



Native Plant Material Collection Standard

Description:

This standard provides the operational framework through which the Native Plant Material Collection Policy will be implemented under the *National Parks and Wildlife Act 1972*

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1. BACKGROUND

Under the *National Parks and Wildlife Act 1972* (NPW Act) DEH is responsible for regulating native plant material collection to ensure that collection is carried out in a sustainable manner. The Department is responsible for issuing collection permits with conditions that ensure collection is sustainable and meets the Department's obligations. The NPW Act prohibits native plant material collection on public lands in the absence of such a permit. Moreover, the Department is not only responsible for issuing permits with conditions that will protect these natural resources, but also for issuing permits in circumstances where the collection projects do not violate the Department's obligations.

Furthermore, the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (EPBC Act) regulates any activity that will have a significant impact upon a matter of national ecological significance (N.E.S.). In relation to native plant material collection, this involves collection that will significantly impact any species that is listed in the EPBC Act as nationally threatened or as forming part of a threatened ecological community and will apply on both public and private land.

The DEH Native Plant Material Collection Policy states that collection of native plant material will be permitted, provided that collection activities are carried out in a sustainable manner. The DEH Native Plant Material Collection Procedure provides the procedural framework in which these policy objectives will be realised. Collection activities require a permit, and the assessment process and the conditions placed upon the permit ensure collection of native plant material is sustainable. In conjunction with these documents, the DEH Native Plant Material Collection Standard provides the operational framework in which the policy outcomes can be achieved.

2. SCOPE

This standard applies to:

- all plants indigenous to South Australia including all flowering plants, gymnosperms and ferns;
- all persons applying to collect native plant material under **section 49** of the NPW Act, including both commercial and non-commercial harvesters;
- all persons collecting plant material for non-scientific activities such as, but not exclusively, revegetation activities, bush food and floral art; and,
- all employees of DEH.

This standard does not apply to:

- persons collecting native plant material for scientific purposes, for example herbarium specimens. Further information regarding scientific permits can be sourced from <http://www.environment.sa.gov.au/biodiversity/research.html>;
- Aboriginal persons collecting native plant material pursuant to **section 68D** of the NPW Act as such persons do not require a permit;

- Commonwealth land. Separate permission may be required from the Commonwealth government to collect native plant material from Commonwealth reserves and land. Permits may also be required to harvest native plant material from plants listed as threatened or forming part of a threatened ecological community pursuant to the EPBC Act on public and private land. Further information can be sourced from <http://www.deh.gov.au/epbc/about/index.html>;
- the export of native plant material from Australia, as regulated under the EPBC Act. However, a permit from DEH will still be required in order to harvest from public land;
- clearance of native vegetation as regulated under the *Native Vegetation Act 1991* (NV Act) and *NV Regulations 2003*. Collection of native plant material does not constitute clearance under the NV Act unless collection involves significant damage to native vegetation to access plant material;
- the severing of branches, limbs, stems or trunks of native vegetation; this is defined as clearance under the *Native Vegetation Act 1991*. An exception to this prohibition is where this activity is necessary for the collection of seed and fruit and will not cause substantial damage to the plant;
- the harvesting of resin from *Xanthorrhoea semiplana*. Further information can be sourced from <http://www.dwr.sa.gov.au/biodiversity/vegetation/nativevegetationcouncil.html>;
- salvage harvesting. In the instance that an applicant is seeking a permit to remove whole plants as part of a salvage operation, the applicant should seek guidance from the Native Vegetation Council;
- collection of material from dead plants;
- collection of firewood. Further information can be sourced from <http://www.environment.sa.gov.au/biodiversity/pub.html> - firewood

3. DETAILS OF STANDARD

3.1 Administrative Details

The following subsections outline the processes the collector must follow when applying for a permit and submitting the annual return report, and the assessment process that will be followed by DEH Abundant Species and Sustainable Use Unit.

