Section 86 – Nature Conservation (Plants) Regulation 2020

**Protected plant clearing permit**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **RECEIPTING DETAILS ONLY**DATE RECEIPTED

|  |  |  |
| --- | --- | --- |
|  |  |  |

RECEIPT NUMBER

|  |
| --- |
|  |

AMOUNT RECEIVED

|  |
| --- |
| $ |

rECEIPTED BY (NAME AND OFFICE)

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 | 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 clearing permit. You need a clearing permit if your proposed activity involves the legitimate taking or destruction of protected plants in the wild, except where an exemption applies. Use this application type if: you wish to clear an area that is identified by the flora survey trigger map as a high risk of having critically endangered, endangered, vulnerable or near threatened protected plants present; and verified by a flora survey identifying that they are present in the proposed clearing footprint; and/or in the area adjacent to the clearing footprint that is identified as the buffer zone; oryou wish to clear an area that is outside of a high risk area, and you are aware of critically endangered, endangered, vulnerable or near threatened plants present within the clearing area and/or within 100 metres of the clearing area; or1. you wish to clear an area where both (a) and (b) apply.

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 permit 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 available on the department’s website at <https://www.qld.gov.au/environment/plants-animals/plants/protected-plants/clearing>. 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 at <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance, contact Permits and Licensing with a request for a pre-lodgement meeting at <https://www.qld.gov.au/environment/_resources/forms/application-for-pre-lodgement-services> |

# 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 plant species are protected under the Act.

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 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 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 Act and the subordinate Nature Conservation (Plants) Regulation 2020 may be found on the Office of the Queensland Parliamentary Counsel website at <http://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 Act.

Some information may be provided to the Departments 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 invalid.

# 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 from section 5**

[ ]  **An organisation** ® **Complete** Section 4 **applicant details — then complete from section 5**

# 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

[ ]  Cooperative [ ]  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.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Registered / 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)      |

#  Activity location

Provide the exact location where activities will take place. Provide supporting information such as a map if necessary to exactly identify the location.

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

**OR**

|  |
| --- |
| GPS locations (specially to identify the area between the impact extremities, relevant to linear features such as powerlines and road reserves).  |
|       |

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

Notes:

1. For clearing in a high risk area: The extent of an area to be surveyed is the clearing impact area (hectares), which includes both the ‘area to be cleared’ (to the extent it is within a high risk area) and a ‘buffer zone’.
2. For clearing outside a high risk area: The quantity (individual plants) of critically endangered, endangered, vulnerable or near threatened plants in the area to be cleared, or within 100 metres of the area to be cleared.
3. For clearing that intersects areas mapped as high risk and an area other than high risk specify:
* The extent of an area to be surveyed is the clearing impact area (hectares), which includes both the ‘area to be cleared’ (to the extent it is within a high risk area) and a ‘buffer zone’; and
* The quantity (individual plants) of critically endangered, endangered, vulnerable or near threatened plants in the area to be cleared, or within 100 metres of the area to be cleared.

|  |  |  |
| --- | --- | --- |
| **Common name** | **Scientific name** | **Total clearing impact area (hectares) and/or individual plants**  |
|       |       |       |
|       |       |       |
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#  Identify if the proposed clearing area is high risk

High risk areas are areas where critically endangered, endangered, vulnerable, or near-threatened plants are known to exist or are likely to exist. To find out if your area is high risk, go to the Protected Plants Flora Survey Trigger Map page at <https://apps.des.qld.gov.au/map-request/flora-survey-trigger/>

The trigger map that shows the date when it was obtained **must** be supplied with your permit application.

[ ]  High risk area. Provide the below documents then proceed to section 10.

[ ]  Flora survey trigger map attached

[ ]  Site map showing boundaries of clearing attached

[ ]  Area not identified as high risk area. Provide the below documents then proceed to section 11.

[ ]  Flora survey trigger map attached

[ ]  Site map showing boundaries of clearing attached.

[ ]  Report of known critically endangered, endangered, vulnerable or near threatened plants present.

#  Has a flora survey been undertaken in accordance with the flora survey guideline?

# Note: this is only applicable to high risk areas.

[ ]  Yes – Provide the below documents:

[ ]  Flora survey report attached.

[ ]  No – Was the flora survey undertaken in accordance with an alternative flora survey methodology that has been agreed to by the chief executive?

[ ]  Yes – [ ]  Alternative flora survey method and approval attached.

[ ]  No – STOP - You cannot apply for the protected plant clearing permit if the chief executive has not approved your alternate flora survey method prior to making this application.

