

# Plant Specimen Collecting Guidelines

## Legislation protecting plants

The National Parks and Wildlife Act (SA) 1972, protects native plants (indigenous to Australia) on any public lands. This includes DENR reserves, any other Crown land, on any land reserved for public purposes and on any forest reserve. This Act does not currently protect (prescribe) any plant species on private land. A permit is required to 'take' (remove or damage) a native plant on any public lands.

Under the Native Vegetation Act (SA) 1991 native plants (indigenous to South Australia) are protected from clearance unless approval has been given by the Native Vegetation Council (NVC). This applies over the whole of the State, except for specific designated areas such as most of metropolitan Adelaide where other legislation protects significant vegetation.

Under the National Parks and Wildlife (National Parks) Regulations 2001 exotic plants (weeds) may not be damaged or removed from a DENR protected area without approval.

## Scientific Research Permits

A scientific permit, administered by the Science Resource Centre, DENR, provides the authorisation to collect nominated plant specimens from specified public lands where this collection is for research purposes.

## Native Vegetation Council clearance approval

NVC approval is not required where the clearance consists of taking a specimen, or a cutting or seeds for propagation, but only if this does not cause substantial damage to the plant.

The collection of whole plants, when undertaken in accordance with a scientific research permit issued under the terms of the National Parks and Wildlife Act 1972 is accepted as being a clearance consent under the terms of the Native Vegetation Act 1991. This means that the holder of a scientific research permit does not need to obtain an additional NVC clearance consent for collecting herbarium specimens on public lands.

For the collection of whole plants on private land, a DENR permit is not required but approval from the Native Vegetation Council may be needed.

Research that involves the removal of native vegetation for purposes other than herbarium voucher specimen collection requires approval from the Native Vegetation Council.

## Access

A permit from DENR does not authorize access or power of entry onto any land. Prior to undertaking any collection activities on public lands, the permit holder must obtain permission from the local council or the agency responsible for care and control of the land. 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 re-vegetation sites, locally threatened populations.

The relevant DENR District Office(s) must be notified prior to the collection of any protected flora within that District. Before conducting fieldwork in a DENR reserve, the Park Ranger must be notified in advance of the exact dates on which research will be undertaken. In remote areas, the Ranger must be notified at least 28 days in advance. The permit holder and field assistants must comply with any instructions given by a Ranger in respect to access.

Plants cannot be collected on private land without the consent of the owner of the land. It is in the best interests of the person collecting specimens to have this consent in writing.

## Collection for other purposes

A 'Permit to Collect Native Plant Material', administered under the 'Take From the Wild Permit System' by the Fauna Permit Unit, Department for Environment and Natural Resources, is required to collect seed, fruit, cuttings etc from public lands when required for land management oriented activities such as re-vegetation programs, where the material is required for commercial use such as nursery propagation or for food consumption. This permit can also cover the collection of plants for educational purposes (student herbariums).

## Summary

A DENR scientific permit **is not required** if:

- The specimen is of a species of plant that is indigenous to South Australia and is collected from private land (including pastoral leases)
- The specimen is of an exotic plant and is collected from public or private land

A DENR scientific permit **is required** if:

- The specimen is a native or exotic plant and is collected from a Department for Environment and Natural Resources protected area (National Park etc)
- The specimen is of an Australian native plant and is collected from public land

A clearance consent from the Native Vegetation Council **may be required** if:

- The specimen is of a species of plant that is indigenous to South Australia; collection is on private land, **and** collection causes substantial damage to the plant.

A DENR Permit to Collect Native Plant Material **is required** where:

- the collection of seed, fruit, or cuttings is from public lands and is for re-vegetation, propagation, consumption or teaching purposes

## Definitions

**Plant** – means vascular plants and complex non-vascular plants. Vascular plants include the ferns, club-mosses, flowering plants, conifers and other gymnosperms (conifers, cycads), seagrasses and flowering aquatic plants. Complex nonvascular plants include Bryophyta (mosses), Marchantiophyta (liverworts) and Anthocerotophyta (hornworts). Simple nonvascular plants (such as green algae) are not considered to fall within the definition.

**Private land** - land that is freehold land or Crown leasehold (pastoral) land

**Public land** – land that is government owned and managed; Crown land except pastoral or perpetual leases

**Substantial damage** (under the Native Vegetation Act) - cutting a substantial branch off a tree or bush or removal of virtually all harvestable seed from a single plant. (Native Vegetation Regulations 2003 5(1)(zb) Taking of Seeds and Specimens)

**DENR protected areas** - National Parks, Conservation Parks, Game Reserves, Recreation Parks, Regional Reserves or Wilderness Areas

**Clearance** (under the Native Vegetation Act) - the killing, destruction, removal or burning of native vegetation, the severing of branches, limbs, stems or trunks of native vegetation or any other substantial damage to native vegetation

**Take** (under the National Parks and Wildlife Act) - to remove the plant or part of the plant, from the place in which it is growing, or to damage the plant