3.1.1 Completing an application form

All persons applying for a native plant material collection permit shall do the following:

- in case of a permit renewal, the applicant must submit a completed annual return report detailing any harvest made under the previous permit, prior to, or at the time of applying for a permit renewal (see section 3.2.6 Annual reporting requirements). Individual Trees for Life collectors are exempt from this requirement; and,
- provide all information requested on the application form, including the name, address and date of birth of all people who will be collecting under the permit, any relevant training the applicant

has undergone, any associations or affiliates the applicant may belong to, and the names of at least two referees who can attest to the applicants suitability; and,

- nominate which category of permit the applicant wishes to collect under (see below 3.1.3 Assessing applicant's credentials and Appendix ?). Where the applicant wishes to collect species other than those already permitted under the relevant permit category, the applicant must provide accurate information pertaining to the additional species to be harvested, the quantity and the potential specific areas from which the species will be harvested (map or GPS coordinates); and,
- provide information detailing the purpose of the proposed collection. For revegetation activities, the applicant shall provide details of where and how the seed/fruit is to be stored and where the revegetation activity is to take place (see DEH Native Plant Material Collection Best Practice Guidelines); and,
- in the case of bush food collection, provide a map or GPS coordinates clearly identifying the potential location(s) and population(s) that will be harvested; and,
- sign the application form.

Failure to fully and accurately complete the application will result in delays in the assessment process and the possibility that the application will not be processed. Application forms can be obtained from http://www.environment.sa.gov.au/biodiversity/pdfs/seed_collect.pdf and in hardcopy when requested, and should be returned to the Abundant Species and Sustainable Use Unit, preferably via email to deh.florapermits@saugov.sa.gov.au or mailed to Flora Permits, Biodiversity Conservation Program, GPO Box 1047, Adelaide SA 5001.

3.1.2 Assessment requirements

The Department may grant a permit to collect native plant material under the following circumstances:

Primary considerations

- collected material will be used in revegetation or degraded site restoration activities; or,
- collected material will be used to establish areas of revegetation for future collection; or,
- collection of state-listed threatened species (see Schedules 7, 8, 9 NPW Act) is for the purpose of implementing a threatened species recovery plan (see below 3.1.3 Assessing applicant's credentials); and
- proposed collection activities seek to minimise potential negative impacts upon the collection site.

Secondary considerations

- collected material will be used for commercial purposes such as propagation and sale; or,
- collected material, from species rated as common or uncommon only, will be used as bush food; or,
- collected material will be used as floral art; or,
- collected material will be used as food for native fauna; or

- collected material will be used for a purpose other than revegetation.

Where there is a conflict of interest between collectors at a particular site, conservation concerns will outweigh commercial benefits.

The Department may not grant a permit to collect native plant material under the following circumstances:

- pursuant to **s69 (2a) (a)** of the NPW Act, the applicant is not assessed as suitable. To determine this the Abundant Species and Sustainable Use Unit will have regard to the applicant's credentials and may contact referees (see 3.1.3 Assessing applicant's credentials); or,
- the applicant has failed to show sufficient knowledge and/or experience for the proposed collection activity (see 3.1.3 Assessing applicant's credentials) (**s69 (2a) (c)** of the NPW Act); or,
- the applicant does not provide sufficient information in the application process (**s69 (2a) (c)** of the NPW Act); or,
- the applicant has previously held a permit and failed to submit the annual return report form (**s69 (2a) (c)** of the NPW Act); or,
- collection activities that involve vegetation clearance. Permission to clear vegetation must be sought under the *Native Vegetation Act 1991* (NV Act). Collection of native seed and fruit or small amounts of plant material generally does not constitute clearance under the NV Act unless collection involves significant damage to native vegetation to access plant material, for example, removal of tree limbs; or,
- the species proposed for collection are listed as threatened plant species or form part of threatened plant communities under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), and collection of such species would require permission from the Commonwealth Government; or,
- time since last fire, drought or other unfavourable conditions have impacted upon the species or population, and collection activities would further exacerbate the negative impact (**s69 (2a) (b)** of the NPW Act); or
- the proposed collection activities will result in cumulative over-collection of the species or population occurring within or between years, or between sites where a species occurs (**s69 (2a) (b)** of the NPW Act).