The application form for a variation from the flora survey guidelines can be found at <https://environment.des.qld.gov.au/licences-permits/plants-animals/application-forms>

#  Are there any critically endangered, endangered, vulnerable or near threatened plants present:

# Inside high risk area – you are aware of critically endangered, endangered, vulnerable or near threatened plants within the clearing impact area (clearing footprint plus 100 metre buffer zone).

[ ]  Yes – proceed to section 12.

[ ]  No – STOP, you need to complete a protected plant clearing exempt notification.

OR

# Outside high risk area – you are aware of critically endangered, endangered, vulnerable or near threatened plants within the clearing area and/or within 100 metres of the clearing area.

[ ]  Yes – proceed to section 15.

[ ]  No – STOP, no permit is required.

OR

1. Combination of (a) and (b) above

[ ]  Yes – proceed to section 12.

#  When was the flora survey undertaken?

Date: dd/mm/yyyy

#  Flora survey completion date

Date: dd/mm/yyyy

1. Is the flora survey completion date within the 12 months immediately preceding the application lodgement date?

[ ]  Yes – proceed to section 14.

[ ]  No – STOP, a new flora survey must be undertaken in accordance with the flora survey guidelines.

#  Attach the following documents (if applicable)

[ ]  Reduced buffer approval

[ ]  Suitably qualified person request/approval

#  Is contingent salvage of whole protected plants intended? (only applicable if plants will not be used to mitigate impacts as stipulated in the Impact Management Plan)

[ ]  No – proceed to section 17.

[ ]  Yes – contact wildlife@des.qld.gov.au as you may require a protected plant harvesting licence.

If contingent salvage of special least concern plants is intended, identify the plants to be taken.

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#  Will the contingent salvage be undertaken by the applicant?

[ ]  Yes - go to section 17.

[ ]  No - Provide details of external party undertaking the salvage.

|  |
| --- |
|       |

#  Proposed start and completion dates for the project?

|  |  |
| --- | --- |
| Start date | Completion date |
| dd/mm/yyyy | dd/mm/yyyy |

#  Reason for clearing

# For critically endangered, endangered, vulnerable or near threatened plants listed in the protected plant details, provide impacts on the plants.

|  |  |
| --- | --- |
| Provide details of the proposed Impact Management Plan, prepared in accordance with the protected plants assessment guidelines. |       |
| What will be the impact of the clearing activity? |       |
| How are you reducing the adverse impacts of clearing on critically endangered, endangered, vulnerable or near threatened plants? |       |
| How will the proposed clearing affect the survival of the plant species in the wild? |       |

[ ]  Impact management plan attached

#  Is the applicant the landholder of the property for the proposed activity?

Note: Landholders may include owners, lessees, trustees, easement right holders, etc.

[ ]  Yes – proceed to section 21.

[ ]  No

#  Have you obtained statements signed by each landholder that grants you access?

[ ]  Yes – completed landholder statement (Appendix A) attached.

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

Note: While operating under this authority on the land in question, you must carry a statement signed by the landholder that grants you access.

#  Does the application relate to one of the following purposes?

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

[ ]  An education purpose.

[ ]  A scientific research purpose.

[ ]  An activity directed at conservation of nature.

[ ]  Clearing to establish or maintain a fence, firebreak, road or vehicular track that is necessary for managing or protecting a property.

[ ]  A traditional owner activity.

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

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|       |

#  Is the applicant one of the following?

In accordance with section 181 of the Nature Conservation (Plants) Regulation 2020, a fee exemption may be 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.

#  Effective Date

# Select an effective date: Decision Date [ ]  or Nominated Date \_     \_\_\_\_\_\_\_\_\_

Nominated date must not be less than 40 business days or more than six (6) months from the lodgement date of the application.

#  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 |
|       |       |       |       |       |

# 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[ ]  Home phone [ ]  Office phone[ ]  Mobile 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 and 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.

**Application 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. **Do not email your credit card details**, the department will send you a link to pay securely by MasterCard, 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 contact on application)      |
| Email address for link to be sent (note 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 plants are 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 applicant if they are the landholder. Where the applicant has benefit of an easement for the activity that this application relates to, landholder approval is taken to already have been given, under the approval of the easement.

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

**Landholder name(s)**

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

**Contact person’s details**

|  |
| --- |
| Position:      |
| Full postal address:      |
| Telephone:(     )       | Email:      |

**Purpose of the clearing**

|  |
| --- |
|       |

**Land description**

|  |
| --- |
| Lot number(s) / plan number(s)      |
| Local authority      |

**Landholder certificate**

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

[ ]  Authorise the applicant to clear the plants from the land; and

[ ]  State that the purpose of the clearing is for the use of the land; 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, chief executive officer etc.):       | Date:      |