



Queensland

Nature Conservation (Protected Plants Harvest Period) Notice 2005

Subordinate Legislation 2005 No. 31

made under the

Nature Conservation Act 1992

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Part 1 Preliminary

1 Short title

This notice may be cited as the *Nature Conservation (Protected Plants Harvest Period) Notice 2005*.

2 Commencement

This notice commences on 1 April 2005.

3 Definitions

In this notice—

approved commercial purpose means—

- (a) for taking a whole protected plant—to take the plant—
 - (i) as a stock plant; or
 - (ii) under salvage; or
- (b) for taking a protected plant part—to take the plant part under salvage.

approved recreational purpose, for taking a whole protected plant or protected plant part, means to take the plant or plant part under salvage.

harvest period means—

- (a) for whole protected plants—the harvest period declared under section 4; or
- (b) for protected plant parts—the harvest period declared under section 7.

protected plant means a plant that is endangered, vulnerable, rare or common wildlife.

protected plant part includes the bark, bud, chemical, exudate, flower, foliage, fruit, gall, genetic material, gum, oil, phyllode, resin, rhizome, root, seed, spore, stem, and any other structural component or constituent, of a protected plant.

salvage see *Nature Conservation (Protected Plants) Conservation Plan 2000*, schedule 3.

stock plant means a plant taken in the wild for providing propagating material by—

- (a) dividing the plant; or
- (b) removing the seed, cuttings or propagating material from the plant.

whole, for a protected plant, includes—

- (a) a seedling, but not an ungerminated seed; and
- (b) if a person divides a plant into 1 or more viable plants—each viable plant.

Part 2 **Harvest period for whole protected plants**

4 **Harvest period for whole protected plants**

A harvest period for all whole protected plants—

- (a) starts at the beginning of 1 April 2005; and
- (b) ends at the end of—
 - (i) for whole protected plants taken for a commercial purpose, other than an approved commercial purpose—31 December 2005; or
 - (ii) for whole protected plants taken for an approved commercial purpose or another purpose—31 March 2006.

5 **Limitation on application of harvest period for whole protected plants**

The harvest period for whole protected plants does not apply to the taking of a whole protected plant of the genus *Microsorium* unless the plant is taken for—

- (a) if the plant is taken under a commercial wildlife harvesting licence—an approved commercial purpose; or
- (b) if the plant is taken under a recreational wildlife harvesting licence—an approved recreational purpose.

6 Condition on commercial taking of particular whole protected plants

- (1) The maximum number of whole protected plants of the following genera that may be taken, during the harvest period for whole protected plants, under all commercial wildlife harvesting licences is as follows—
 - (a) for protected plants of the genus *Cycas*—46;
 - (b) for protected plants of the genus *Lepidozamia*—76;
 - (c) for protected plants of the genus *Macrozamia*—1 700;
 - (d) for protected plants of the genus *Xanthorrhoea*—18 000.
- (2) The portion of the maximum number mentioned in subsection (1) that may be taken under a particular commercial wildlife harvesting licence is the number stated on the licence.¹
- (3) This section does not apply to whole protected plants taken for an approved commercial purpose.

Part 3 Harvest period for protected plant parts

7 Harvest period for protected plant parts

A harvest period for all protected plant parts—

¹ See the *Nature Conservation Regulation 1994*, section 119 (Meaning of number on relevant authority).

- (a) starts at the beginning of 1 April 2005; and
- (b) ends at the end of 31 March 2006.

8 Limitation on application of harvest period for protected plant parts

The harvest period for protected plant parts does not apply to the taking of a protected plant part for a plant of the genus *Microsorium* unless the plant part is taken for—

- (a) if the plant part is taken under a commercial wildlife harvesting licence—an approved commercial purpose; or
- (b) if the plant part is taken under a recreational wildlife harvesting licence—an approved recreational purpose.

Part 4 Expiry

9 Expiry

This notice expires on 31 March 2006.

ENDNOTES

1. Made by the chief executive on 2 March 2005.
2. Notified in the gazette on 11 March 2005.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Environmental Protection Agency.