A permit is **not** required to collect native plant material from private land, **unless**:

- the species for collection are listed threatened species or form part of a threatened ecological community under the EPBC Act, under such circumstances a Commonwealth permit may be required; or,
- the species is prescribed under **s47 (2)** of the NPW Act.

Pursuant to **s47 (4)** NPW Act, the landholder's consent is required to collect on private land, regardless of whether a permit is required from DEH for the collection activities. It is in the best interests of the person(s) collecting to have this consent in writing.

Native plant material collection from private land under a Heritage Agreement does not require a native plant material collection permit, however, any collection that is for commercial purposes or may cause substantial damage to the plant community is likely to be in contravention of the Heritage Agreement. Further information can be found at http://www.environment.sa.gov.au/biodiversity/heritage_education.html

3.1.3 Assessing applicant's credentials

In determining an applicant's suitability to collect native plant material, applicants are categorised into the following five categories. Categories are based upon the applicant's relevant training, experience, referees, affiliation with any relevant organisations or groups, and details of their project. The Abundant Species and Sustainable Use Unit will then determine which species an applicant may collect based upon which category they are deemed to be in, as follows¹:

Category	Species permitted to collect	Land tenures on which permitted to collect ²
Bush food collection	Species not listed in the NPW Act Schedules 7, 8, 9 and not listed in the EPBC Act. Generally restricted to collection of regionally common or uncommon species as determined by Florlist ³ .	Roadside, Forestry Land, Council Reserves and Coastal Reserves. Collection not permitted from NPW Reserves.
Trees for Life (TFL) Collection	Limited to TFL permits. Only able to collect those species indicated on the TFL wishlist, as determined annually by DEH and Trees for Life.	Roadside, Forestry Land, Council Reserve, Coastal Reserve. Generally, not permitted to collect from NPW Reserves, however, some exception may be made where seed and fruit will be revegetated back to the reserve.
Individual/Community group/commercial/botanic garden collection	Any or all species listed on pre-assessed herbarium region lists up to the pre-determined quantity. Applicants wishing to collect additional species will be assessed on a case-by-case basis (see Appendix ? for further information).	Roadside, Forestry Land, Council Reserve, Coastal Reserve. Permission may be granted to collect on NPW Reserves if it can be shown there is no other source of plant material available.
'Class A' collection	All species excluding those listed in schedules 7, 8, 9 of the NPW Act, listed as threatened species/ecological communities in the EPBC Act or species/populations	Roadside, Forestry Land, Council Reserve, Coastal Reserve. Permission may be granted to collect on NPW Reserves if it can

	identified as being of particular regional conservation concern. Applicants wishing to collect additional species will be assessed on a case-by-case basis (see Appendix ? for further information).	be shown there is no other source of plant material available.
Other native plant material collection	Regionally common plant species, as determined by Florlist.	Roadside, Forestry Land, Council Reserve, Coastal Reserve.

¹ For a more detailed explanation of the assessment criteria for each category, refer to Appendix ?.

² Please note a native plant material collection permit is not required to collect on private land unless the species is prescribed, however, the permission of the landowner is required. It is in the best interests of the person(s) collecting to have this consent in writing. Permission must also be obtained from local councils (or the agency responsible for care and control of the land) prior to collecting on public land.

³ Florlist is a program used by DEH to provide regional conservation ratings for native species. Regions are as defined by the State Herbarium (fourteen regions in total). Conservation ratings are, in order of increasing conservation concern: common, uncommon, rare, vulnerable, threatened, endangered and locally extinct.

It must be noted that the above categories exclude collection of any species listed in the EPBC Act as threatened or as forming part of a threatened ecological community, when collection of such species would require a Commonwealth permit under the EPBC Act. Under such circumstances, a permit must be obtained from SA DEH and from the Commonwealth.

