

Native Seed and Plant Collection Policy

Objective

To provide guidance on the collection of seeds and native plant material from land under the control and management of the Shire of East Pilbara.

Definitions

Native Plant Material means all plants in reserves but does not include any plant that is dead.

Plant for the purposes of harvesting, includes flowers, seeds, fruits and any other part of the vegetation.

Licence Holder is the person authorised to collect native plant material on land as applied for through an application for Flora Taking (Commercial) Licence – Crown Land with the Department of Biodiversity, Conservation and Attractions (DBCA).

Background

Native plants and their seeds are a valuable natural resource and this policy provides the framework to ensure sustainable collection activities are undertaken.

Western Australian native flora and fauna are protected under the *Wildlife Conservation Act 1950*, and the taking of flora for any purpose requires a licence. That licence shall be accompanied by written permission from the owner of the land or authority having care or control of the land, before any collection takes place.

A licence from DBCA is required before collecting any native plant material or seed. There are three types of licences:

1. Scientific and other prescribed purposes – for collection from Crown land where the seed is not for sale.
2. Commercial purposes – for collection from Crown land where the seed is to be sold.
3. Commercial producers – for collection from private land for sale.

From time to time, the Shire of East Pilbara will receive requests for native seed collection within reserves that are controlled or managed by the Shire. This can include road reserves, thoroughfares or land vested in the Shire.

Scope

This policy applies to:

- All applicants requesting permission to collect native plant material pursuant to regulation 101 of the *Biodiversity Conservation Regulations 2018*, including both commercial and non-commercial harvesters;
- All persons collecting plant material for non-scientific activities such as, but not limited to revegetation activities, bush food and floral art.

Policy

The following conditions shall be adhered to:

- All collectors of native wildflower seeds are to be licensed according to the *Wildlife Conservation Act 1950* and will abide by the conditions of the licence.
- Approval shall be granted for a one (1) year period only, commencing 1 July.
- Collection is only to be undertaken by the licence holder and may not be delegated to others.
- Appropriate hygiene procedures will be followed and adhered to at all times to prevent the spread of plant diseases and weeds.
- All care to be taken to avoid the disturbance of fauna habitat.
- All care to be taken to avoid any disturbance that may lead to soil degradation or erosion.

Process

When seeking approval to collect native seed from land under the Shire's control, the applicant shall submit a letter addressed to the Shire of East Pilbara Planning Department outlining the request, including:

- A copy of the native seed collection licence from DBCA and any relevant conditions.
- A copy of the public liability insurance Certificate of Currency for \$10m.
- Confirming whether the application is for commercial or non-commercial purposes.
- Details of the specific roads, portions of roads or reserves from which permission is sought to collect seeds from.
- Details of the vehicle/s used for seed collection activities.
- Details on the applicable Work Health and Safety measures.

The application will be processed and if for commercial purposes, an invoice will be sent to the applicant in accordance with the Shire of East Pilbara Fees and Charges schedule.

Following assessment of the application, if supported the Shire will provide a letter to the applicant acknowledging access to the site/s. The letter will also set out the length of approval (12 months from 1 July – 30 June) and confirm that the approval applies only to Shire vested land and/or road reserves (not vacant crown land, mining tenements, pastoral leases or private land).

Authorisation Details

References:	<p><i>Local Government Act 1995</i> s.3.54 – Reserves under control of local government s.5.42 – Delegation of some powers and duties to CEO</p> <p><i>Land Administration Act 1997</i> s.46 – Care, control and management of reserves</p> <p><i>Wildlife Conservation Act 1950</i> s.23A – Property in protected flora on Crown land s.23B – Protected flora on Crown land not to be taken without a licence s.23C – Licences to take protected flora on Crown land</p> <p><i>Parks and Reserves Act 1895</i> s.5 – Boards’ specific functions</p> <p><i>Biodiversity Conservation Regulations 2018</i> Regulation 101 – Access to Land (Licensees)</p> <p><i>Public Places and Local Government Property Amendment Local Law 2012</i> Part 6 – Activities in Thoroughfares</p>		
Authorised by:	Council		
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