**Department of Planning, Industry and Environment**

**Application for a Seed Harvester Licence –
Whole Protected Plants**

Application for a biodiversity conservation licence under the *Biodiversity Conservation Act 2016* (BC Act) to pick, possess, buy and sell seeds from protected plants.

### How to complete the application form

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| --- | --- |
| **Electronic:** | Download and complete the ‘fillable’ form using Microsoft Word; print the completed form and sign it. |
| **By hand:** | Download and print the application form; complete and sign the printed form by hand with a blue or black pen. |

Please read the information for applicants below and refer to the [Whole Plant Sustainable Management Plan 2018–22](http://www.environment.nsw.gov.au/Research-and-publications/Publications-search/Whole-Plant-Sustainable-Management-Plan-2018-to-2022) (WPMP) for more detailed information about licensing requirements and your responsibilities.

**Ensure you:**

* complete all sections of the application form including the payment section at the back of the form
* review the attachment checklist and include the required information.

### How to submit the application form

Post or deliver your completed and signed form and required attachments to your [local National Parks and Wildlife Service (NPWS) office](http://www.environment.nsw.gov.au/contact/locations.htm).

### Enquiries

For licensing and application enquiries contact your [local NPWS office](http://www.environment.nsw.gov.au/contact/locations.htm).

### Information for applicants

* A seed harvester licence allows you to harvest the seeds or spores of any protected plant in the wild for commercial purposes from species listed in Part 1 or Part 2 of Schedule 6 of the BC Act (see Appendix A of the WPMP), excluding threatened species listed under [Schedule 1](https://www.legislation.nsw.gov.au/#/view/act/2016/63/sch1) of the BC Act. Harvest is also not permitted from [areas of outstanding biodiversity value](http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/about-threatened-species/critical-habitats) or threatened ecological communities ([Schedule 2](https://www.legislation.nsw.gov.au/#/view/act/2016/63/sch2) of the BC Act) unless approved in a salvage situation.
* If you intend to sell plants you have grown from seed, you also require a grower licence.
* Harvesting seed from artificially cultivated plants for sale is licensable under a grower licence.
* NPWS may restrict or limit the species and quantities that may be harvested under a seed harvester licence.
* Collection of vegetative material, for example, cuttings or plant divisions, is not permitted.
* During the licence term, a licensee may request additional sites be included under the licence.
* A licence includes conditions. It’s important you understand and can meet the conditions of your licence if granted. It is an offence under the BC Act to breach a condition of a licence. View an example of the [seed harvester licence conditions](http://www.environment.nsw.gov.au/licences-and-permits/protected-native-plant-licences/apply-for-a-whole-plant-licence).
* Please allow up to 28 days for a licence application to be assessed. You will be contacted if further information is needed to complete the assessment.
* The land identified in the application may be inspected before and after a licence is granted.
* It is an offence for a licensee to sell seeds of any protected plants other than those described on their licence.
* It is an offence to provide false or misleading information in applications and documents in connection with matters under the BC Act.

### Attachment checklist

Ensure the following information is included with your application:

|  |  |
| --- | --- |
| [ ]  | Map/s identifying:* access from the nearest town, including geographical information (e.g. latitude and longitude
* the general and specific location/s of the proposed harvest site/s
 |

Applicants seeking to harvest seed from salvage situations must provide the following additional information:

|  |  |
| --- | --- |
| [ ]  | Written confirmation of the content authority approving the salvage operation |
| [ ]  | Copy of the final/approved development application or other consent for the land-clearing operation |

## All details must be filled in correctly and relevant documentation provided before this licence application will be processed.

**Applicant information**

Applicants must be aged 18 years or over. A biodiversity conservation licence may only be granted to an individual, company or incorporated association, but not a partnership, trust or joint venture.