3.1.4 Creating Trees for Life (TFL) Wishlists

Annually, TFL submit to DEH proposed lists of species they wish to collect from the 42 TFL zones in South Australia. The species lists are specific to each zone. ASSUU reviews the lists to ensure that species listed in Schedules 7, 8, 9 of the NPW Act, and species listed as a threatened or forming part of a threatened ecological community under the EPBC Act, or that have a regional conservation rating above rare (as determined by Florlist) are not included in the wishlists. However, species with these conservation ratings may be included when the Threatened Species Unit considers it would be ecologically beneficial to have TFL permit holders collect and revegetate such species in particular zones.

Wishlists are submitted and reviewed in July, prior to the expiration of TFL permits on September 30 of each year.

3.1.5 Creating pre-assessed herbarium region lists

Within each of the 14 herbarium regions in South Australia, a species list containing approximately 150 species is created. Each species list contains species that range across ecological communities and vegetation types. Species that are listed in schedules 7, 8, 9 of the NPW Act, or listed as a threatened species or forming part of a threatened ecological community

under the EPBC Act, or have a regional conservation rating above 'rare' as determined by Florlist will not be included on the herbarium region lists. Species are also assessed for visual similarities to species that have conservation ratings or may compose part of a threatened community, in which case they are not included on the list. Lists are reviewed every three years.

A collection limit is specified for each species, ranging from 150 gm for species with small seeds to 500 gm for species with large seed/fruit. If an applicant wishes to collect more than the specified collection limit, a separate application will be required.

3.1.6 Referees

All applicants should provide the names of at least two referees who can attest to the applicant being 'suitable'. At least one of these referees should have demonstrable and extensive botanical knowledge.

3.1.7 Collection from areas of revegetation

Collectors will require a permit to collect native plant material from revegetation sites that have been established on public lands. This includes revegetated areas established for the purpose of providing seed orchards. In the case of a species prescribed pursuant to **section 47(2)** of the NPW Act, collectors will require a permit to collect native plant material from revegetated sites and seed orchards that are established on private land.

3.1.8 Interstate applicants

Interstate movement of seed, fruit and propagative material collected under a native plant material permit will be restricted. Any application for interstate movement of native plant material will be considered on its merits. Applications requiring interstate movement of seed for purposes such as nursery collections are unlikely to be approved where local provenance of the species will be an issue. Situations where it is likely that applications would be approved include the rehabilitation of degraded sites on state borders or for inclusion in botanical gardens.

Export out of the state of native plant material of a prescribed species will require a separate permit under **section 59** of the NPW Act.

3.2 Conditions of permit

The following subsections outline the conditions of possession of a native plant material collection permit, to which the collector must adhere. Outlined are details pertaining to the general conditions of possession of a permit, annual reporting requirements, land tenures on which collection is prohibited, sustainable harvest requirements and native title requirements.

3.2.1 Duration of permit

All permits will be issued for a maximum period of 12 months from the date of issue. TFL collection permits may be issued year round, but will expire on 30th September each year. 'Class A' collection permits may be issued year round, but will expire on 30th June each year.

3.2.2 Possession of a permit

A person in possession of a native plant material collection permit issued by DEH must do the following:

- when collecting, the authorised holder of a permit must have the permit in their possession;
- only those people listed on the permit as authorised to collect under the permit may do so;
- the person to whom the permit is issued is responsible for the permit, and will be held responsible for any breaches of the permit;
- if a warden requests inspection of a permit, the authorised holder of the permit must present the permit for inspection as soon as is practicable (see **s70, s70A** NPW Act);
- prior to undertaking any collection on public land, the permit holder must also obtain permission from any Council (or the agency responsible for care and control of the land). Local councils may impose additional conditions on permit holders (see below 3.2.4 Obtaining Council permission);
- if permitted to collect on NPW Act Reserves, the District Office for that Reserve must be made aware of collection activities and notified every time collection will occur. The permit holder must comply with all other Regulations relevant to that Reserve, including any additional conditions;
- the authorised holder of the permit must obey all conditions set on the permit, and all conditions set in the DEH Native Plant Material Collection Policy, the DEH Native Plant Material Collection Procedure and the DEH Native Plant Material Collection Best Practice Guidelines. These are available for viewing at <http://www.environment.sa.gov.au/biodiversity/seed.html>

3.2.3 Land tenures on which collection is prohibited

Collection of native plant material for the following purposes is not permitted on National Parks and Wildlife Reserves:

- collection for bush food ;
- collection by TFL collectors, unless the collected plant material is revegetated back onto same reserve;
- collection for plant nurseries.

