Exempt clearing notification (protected plants)

This form is to be used to notify the Department of Environment and Science (the department) of proposed clearing of protected plants that is exempt under section 48 of the Nature Conservation (Plants) Regulation 2020.

**Important information**

Applications can be made using the Department’s digital platform for online services and transactions. Visit <https://www.business.qld.gov.au/running-business/environment/online-services> for more information.

A protected plant clearing permit is required for clearing protected plants in an area identified as high risk on the flora survey trigger map unless an exemption applies. This form is to be used to notify department of proposed clearing that is exempt from the requirement of a permit under the *Nature Conservation Act 1992* (the Act) and the Nature Conservation (Plants) Regulation 2020 (the Plants Regulation).

Under the Plants Regulation, a person may take a protected plant if a flora survey report is submitted to the chief executive which provides evidence that critically endangered, endangered, vulnerable or near threatened plants are not present in a clearing impact area, or if these plants are present, that the proposed clearing will avoid the plants by at least 100 metres. The Plants Regulation requires that the flora survey report will be provided at least one (1) week before the person starts clearing, but no later than 12 months after the flora survey was undertaken.

The person giving this notification will receive confirmation of receipt by the department. Clearing under this exemption must be conducted within two (2) years after the flora survey report is submitted.

# 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 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 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 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 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 18.**

[ ]  **An organisation** → **Complete** Section 4 **applicant details — then complete sections 5 to 18.**

# 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.

|  |  |  |  |
| --- | --- | --- | --- |
| \*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)      |

# Protected plant clearing exemption notification.

# This protected plant exempt notification is issued under the Nature Conservation (Plants) Regulation 2020, as a result of your notification you will receive an acknowledgement that it has been received by the department. Note: This is not a permit.

# Location of the activity

Provide the location where activities will take place.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Physical street address, this cannot be a post office box. | \*Suburb | \*State | \*Postcode |
|       |       |      \* |       |

**And**

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

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

[ ]  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 chief executive?**

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

[ ]  No. **You cannot apply for the protected plant clearing exemption if your alternate flora survey method has not been approved by the chief executive.**

# Are there any critically endangered, endangered, vulnerable or near threatened plants present within the clearing impact area?

[ ]  Yes – STOP. Please contact wildlife@des.qld.gov.au for information about a protected plant clearing permit application

[ ]  No

# When was the flora survey undertaken?

Date: dd/mm/yyyy

# Flora survey completion date

Date: dd/mm/yyyy

# Attach the following documents (if applicable)

[ ]  Reduced buffer approval

[ ]  Suitably qualified person request

# Effective date

Select an effective date Decision Date [ ]  or Nominated Date

# 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[ ]  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 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.

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 copy of the *Nature Conservation Act 1992* and regulations may be obtained from the Office of Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>

A copy of the *Protected Plants Code of Practice[[1]](#footnote-1)*, the *Flora Survey Guidelines – Protected Plants* and the *Information sheet – Wildlife authorities and privacy* may be obtained from the department’s website at <https://www.qld.gov.au/environment/plants-animals/plants/protected-plants/clearing> or by contacting the Permits and Licensing on 1300 130 372 option 4.

1. Protected Plants Code of Practice means the document called ‘The code of practice for the harvest and use of protected plants’, approved by the chief executive under section 174A of the *Nature Conservation Act 1992* and published on the department’s website. [↑](#footnote-ref-1)