Section 77 – Nature Conservation (Plants) Regulation 2020

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| **RECEIPTING DETAILS ONLY**DATE RECEIPTED

|  |  |  |
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RECEIPT NUMBER

|  |
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AMOUNT RECEIVED

|  |
| --- |
| $ |

rECEIPTED BY (NAME AND OFFICE)

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 | Protected plant harvesting licence |
| Important information for applicantsApplications can be made using the Department of Environment and Science (the department) digital platform for online services and transactions. Visit <https://www.business.qld.gov.au/running-business/environment/online-services> for more information.This form is to be used to apply for a protected plant harvesting licence. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992* (the Act). Your application must be assessed, and a licence granted by the chief executive before you can proceed with the proposed activity. **Your application may take up to 40 days to process.**Before completing your application please read the information materials on the department’s website at <https://www.qld.gov.au/environment/plants-animals/plants/protected-plants>. Before lodging this application, you should be familiar with the requirements of the Act and regulations available on the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permits and Licensing on **1300 130 372 option 4**. |

# Terms and Conditions

**Permits, licences, and authorities**

Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native plants, birds, reptiles, mammals, and amphibians are protected, along with some invertebrates, freshwater fish, the estuary stingray, and the grey nurse shark.

Other aquatic species are protected by the [Department of Agriculture and Fisheries](https://www.daf.qld.gov.au/), the [Great Barrier Reef Marine Park Authority](http://www.gbrmpa.gov.au/) and the Australian Government.

A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using, or moving of native animals or plants we contribute to the maintenance of viable wild populations of plants and animals.

The type of approval(s) you will need depends upon a number of things, including:

* The nature and purpose of your proposed activity;
* The tenure of the area in which you intend to undertake your activity; and
* The species of wildlife concerned.

To apply for permits:

* within the protected area estate, nature refuges and special wildlife reserves as defined in the Act (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
* within a marine park under the *Marine Parks Act 2004*; or
* within State forest estate under the *Forestry Act 1959* (e.g. state forests and timber reserves).

Please contact the Queensland Parks and Wildlife Service and Partnerships (QPWS&P) at parkaccess@des.qld.gov.au

Note: Corporations must have an office in Queensland to be eligible to apply for an authority. The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on the Office of Queensland Parliamentary Counsel website at https://www.legislation.qld.gov.au

**Privacy statement for wildlife permits**

Information you provide, assists the department in administering animals and plant licences, permits and authorities granted under the *Nature Conservation Act 1992*.

Some information may be provided to the Department of Agriculture and Fisheries; Queensland Health; Queensland Police Service and the Australian Defence Force in order to investigate biosecurity or health issues or allegations of unlawful activity.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Personal information in relation to your permit will not be disclosed to any other parties without your consent, unless authorised or required by law.

More information on our commitment to privacy is available on the department’s website at <https://www.des.qld.gov.au/legal/privacy.html> For specific privacy information or enquiries please email privacy@des.qld.gov.au

# Completion of this form

# To enable your application to be processed you must answer all sections and acknowledge you have read the ‘terms and conditions’ by checking the box in section 1.

# If you do not complete all sections, sign, and date the application form, your application will be returned to you as an invalid application.

#  You may only lodge this application if you have accepted the above terms and conditions

# [ ]  I accept the above terms and conditions.

#  Applicant information

A wildlife authority may only be granted to an individual or corporation. A corporation must have an office in Queensland to be eligible to apply for an authority. Please tick the appropriate box:

[ ]  **An individual** → **Complete** Section 3 **applicant details — then complete sections 5 to 29.**

[ ]  **An organisation** → **Complete** Section 4 **applicant details — then complete sections 5 to 29.**

#  Applicant details for an individual

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Title | \*First name | Middle name | \*Surname | \*Date of birth |
| [ ]  Mr[ ]  Mrs[ ]  Ms[ ]  Miss[ ]  Other |       |       |       |       |

