



1. Intention

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.

2. Scope

This policy applies to the issuing of Native Seed Collection permits within the Shire of Waroona. This standard applies to:

- All persons applying to collect native plant material under regulations 60 and 61 of the *Biodiversity Conservation Regulations 2018* (commercial and non-commercial);
- All persons collecting plant material for non-scientific activities such as, but not exclusively, revegetation activities, bush food and floral art an; and
- All Environmental Community Groups.

3. Definitions

Environmentally Sensitive Areas means an area that is subject of a declaration that is in force under the *Environmental Protection (Environmentally Sensitive Areas) Notice 2005*.

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 is reference to a declared thoroughfare which has in the opinion of the local government, high quality roadside vegetation to be a flora road.

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 Areas is reference to a Local Government declared thoroughfare which has protected flora or rare flora, or environment, aesthetic or cultural significance, to be a special environmental area.

Thoroughfare is 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 means a legally described area within which facilities such as roads, footpaths and associated features may be constructed for public travel.

Council Reserve means land reserved under the Land Administration Act 1997 and vested in or placed under the care, control and management of the Shire of Waroona.

Environmental Community Groups refers to local environmental community groups such as Harvey River Restoration Taskforce and Peel Harvey Catchment Council who conduct revegetation works within the Shire of Waroona.

District refers to localities within the Shire of Waroona boundary or within close proximity.

4. Statement

The Shire of Waroona acknowledges the importance of protecting the native flora within the area therefore permits for the collection of native flora from Council Reserves will only be issued under specific circumstance, as outlined below.

4.1 Not for Profit Groups (including Schools & Universities)

The Council may permit the collection of flora for non-commercial purposes (such as research, education and local revegetation for environmental community groups or not for profit organisations) from Council reserves by operations with a Flora Taking (Other Purpose) 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.
- (b) The collection of native seeds being only permitted when the seed is to be used for revegetation in another part of the district.

4.2 Not for Profit – Social Enterprises (Local Binjareb Rangers, PHCC, HRRTF)

The Council may permit the collection of flora for not-for-profit social enterprises such as Local Binjareb Rangers from Council reserves by operations with a Flora Taking (Other Purpose) 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. An additional 12-month extension can be applied for which will be assessed based on a case by case basis.
- (b) The collection of native seeds being only permitted when the seed is to be used for revegetation within the district.
- (c) The collection of native seeds for the purpose of bush food, although if the applicant wishes to sell bush food then the applicant must have a food industry permit.

In addition to the above the Council may also permit the Local Binjareb Rangers to collect flora seeds for the purpose of selling as a not for profit community entity. This will be as the discretion of the Chief Executive Officer.

4.3 Commercial Purposes

The collection of flora (excepting seeds) for commercial purposes is not permitted on Council thoroughfares on 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 permit from the Council valid for twelve (12) months, expiring on 30 June annually.
- (b) Agreement by the licence 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.

Any permits issued for Commercial Purposes will be at the discretion of the Chief Executive Officer and will be subject to a seed collection fee as outlined in section 4.4.4 of the Native Flora and Vegetation Collection Management Practice.

4.4 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 gazette Flora Roads, 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 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.

4.5 Collection of Native Vegetation for Firewood

In accordance with the Shire of Waroona, Local Government Property Local Law 2014 Section 2.9, 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.

5. Legislative and Strategic Context

The Biodiversity Conservation Regulations 2018, Native Title Act 1993 and Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the associated subsidiary legislation provide the broad framework within which this policy operates.

6. Review

This policy is to be reviewed triennially.

7. Associated Documents

Other documents that have an association to this policy and that may be useful reference material are:

- Environmental Management Strategy
- Shire of Waroona Local Government Property Local Law 2014

8. Document Control

Division	Infrastructure		
Policy Number	IP020		
Contact Officer	Director Infrastructure Services		
Related Legislation	Biodiversity Conservation Regulations 2018 Native Title Act 1993 Environmental Protection (Clearing of Native Vegetation) Regulation 2004		
Related Shire Documents	Environmental Management Strategy Shire of Waroona Property Local Law 2014		
File Number	EM10		
Risk Rating	Low	Review Frequency	Triennially
Next Review	April 28	Date Adopted	22/04/2025
OCM Number	OCM25/04/047	Previous Policy No.	Nil

9. Amendments

Date	Details of Amendment	Reference	Record Number