A business name or trading name is not a legal entity and cannot be the licence holder. If you run a business that is not a company, corporation, incorporated association or public authority, please apply as an individual and also provide your ABN and business/trading name.

|  |  |
| --- | --- |
| [ ]  **An individual** | Complete Section 1 applicant details – then complete sections 3 to 7 |
| [ ]  **An organisation** | Complete Section 2 applicant details – then complete sections 3 to 7 |

# Applicant details for an individual

|  |  |  |
| --- | --- | --- |
| Title        | First name       | Other names       |
| Surname       | Date of birth Enter date |
| Street address (not a post office box) | Address       |
| Suburb/Town       | State       | Postcode       |
| Postal address (if different from above) | Address       |
| Suburb/Town       | State       | Postcode       |
| Phone (daytime)       | Mobile       | Fax       |
| Email       |
| ABN (if applicable)       | Business/trading name (if applicable)       |

# Applicant details for an organisation

Organisation type

|  |  |  |
| --- | --- | --- |
| [ ]  **Company/Corporation** | [ ]  **Incorporated association** |  |

|  |  |
| --- | --- |
| Legal entity name |       |
| Trading/business name/s (if applicable)  |       |
| ACN/ABN | ACN       | ABN       |
| Street address (not a post office box) | Address       |
| Suburb/Town       | State       | Postcode       |
| Postal address (if different from above) | Address       |
| Suburb/Town       | State       | Postcode       |
| Organisation contact and business details  | Phone       | Fax       |
| Organisation email       |
| Website       |
| Organisation contact person | Title       | First name       |
| Surname       |
| Position held       |
| Phone       | Mobile       |
| Email       |

# Details of person/s who will work on behalf of the applicant

List the name, address and contact phone number of each person who will work on your behalf.

|  |  |  |
| --- | --- | --- |
| Name (in full) | Address | Contact phone number |
|       |       |       |
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# Description of the property for which the licence is sought

(note: refer to [NSW Land Registry Services](http://www.nswlrs.com.au/land_titles/access_titling_info) about accessing land titling information)

|  |
| --- |
| 1. Property name and address
 |
| 1. [ ]  Freehold or [ ]  Leasehold
 |
| 1. Particulars of the title/s (lot, section, DP) for each portion of the property to be licensed, or Crown Lands holding numbers (e.g. Conditional Lease, Settlement Purchase, etc.)

      |
| 1. Area in hectares
 |
| 1. Provide brief road directions from the nearest town to access the lands described in this application. Also include a map showing access from nearest town (see attachment checklist above)

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| 1. List any threatened species (see [Schedule 1](https://www.legislation.nsw.gov.au/#/view/act/2016/63/sch1) of the BC Act) that may occur in the harvest area

      |
| 1. Written consent of the property owner (if different from the applicant) must be provided in the following declaration:

I, (name in full)      of (address)      Contact number      Email      Being the owner of the lands described above, certify that the protected native plants listed below are growing on my land and I give consent to the applicant to pick seed from those protected native plants.Signature of land owner: Date: Enter date |
| 1. Is the proposed harvest site/s an [area of outstanding biodiversity value](http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/about-threatened-species/critical-habitats) or a threatened ecological community (see [Schedule 2](https://www.legislation.nsw.gov.au/#/view/act/2016/63/sch2) of the BC Act). [ ]  Yes [ ]  No

If yes, are you harvesting in a salvage situation? [ ]  Yes [ ]  No |
| 1. **For salvage harvest only:** Where necessary, written consent from the consent authority approving the salvage operation:

Name of consenting authority      of (address)      Contact person      Contact number      Email      Development approval number      Ensure you include a copy of the final/approved development consent or other approval for the land-clearing operation (see attachment checklist above) |

# Species to be harvested

1. List the species of protected plants from which seed is proposed to be harvested (please provide the scientific and common name for each species) and the proposed harvest quantity for each species.
2. I/we confirm my/our ability to identify target material (as listed below) to the species level or will seek identification by a relevant expert or authority [ ]

|  |  |  |  |
| --- | --- | --- | --- |
| Scientific name | Common name | Schedule 6 Part and Group  | Proposed quantity to be harvested (grams) |
|       |       |       |       |
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# Declaration of applicant

I/we do hereby apply for a biodiversity conservation licence under Part 2 of the *Biodiversity Conservation Act 2016* to pick, possess, buy and sell seeds from protected plants. I/we declare that all information provided in this application (including any attachments) is true and correct. I/we have read and understand the conditions that may apply to the licence and agree to comply with all conditions if granted.