#  Applicant details for an organisation

Organisation type –

[ ]  Company [ ]  Australian registered (foreign) body [ ]  Incorporated association

[ ]  Co-operative [ ]  Government [ ]  Not for profit organisation

|  |  |
| --- | --- |
| \*Australian Business Number | \*Business name |
|       |       |
| Chief executive officer | Australian Company Number / Association Number |
|       |       |

#  Applicant registered / residential address

Note: An organisation must have an office in Queensland to be eligible to apply for an authority.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Residential address (not a post office box) | \*Suburb | \*State | \*Postcode |
|       |       |       |       |

(write ‘as above’’ if same as registered/residential address)

|  |  |  |  |
| --- | --- | --- | --- |
| Postal address | Suburb | State | Postcode |
|       |       |       |       |

# Applicant contact details – email and phone contact is mandatory

|  |  |
| --- | --- |
| Email address |       |
| Phone type[ ]  home phone [ ]  office phone[ ]  mobile phone  | Area code      | Phone number (note: 10 digits including area code)      |

# Permit activity

# Use this application type if you wish to harvest threatened or near threatened protected plants or plant parts from the wild for trade.

# Select one (1) permit activity.

[ ]  Standard – sustainable harvest of protected plants.

[ ]  Contingent salvage only – salvage of whole protected plants.

#  Code of practice

[ ]  I can comply with the Code of practice for the harvest and use of protected plants.

#  Location of the activity

Provide the exact locations where harvesting activities will occur or if locations are unknown select the broader locations of a local government area, or itinerant. Provide a map to support your application.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Physical street address (write “as above” if same as residential /registered address) | \*Suburb | \*State | \*Postcode |
|       |       |      \* |       |

**And**

|  |  |
| --- | --- |
| \*Lot number | \*Plan number |
|       |       |
|       |       |

**Or**

|  |
| --- |
| Local Government Authorities  |
|       |

**Or**

|  |
| --- |
| GPS locations  |
|  Latitude       Longitude       |
| **Or**[ ]  Itinerant (State of Qld) |

#  Plant details (not required for contingent salvage – go to next section.)

 (If you require more space, attach a separate sheet of wildlife details)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Common name** | **Scientific name** | **Wildlife status****Select one**Whole / liveParts/products | **Parts/ products description** | **Quantity** | **Unit****Select one**IndividualsGramsKilograms |
|       |       |  |       |       |  |
|       |       |  |       |       |  |
|       |       |  |       |       |  |
|       |       |  |       |       |  |
|       |       |  |       |       |  |
|       |       |  |       |       |  |

#  ****Is the harvest of seed or other propagative material from a protected plant that is critically endangered or endangered wildlife, or a protected plant of the family Cycadaceae or Zamiaceae?****

[ ]  No

[ ]  Yes – provide **a statement below which demonstrates your ability to identify the plant; or attach copies of official qualifications.**

|  |
| --- |
|       |

# What is the purpose of the harvest?

**Standard harvesting only**

[ ]  Plant Parts: Sustainable harvest of protected plant parts

[ ]  Whole Plants: Sustainable harvest of protected plants.

**Contingent salvage only**

[ ]  Whole Plants: Salvage of whole protected plants

# Are protected plants taken from the wild under this authority to be used for trade?

Requirements for trading in protected plants are listed under the Nature Conservation Act and its regulations.

Note: a person must not sell or give away a plant taken under a protected plant harvesting licence if the plant is to be used for trade.

[ ]  Yes

[ ]  No

#  Wildlife keeping

Please enter enough sufficient details so department inspectors can locate the site where the wildlife will be kept.

|  |
| --- |
| Registered address  |
|       |

1. **Do you need to purchase protected plant tags from the department for the harvest and trade of whole restricted plants?**

[ ]  No

[ ]  Yes – specify details

|  |  |  |
| --- | --- | --- |
| Quantity: | Postal address the tags are going to be sent to: | \* POST CODE |
|       |       |       |

#  Will you be using protected plant labels?

Labels are required for the harvest or use of restricted plants for trade. Protected plant labels must include information as stated in the Code of practice for the harvest and use of protected plants under an authority. Information on the label will identify lawful harvest and trade of the plant.