Any other application for collection of native plant material from NPW Act Reserves will be considered with regard to the availability of the identified species from sources other than NPW Act Reserves. Permission to collect from such reserves may only be granted where there is no other accessible and/or suitable source of the desired plant material, and will be considered on a case by case basis. Additional conditions may be imposed on collectors permitted to collect in NPW Act Reserves, for example, prohibiting collection from specified populations. The permit holder will be notified of such conditions upon contacting the District Office for that Reserve (see above 3.2.2 Possession of a permit).

3.2.4 Obtaining Council permission

Prior to undertaking any collection activities, permit holders must obtain permission from the local councils (or the agency responsible for care and

control of the land). This permission is in addition to a DEH permit. Councils may impose additional conditions on the permit holder, and may exclude some areas from native plant material collection, for example:

- Roadside Marker Scheme sites;
- Bush for Life revegetation sites;
- Locally threatened populations.

Any conditions and exclusions are to be made at the discretion of the Council (or agency responsible for care and control of the land).

3.2.5 Sustainable harvest

The maximum amount of plant material that is to be taken from any one plant will differ depending on the conservation status of the species. Generally, and unless otherwise indicated on the permit:

- the maximum total harvest per plant from species that are rated as common, uncommon or regionally rare (as determined by Florlist) will be 20% of seed or fruit;
- the maximum total harvest per plant from species that are rated as regionally vulnerable or endangered (as determined by Florlist) will be 10% of seed or fruit;
- the maximum total harvest per plant from species that have a state-wide rating of rare, vulnerable or endangered (as indicated in Schedules 7, 8, 9 of the NPW Act) will be 10% of seed or fruit;
- the maximum harvest per plant of materials other than seed and fruit is no more than 1% of above ground biomass.

In most cases, harvest of below ground biomass will be considered to constitute vegetation clearance, and so will require permission from the Native Vegetation Council. In cases where such collection does not constitute clearance, harvest limits will be determined on a case-by-case basis.

Harvest must take place from only those plants that appear healthy and robust. Target plants must not be isolated, that is they must have a healthy neighbour within approximately 20m. When collecting from a population, the collector should attempt to collect from as many plants as possible, taking fewer seed and fruit from each plant. A collector must never take more seed and fruit than is necessary for the project and must only collect fully ripe seed or fruit.

Collectors must remain on existing tracks, and must take care not to disturb tree hollows, nesting sites or damage the surrounding environment.

For more information regarding sustainable harvesting practices, please see DEH Native Plant Material Collection Best Practice Guidelines.

3.2.6 Annual reporting requirements

Pursuant to *National Parks and Wildlife (Wildlife) Regulations 2001*, **regulation 6**, a person must, within 14 days of the expiration or revocation of the permit, submit an annual return report to DEH. Failure to do so will result in the permit not being re-issued, and may incur an expiation notice. The annual return report must contain the following information:

- all species harvested; and,
- amount of each type of material harvested from each species; and,
- number of plants harvested; and,
- date of each harvest period; and,
- location of each harvest (map or GPS coordinates); and,
- name of the collector(s).

If native plant material was collected for revegetation purposes, the collector must, in their annual report, also submit the following information:

- where and how the seed is being stored and the quantity (if it is being stored); and,
- where the collected seed and fruit was planted (map or GPS coordinates).

Individual TFL permit-holders are not required to submit an annual return to DEH. TFL submit to DEH a report detailing all the native seed and fruit that has been collected by all TFL staff and volunteers over the previous 12 months. This report identifies the quantity and location of each species collected in each TFL zone. This report must be received by 31 January.