**For applications made by an individual**

|  |  |
| --- | --- |
| Signature | Date Enter date |
| Name       |

**For applications made by an organisation**

|  |  |
| --- | --- |
| Signature | Date Enter date |
| Name       |
| Position title      (e.g. director, authorised delegate for a company – Note: if you are the authorised delegate representing a company you need to attach a letter of authority from a company director) |

## Privacy information

This application form contains information that identifies you and is defined as personal information under the NSW *Privacy and Personal Information Act 1998* (PPIP Act). The Department of Planning, Industry and Environment collects and manages the personal information you provide in accordance with the PPIP Act. The Department will not use personal information except for purposes listed as exemptions in the PPIP Act. Information supplied on this form will be used by officers of the Department to assess your application. Information collected by the Department may be disclosed to third parties for the purposes of confirming information provided by you in this application, and for law enforcement purposes. Personal information collected by the Department will be stored securely and disposed according to Records Management Policy. You have a right of access to modify and/or update your personal information. For other inquiries about privacy or access to your information, contact a Right to Information/Privacy Officer on 9995 6080 or 9995 6497 or in writing to Right to Information/Privacy Officer, Department of Planning, Industry and Environment, PO BOX A290, South Sydney NSW 2000.

## Public register

As required by the *Biodiversity Conservation Act 2016*, a public register of biodiversity conservation licences will be published on the Department website. The public register will **not** include personal information of individuals (e.g. name, postal and email address, phone number and date of birth). Information about the location of plants and animals covered by licences will be restricted to post code.

## Suspension or cancellation

The Environment Agency Head may cancel or suspend this licence:

* on the grounds the licensee has contravened or failed to comply with conditions of the licence
* on the grounds the licensee has been convicted of an offence under the *Biodiversity Conservation Act 2016* or other relevant legislation
* on the grounds the licensee has made a statement that the licensee knows, or ought reasonably to know, is false or misleading in, or in connection with, the application for the licence
* for any reason the Environment Agency Head thinks appropriate.

# Payment of application fee

The application fee is **$175** (for three years).

Licences will not be granted without payment in full.

**Select one of the following options to pay the application fee in full:**

[ ]  I’ve enclosed a cheque or money order made payable to Department of Planning, Industry and Environment.

[ ]  I’ve provided credit card details below.

**Note:** A merchant fee of 0.4% will be charged to all credit card transactions

|  |  |
| --- | --- |
| Card type | [ ]  MasterCard [ ]  Visa |
| Card number  |       |
| Expiry date – month/year (xx/xx) |       | **/** |       |  |
| CCV number  |       (this is located on the back of your credit/debit card next to the signature panel strip) |
| Amount ($) | $       |
| Cardholder’s name (as it appears on the card) |        |
| Cardholder’s signature |  |

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| --- |
| **For office use only** |
| Date application was received in office       | [ ]  Application details confirmed |
| [ ]  Application fee received: $175 (for 3 years) | [ ]  Receipt number       |
| [ ]  All landowner consents provided | [ ]  Site map/s attached |
| [ ]  Site inspection undertaken. Date of inspection       |
| Recommendation based on site inspection. [ ]  Grant [ ]  Refuse licence application |
| [ ]  Licence application refused (provide reason)       |
| [ ]  Licence application granted – licence number       |
| [ ]  Information entered into database  | [ ]  All action complete  |
| Name       | Signature |
| Position held       | Date       |

Department of Planning, Industry and Environment, 59 Goulburn Street, Sydney South NSW 2000. Phone: 131 555 (environment information and publications requests); email: info@environment.nsw.gov.au; Website: www.environment.nsw.gov.au. EES 2019/0442; August 2019.