[ ]  Yes – sample copies of protected plant labels are attached.

[ ]  No

#  Has a ‘sustainable harvest plan’ been prepared which includes spatial representation in accordance with the protected plants assessment guideline?

# Note: If this application is for contingent salvage only, a sustainable harvest plan is not required, go to section 18.

A sustainable harvest plan is required for the harvest of all critically endangered, endangered, vulnerable, near threatened or special least concern plants.

[ ]  Yes – the sustainable harvest plan and spatial representation are attached.

[ ]  No – STOP – you cannot continue with this protected plant harvesting application as you do not have a sustainable harvest plan.

#  Does the activity involve harvest of a *forest product* under the *Forestry Act 1959*?

[ ]  Yes [ ]  No – go to section 20.

#  Do you have a forestry permit or licence, sales permit, or other resource entitlement?

Please note that an approval under the *Forestry Act 1959* is required prior to the approval of a protected plants harvesting licence.

[ ]  Yes – copy of approval attached.

[ ]  No – STOP - you cannot proceed with this application as protected plant harvesting application as you do not have a have a Forestry Licence.

1. **Is the applicant the landholder of the land?**

[ ]  Yes – go to section 23.

[ ]  No

# Does the applicant have benefit of an easement over the land this application relates to?

[ ]  Yes – go to section 23.

[ ]  No

1. **Have you obtained statements signed by each landholder that grant you access to the land this application relates?**

If you are not the landholder and do not have the benefit of an easement, while operating under this authority on the land in question, you must carry a statement signed by the landholder that grants you access. Refer to Appendix A for the landholder statement template.

[ ]  Yes – completed landholder statements are attached.

[ ]  No – STOP – do not proceed with this application until landholder statements have been obtained.

1. **Does the applicant relate to one of the following purposes?**

In accordance with section 180 of the Nature Conservation (Plants) Regulation 2020, reduced fees are available for particular applications.

[ ]  An education purpose

[ ]  A scientific research purpose

[ ]  An activity directed at conservation

[ ]  Clearing to establish necessary property infrastructure

[ ]  A traditional owner activity

Please provide a justification of how your request for reduced fees meets the above purposes.

|  |
| --- |
|       |

#  Is the applicant one of the following?

In accordance with section 181 of the Nature Conservation (Plants) Regulation 202017, a fee exemption is available for particular applications.

[ ]  A recreational plant society

[ ]  A voluntary conservation organisation

[ ]  A volunteer community organisation

# Wildlife suitability

During the past three (3) years, have you (or an associate) been convicted of: (i) an offence against the Act; or (ii) an animal welfare offence under the *Animal Care and Protection Act 2001*;or (iii) an offence relating to wildlife against another Act, or an offence, however described, equivalent to an offence mentioned under (i) or (ii) under the law of another State or country?

[ ]  Yes – an assessment officer will contact you regarding this response.

[ ]  No

Note: An associate, of a person whose suitability to hold a plant authority is being considered, means –

1. If the person is a corporation – each executive officer of the corporation; or
2. If the person is an individual – another person who –
	1. is, or is intended to be, regularly or usually in charge of the individual’s activity or business, or proposed activity or business, that relates, or is intended to relate, to the authority; or
	2. regularly directs staff for the activity or business in their duties; or
	3. is, or is intended to be, in a position to control or substantially influence the activity or business, or proposed activity or business.

# Person in charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

[ ]  Same as applicant – applicable if applying as an individual.

[ ]  Alternate person in charge – applicable if applying as a corporation.