Annual reporting data are to be submitted to the Abundant Species and Sustainable Use Unit, preferably electronically to deh.florapermits@saugov.sa.gov.au or mailed to Flora Permits, Biodiversity Conservation Program, GPO Box 1047, Adelaide SA 5001.

3.2.7 Native Title

Native title is the rights and interests of Aboriginal persons over land and water in accordance with their traditional laws and culture. In some cases, Native title is yet to be, or is in the process of being contested, and so Aboriginal groups may have certain rights under the *Native Title Act (1993)* (Cwth) to use and enjoy the land as their traditional law and culture dictates. In order to recognise these rights, the native plant material collection permit will cease to have effect upon a determination that native title exists in any of the lands or waters covered by the permit to the extent that such a determination affects those lands and waters.

This document does not cover any issues arising from Aboriginal Intellectual Property rights.

Under **s68D (1)** of NPW Act, Aboriginal persons do not require a permit to take native plant material for traditional and cultural purposes. However, Aboriginal persons will require a permit to collect on NPW Reserves unless the Reserve is co-managed and permission is received from the co-management Board to collect or collection is in accordance with the co-management agreement for the Reserve.

3.3 Ecological details

3.3.1 Minimising cumulative over-collection

Over time, collection from certain populations run the risk of culminating in over-harvesting of frequently targeted species and populations. To minimise the impact of collection, permits will not be issued in cases where evidence suggests the target population has already been significantly harvested (**s69 (2a) (b)**). This information will be gathered from:

- on-site observations made by DEH staff and other collectors;
- data compiled from annual return reports;
- data compiled from current applications.

Minimisation of cumulative over-collection applies to harvest occurring spatially and temporally.

3.3.2 Hygienic harvesting

In order to prevent the spread of plant pathogens, in particular the root-rot fungus *Phytophthora*, hygienic plant material collection practices are essential. In some cases, the Department may restrict harvesting from certain areas if there is the potential for *Phytophthora* to be spread. To prevent the introduction of this plant disease into areas without *Phytophthora*, collectors must:

- familiarise themselves with the *Phytophthora* status of the area proposed for collection. This information can be obtained from the local DEH office for NPSWA reserves in the area or from the Ecologist, Plant Dieback on 08 8552 0306 for all areas in South Australia.

Preferably, native plant material should not be collected in *Phytophthora* infested areas. In the event that collection from such areas is necessary, collectors must:

- not collect when soils are moist and/or sticky and in wet weather conditions; and,
- restrict vehicles to designated roads or tracks; and,
- remove all mud and soil from footwear, vehicles (in particular tyre treads, mudflaps and undercarriage of the vehicle) and any tools used for collection on a hard well-packed area prior to leaving the site; and,
- disinfect all footwear, vehicles and tools with a spray bottle containing methylated spirit (undiluted), or a bleach or Phytoclean® solution on a hard well-packed area prior to leaving the site.

The above hygienic collection practices must also be followed whenever collection is to occur in an area of high conservation value.

3.3.3 Direct Seeding

Permits may not be granted for activities that involve direct seeding of threatened species. Revegetation of threatened species must be through tube stock where possible. DEH will have special regard to cases where direct seeding is the most appropriate method for revegetating threatened species.

3.3.4 Access to Biological Resources

Future enactment of the Access to Biological Resources legislation may affect some native plant material collection requirements under this Standard. The legislation was in draft form at the time of writing this document.

4. ROLES AND RESPONSIBILITIES

In accordance with this standard, the Abundant Species and Sustainable Use Unit (Science and Conservation Directorate) is responsible for:

- issuing permits to collectors in a manner that conforms to this Standard, the DEH Native Plant Material Collection Policy, adopted on, and DEH Native Plant Material Collection Procedure, adopted on;
- assessing collectors' credentials in order to determine their suitability for native plant material collection;
- accurately collating collectors' annual return information into the Native Plant Material Collection database and maintaining said database; and
- conferring regularly with Threatened Species Unit and Regions to identify any species or areas of particular concern for collection.

