional information or consultation, you will be notified within 20 business days after the application is received and requested to provide further information. A further 20 business days is granted for the applicant to provide the requested information.

What will it cost?

Fees and charges relating to this activity include:

- Licence (there is no refund of these fees once a licence is issued);
- Record books ;
- Licence amendment fee (change of address is free); and
- Tags (where applicable).

Under certain circumstances, the licence fee may be halved if the licence holder is also the owner of the property from where the plants are to be harvested, or the person has a Sales Permit under the *Forestry Act 1959* to take the plants on a State forest, timber reserve or forest reserve. Fees are not refundable once a licence has been issued.

A recent full schedule of fees and charges can be downloaded from www.ehp.qld.gov.au/ecoaccess/plants_and_animals/

How long does the licence last?

A licence can be granted for a period of up to one year.

Can the licence be transferred?

No. Licences are not transferable.

Do I need to use tags?

Yes. Any person who harvests a whole Type A restricted plant under a commercial wildlife harvesting licence must attach a tag to the plant.

If plant parts are harvested under a commercial wildlife harvesting licence, the licensee must attach a harvest label to each load or container in which the plant part is located. Seed and other propagating material from Type B restricted plants must also have a harvest label attached to the load or container.

Tags or labels must be attached to each whole plant harvested at the end of each day the plant was taken, or accompany the load when removed from the property. For plant parts, harvest labels must accompany the load or container in which the parts are being transported or stored.

What records do I need to keep?

The licence holder must complete daily records of harvest and distribution activities in their record and return of operations book. The original record from this book must be submitted to the EHP office where the licence was obtained, within 14 days at the end of each month starting from the date the licence commences and within 14 days after the authority expires.

Definitions

An “**Approved salvage plan**” means a plan that is approved by the chief executive and includes the following:

- a description and map of the land;
- a declaration from the landholder that the land is to be cleared;
- a description of the development or activity for which the land is to be cleared;
- a copy of any necessary licence, permit or other authority required for the development or activity under an Act;
- if the land does not include remnant vegetation under the Vegetation Management Act—enough information to show that the land does not include remnant vegetation under that Act;
- if the subparagraph above does not apply—enough information to show that the clearing of the land is authorised under Integrated Planning Act.

A “**bioprospecting activity**” means an activity that—

- (a) is carried out for commercial purposes using biological material or a derivative of the material obtained from protected plants taken in the State; and
- (b) is characterised by the systematic search for new sources of chemical compounds, genes, proteins and other products of current or potential economic use found in nature.

The term does not include taking to obtain plant genetic material or chemicals for taxonomic studies if the specimens taken are given to a State or Commonwealth government herbarium. A bioprospecting activity is not an activity for which a collection authority is required under the *Biodiscovery Act 2004*.

Prescribed genera— means a plant of the genus *Brachychiton*, *Livistona*, *Ficus*, *Lepidozamia* or *Microsorium*.

Stock plants— means a whole plant taken from the wild for propagation purposes under a commercial wildlife harvesting licence’.

Type A restricted plants— under Schedule 7 of the *Nature Conservation (Administration) Regulation 2006*, these include:

- (a) a plant of the family Orchidaceae (other than *Spathoglottis plicata*)
- (b) a plant of the genus *Xanthorrhoea*
- (c) a plant of the genus *Myrmecodia*
- (d) a plant of the genus *Hydnophytum*
- (e) a plant of the family *Cycadaceae*
- (f) a plant of the family *Zamiaceae*
- (g) a plant of the genus *Huperzia*
- (h) a plant of the genus *Platynerium*
- (i) a plant of the genus *Brachychiton*
- (j) a plant of the genus *Livistona*

Type B restricted plants—under Schedule 7 of the *Nature Conservation (Administration) Regulation 2006*, these include:

- (a) an endangered plant

- (b) a vulnerable plant
- (c) a plant of the family Cycadaceae
- (d) a plant of the family Zamiaceae

Wild—in relation to plants means plants harvested from an independent state of natural liberty.

Further information

For further information, contact Permit and Licence Management on 1300 130 372 or by email at palm@ehp.qld.gov.au.

References

Code of practice for the taking and use of protected plants

Conservation and management of protected plants in Queensland 2005 - 2010

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Protected Plants) Conservation Plan 2000

Nature Conservation (Protected Plants) Harvest Period Notice

Nature Conservation (Wildlife Management) Regulation 2006