**Office of Environment and Heritage**

**Application for a Grower Licence – Protected Plants**

Application for a biodiversity conservation licence under the *Biodiversity Conservation Act 2016* (BC Act) to pick, possess, buy and sell artificially propagated whole protected plants and/or cut flowers and foliage from artificially propagated protected plants.

### How to complete the application form

|  |  |
| --- | --- |
| **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 applicants below and refer to the [Cut-flower Sustainable Management Plan 2018-22](http://www.environment.nsw.gov.au/Research-and-publications/Publications-search/Cut-flower-Sustainable-Management-Plan-2018-to-2022) (CFMP) and/or [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).

Prospective growers are encouraged to contact their local NPWS area office as early as practical regarding their licensing requirements. NPWS area offices can assist with information relating to the licensing and tagging requirements for the species being propagated.

### Information for applicants

* A grower licence allows you to:
	+ grow and harvest artificially propagated whole protected plants, and/or
	+ grow and harvest cut flowers or foliage from artificially propagated protected plants

for commercial purposes for species listed in all groups of Part 1 or Part 2 of Schedule 6 of the BC Act from property you own or occupy (Refer to Appendix A of the CFMP and Appendix A of the WPMP).

* If a threatened species is requested, the legal sourcing of the parent plant/s must be verified and the proposed harvesting quantities achievable.
* 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 [grower 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 property identified in the application may be inspected before and after a licence is granted.
* Each species of protected plant must be growing in what the authorised officer considers to be saleable quantities before a licence will be granted to permit sale.
* Growers of Xanthorrhoea species must be able to demonstrate compliance with the requirements of the WPMP that relate to growing grass trees (refer to Appendix H of WPMP).
* Orchid growers must be able to demonstrate compliance with the requirements of the WPMP that relate to orchid growing (refer to Appendix I of the WPMP).
* Grower tags are required for all species listed in Part 2 of Schedule 6.
* NPWS tags may be required for species listed in Schedule 6 – for more details refer to section 4.1 of the CFMP and section 4.11 of the WPMP. The quantity of NPWS tags allocated to a licence will be determined upon assessment of the application.
* Licensees must keep a copy of their licence at the property where the plants are to be grown.
* Where the licensee has a retail or wholesale outlet, a copy of the licence must be available on request by an authorised officer. It is recommended the licence be displayed at the point of sale.
* It is an offence for a licensee to sell 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

As set out in the CFMP and WPMP, applicants are required to provide additional information to support their application. Please provide the following information in a single attachment, except for map/s, and copies of authorisations, approvals and the grower tag.

|  |  |
| --- | --- |
| [ ]  | Maps identifying:* access from the nearest town, including geographical information (e.g. latitude and longitude)
* the area of land under cultivation
 |
| [ ]  | where Xanthorrhoeaceae or Zamiaceae are grown, a copy of the authorisation to collect the material for propagation purposes |
| [ ]  | Copy of any approvals for land clearing or other major disturbance |
| [ ]  | Details if the property is managed under a conservation agreement or other relevant covenant |
| [ ]  | A statement relating to the predicted impacts of the proposed cultivation |
| [ ]  | Details of any recent changes to the area such as fire or land clearing |
| [ ]  | Copy of the ‘grower tag’ or details of the tagging method to be used |

## 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 9 |
| [ ]  **An organisation** | Complete Section 2 applicant details – then complete sections 3 to 9 |

# 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 where the protected plants will be grown and harvested

(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 property described in this application. Also include a map showing access from nearest town (see attachment checklist above)

      |
| 1. Provide a brief description of the proposed harvest area (see attachment checklist above for any further information to be provided)

      |
| 1. Details of where the plants will be processed and stored, if different to the harvest address
 |

# Whole plants/plant parts to be sold

|  |
| --- |
| Select what you intend to sell. More than one may be selected if applicable:[ ]  whole plants [ ]  cut flowers [ ]  foliage |

# Species to be harvested

1. List the species of protected plants proposed to be grown and sold (please provide both the scientific and common name for each species), and the proposed harvest quantity for each species – specify the number of whole plants, stems, leaves and bunches where applicable. Refer to Appendix K of the WPMP for information about whole plant size classes.
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 & Group | Target part (flower, foliage, whole plant) | Size class for whole plant (if applicable) | Proposed quantity of cut flowers/foliage/whole plantsto be sold | NPWS tags required(Y/N) |
|  |  |  |  |  | No. of stems, leaves or bunches(if applicable) | No. of parts per bunch(if applicable) | Total |  |
| e.g. *Blandfordia* | Christmas bells | Part 1, Group 3 | Flower |  | 200 bunches | 5 | 1000 | Y |
| e.g. *Doryanthes excelsa* | Giant lily | Part 1, Group 2 | Foliage |  | 400 leaves |  | 400 | N |
| e.g. *Doryanthes excelsa* | Giant lily | Part 1, Group 3 | Flower |  | 40 stems |  | 40 | Y |
| e.g. *Telopea speciosissima* | Waratah | Part 1, Group 4 | Flower |  | 50 stems |  | 50 | N |
| e.g. *Xanthorrheoa* | Grass trees | Part 2, Group 2 | Whole plant | 3 |  |  | 100 | Y |
| **Insert your list below** |
|       |       |       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |       |       |
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# Source of the parent material

Please provide full details, and proof where necessary, of the source of the parent material. For Xanthorrhoeaceae or Zamiaceae family plants in artificial propagation, please attach a copy of relevant licence authorising their collection from the wild.

|  |
| --- |
|       |

# 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 artificially propagated whole protected plants or cut flowers and foliage from artificially propagated 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). OEH collects and manages the personal information you provide in accordance with the PPIP Act. OEH 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 OEH to assess your application. Information collected by OEH 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 OEH will be stored securely and disposed according to OEH 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, Office of Environment and Heritage, 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 OEH 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 Chief Executive 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 Chief Executive thinks appropriate.

# Payment of application fee

The application fee is:

[ ]  **$30** (for 1 year)

[ ]  **$75** (for 3 years)

[ ]  **$100** (for 5 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 Office of Environment and Heritage.

[ ]  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 |  |

|  |
| --- |
| **For office use only** |
| Date application was received in office       | [ ]  Application details confirmed |
| [ ]  Application fee received:       | [ ]  Receipt number       |
| [ ]  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       |
| [ ]  Number of NPWS tags approved       | [ ]  Fees for tags collected (forward to Wildlife Team)  |
| Serial numbers       | Date issued       |
| Serial numbers       | Date issued       |
| Serial numbers       | Date issued       |
| [ ]  Information entered into database  | [ ]  All action complete  |
| Name       | Signature |
| Position held       | Date       |

Office of Environment and Heritage, 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. OEH 2018/0335; June 2018.