# Person in charge identity details

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Title | \*First name | Middle name | \*Surname | \*Date of birth |
|       |       |       |       |       |

# Person in charge registered / residential address

|  |  |  |  |
| --- | --- | --- | --- |
| \*Residential address (not a post office box) | \*Suburb | \*State | \*Postcode |
|       |       |       |        |

(write ‘as above’’ if same as registered residential address)

|  |  |  |  |
| --- | --- | --- | --- |
| Postal address | Suburb | State | Postcode |
|       |       |       |       |

# Person in charge contact details – email and phone contact is mandatory

|  |  |
| --- | --- |
| Email address |       |
| Phone type [ ]  mobile phone [ ]  home phone [ ]  office phone | Area code      | Phone number: note: 10 digits (including area code)      |

# Application contact details

[ ]  Same as applicant [ ]  Alternate contact person

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

|  |  |
| --- | --- |
| \*Name or position |       |
| \*Email address |       |
| \*Primary phone. Note: 10 digits (including area code) |       |
| Secondary phone |       |

# Declaration

Note: If you provide inaccurate or misleading information in this application you may be liable for prosecution under the relevant Acts or Regulations.

* I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
* I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977.*

|  |
| --- |
| Applicant’s name      |
| Applicant’s signature | Date      |
| If the applicant is a corporation, please indicate your position in the corporation.      |

1. **Applicant checklist**

[ ]  All sections on application form completed, signed and dated.

[ ]  Supporting information attached.

**Applicant checklist continued next page.**

**Fees**

[ ]  Cheque or money order payable to the Department of Environment and Science (attached).

[ ]  Bpoint – request to pay the application fee by Bpoint. Please **do not email your credit card** details – the department will send you a link to pay securely by MasterCard or VISA, credit or debit card via Bpoint.

*To ensure compliance with the Payment Card Industry Data Security Standard, any credit card information received by the department by email will be redacted from the system without payment being processed.*

Provide the following information:

|  |
| --- |
|  Applicant’s name      |
| Contact person’s name (list the same contact as on the application)      |
| Email address for link to be sent (Note: The department can only send link to one (1) email address)      |
| Application fee – specify application fee or state “balance owing”      |

Please return completed application to: **Email:** palm@des.qld.gov.au

 **Post:** **Permits and Licensing**

 **Department of Environment and Science**

 GPO Box 2454

 Brisbane Queensland 4001

A schedule of fees information sheet and the Information sheet – Wildlife authorities and privacy may be obtained from the department’s website <http://www.des.qld.gov.au> or by contacting Permits and Licensing on 1300 130 372, option 4.

**Appendix A: Landholder Statement**

Important information

Each landholder for land where protected plant harvesting is proposed to be taken are requested to complete a landholder statement. Note: Landholders may include owners, lessees, trustees, easement rights holders, etc. A landholder statement is not required by the licence applicant.

This form provides assurance that the applicant of the protected plant harvesting licence, has approval from the landholder to lawfully enter the land to harvest protected plants. The landholder, at any time, may withdraw consent to the protected plant harvesting licence holder to enter the land.

**Landholder name(s)**

|  |  |
| --- | --- |
| Landholder name(s): |       |

**Contact person’s details**

|  |  |
| --- | --- |
| Name(s) |       |
| Full postal address: |       |
| Telephone | (      )       |
| Email |       |

Land description

|  |  |
| --- | --- |
| Lot number(s) |       |
| Plan number(s) |       |
| Local authority |       |

**Landholder certificate**

|  |
| --- |
| I,      Printed name of tenement holders |

[ ]  authorise that the applicant may enter onto the property listed above for the purposes of harvesting or growing protected plants; and

[ ]  state that information supplied above is, to the best of my knowledge, true and accurate.

|  |  |  |
| --- | --- | --- |
| Signature: | Position of signatory (e.g. Director, manager, owner, partner, CEO etc.):       | Date:      |