

Council

Policy Review – Native Flora and Vegetation
Collection

Policy with amendments

Meeting Date: 22 June 2021

Number of Pages: 4

NATIVE FLORA AND VEGETATION COLLECTION

DIVISION	BUSINESS UNIT	RESPONSIBILITY AREA
Works and Services	Natural Resource Management	Conservation

OBJECTIVE

To provide clear guidelines for persons seeking to collect native flora and vegetation from roads, other reserves and property under the care, control and management of the Council.

POLICY

1. Scope

This policy relates to the commercial and non-commercial collection of native flora and vegetation from all reserves under the care, control and management of the Shire of Plantagenet.

2. Legislation

Local Government Act 1995

Environmental Protection Act 1986

~~Wildlife Conservation Act 1950~~

Biodiversity Conservation Act 2016

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008

3. Definitions

Environmentally Sensitive Area

Means an area that is the subject of a declaration that is in force under section 51B of the Environmental Protection Act 1986.

Flora

Flora means any plant (including wildflower, palm, shrub, tree, fern, creeper or vine) which is –

- a) Native to the State; or
- b) Declared to be flora pursuant to subsection (4),

and includes any part of flora and all seeds and spores thereof.

Flora Road

The local government may declare a thoroughfare which has, in the opinion of the local government, high quality roadside vegetation to be a flora road.

Native Vegetation

Native vegetation means indigenous aquatic or terrestrial vegetation, and includes dead vegetation unless that dead vegetation is of a class declared

by regulation to be excluded from this definition but does not include vegetation in a plantation.

Special

Environmental Area The local government may declare a thoroughfare which has protected flora or rare flora, or environmental, aesthetic or cultural significance, to be a special environmental area

Thoroughfare	A road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end.
Road Reserve	A legally described area within which facilities such as roads, footpaths and associated features may be constructed for public travel.
Reserve	Land reserved under the Land Administration Act 1997 and vested in or placed under the control of a local government.

For the purposes of this report, the term 'Council reserve' is used when referring to reserves under the care, control and management of the Shire of Plantagenet.

4. Application of Policy

4.1 Collection of Native Flora

Permits for the collection of native flora from Council reserves will only be issued under specific circumstances, outlined in the sections below.

4.1.1 Non-Commercial Purposes

The Council may permit the collection of flora for non-commercial purposes (such as research, education, local revegetation or hobby purposes) from Council reserves by operators with a Flora Taking (Other Purposes) Crown Land Licence issued by the Department of Biodiversity, Conservation and Attractions, conditional upon:

- a) The obtaining of a permit from the Council valid for twelve (12) months, expiring 30 June annually; and
- b) The collection of native seeds being only permitted when the seed is to be used for revegetation in another part of the district.

4.1.2 Commercial Purposes

The collection of flora (excepting seeds) for commercial purposes is not permitted on Council controlled thoroughfares or road reserves.

The Council may permit the collection of flora for commercial purposes from Council reserves (excluding road reserves) by operators with a Flora Taking (Commercial Purposes) Crown

Land Licence issued by the Department of Biodiversity, Conservation and Attractions, conditional upon:

- a) The obtaining of a licence from the Council valid for twelve (12) months, expiring on 30 June annually; and
- b) Agreement by the licensed collector that where the Council requires materials collected they will be available for purchase by the Council at an agreed price as a first option.

4.1.3 General Conditions

- a) The number of licensed collectors approved by the Council to operate on Council managed reserves is limited to four per reserve. Additional collectors may be approved subject to provision of evidence that the reserve and/or species they wish to collect can be sustainably harvested.
- b) No permits will be issued for gazetted Flora Roads, and Environmentally Sensitive Areas or Special Environmental Areas.
- c) Prior to collection of native flora, the permit holder must additionally have the appropriate permit issued by the Department of Biodiversity, Conservation and Attractions and must comply with that Department's policy. Both permits must be carried by the collector while collecting flora.

4.2 Collection of Native Vegetation for Firewood

The collection of native vegetation for firewood for commercial or non-commercial purposes is not permitted on reserves under the care, control and management of the Council. Gathering of firewood is only permitted in areas of crown land designated for that purpose by the Department of Biodiversity, Conservation and Attractions.

ADOPTED: FEBRUARY 2007

LAST REVIEWED: 21 MAY 2019