In accordance with this standard, the Science and Conservation Directorate will be responsible for:

- creating a draft recommendation as stipulated under NPW Act **s49A (2)** for commercial harvest of species.

In accordance with this standard, the Regional Conservation Directorate (Investigations and Compliance Unit) will be responsible for:

- ensuring that collectors are acting within the confines of their permits; and
- prosecuting collectors who are acting outside the confines of their permit or acting without a permit.

In accordance with this standard, the Regional Conservation Directorate is responsible for:

- ensuring any persons collecting in a National Park area have relevant permission to do so.

In accordance with this standard, Native Plant Material Collection permit holders are responsible for:

- ensuring that accurate information is provided to DEH upon application for a permit;
- adhering to the conditions set on the permit;
- following the DEH Native Plant Material Collection Best Practice Guidelines;
- obtaining landholders permission before collecting on any land;
- gaining permission from the relevant Local Government Councils where collection activities are planned;
- carrying permit at all times when collecting and making it available to delegated officers upon an inspection request; and

- providing accurate annual return information to DEH at the cessation of the permit period.

5. LINKS TO AGENCY ASSOCIATED DOCUMENTS

This standard must be used in conjunction with:

- DEH Native Plant Material Collection Best Practice Guidelines, adopted on ;
- DEH Native Plant Material Collection Policy, adopted on ; and,
- DEH Native Plant Material Collection Procedure, adopted on

6. REFERENCES

National Parks and Wildlife Act 1972 (South Australia)

<http://www.parliament.sa.gov.au/Catalog/legislation/Acts/N/1972.56.un.htm>

Native Vegetation Act 1991 (South Australia)

<http://www.parliament.sa.gov.au/Catalog/legislation/Acts/N/1991.16.un.htm>

Environment Protection and Biodiversity Act 1999 (Cth)

<http://scaleplus.law.gov.au/html/pasteact/3/3295/top.htm>

National Parks and Wildlife (Wildlife) Regulations 2001 (South Australia)

http://www.austlii.edu.au/au/legis/sa/consol_reg/npawr2001428/

Native Vegetation Regulations 2003 (South Australia)

http://www.austlii.edu.au/au/legis/sa/consol_reg/nvr2003303/

Permits for scientific purposes

<http://www.environment.sa.gov.au/biodiversity/research.html>

Native vegetation clearance and heritage agreements

www.deh.sa.gov.au/biodiversity/heritage_education.html

7. REFERENCE TO NATIONAL AND INTERNATIONAL STANDARD

Nil.

8. DEFINITIONS

In this standard, unless contrary intention appears-

‘clearance’ is defined as killing, destruction to, or removal of native vegetation and includes the severing of branches, limbs stems or trunks and any analogous activity that will result in substantial damage to the vegetation. Activities excluded from this definition include the taking of a cutting for propagation and the removal of plant parts in order to obtain seeds provided that such removal does not substantially damage or cause death to the plant. Please note, the removal of large and/or significant branches **will** constitute clearance;

'commercial collection activities' means any collection that is for the primary purpose of profit, this does not include such activities as community groups who may sell collected material as a fund-raising activity;

'native vegetation' means plants indigenous to South Australia, and includes all flowering plants, gymnosperms and ferns, but does not include any plant that is dead;

'not suitable' in regards to an applicant means a person from whom a permit has been revoked for breach of permit conditions, or who has a history of offences against the NPW Act, or similar state and territory Acts;

'plant', for the purposes of harvesting, includes flowers, seeds, fruits and any other part of the vegetation;

'prescribed species' are those determined under **s47(2)** of the NPW Act;

'private land' means any land that is not Crown Land or Commonwealth Land, and includes pastoral leases;

'salvage harvesting' means the act of removing plant parts from areas that are designated for vegetation clearance.

'substantial damage' is defined as any killing, destruction or removal of native vegetation and includes the severing of branches, limbs stems or trunks and any analogous activity. Activities excluded from this definition include the taking of a cutting for propagation and the removal of plant parts in order to obtain seeds provided that such removal does not alter the form, destroy or cause death to the plant.