

2-89



CALM LIBRARY ARCHIVE
NOT FOR LOAN

013809



Information Sheet No. 2 - 89

Department of Conservation and Land Management
December, 1989

PROTECTING OUR FLORA A BRIEF GUIDE TO THE LEGISLATION AND LICENSING

Western Australia's flora is a natural asset of world-wide importance. The increasing interest in wildflower cultivation and the popularity of both wildflower shows and tours indicate the high value placed on the flora by Western Australians and visitors to this State.

We need only consider the unique beauty and variety of our wildflowers to find sufficient reasons to make every effort to conserve them. Keep in mind also the important role that native plant communities play in our environment. For example, they stabilise soils and provide food and shelter for birds and animals.

Our flora also contributes to the State's economy through commercial trade in wildflowers and as a tourist attraction to both interstate and overseas visitors.

Flora at Risk

Because of the large number of species in Western Australia, it is a difficult task to assess the extent of the threat to particular species or plant communities. Despite the efforts of many botanists since the time of the first European settlement, there is still much that needs to be discovered about our flora. We do not know the precise number of species present in Western Australia: the figure is thought to be about 10,000 with between 1,000 and 3,000 species yet to be scientifically described.

Recent studies have, however, provided information which indicates the need for conservation:

- * Over 2,000 Western Australian plant species considered rare, poorly collected or geographically restricted.
- * Many species in these categories are confined to the south west of the State.
- * Over 1,000 Western Australian species are commercially exploited.

- * Five hundred species are thought to be geographically restricted and may be rare.
- * Change in land usage, drainage, etc. may place the long-term survival of many species in jeopardy.

Flora Conservation

"Picking of Wildflowers is Prohibited" - most people are familiar with this message. It's probably what most people think of as 'flora conservation'. This prohibition still exists in most circumstances. It is easy to understand that uncontrolled picking of wildflowers would lead to the destruction of some species.

Our flora has adapted over the ages to a range of natural conditions. In fact there are few places which do not support some sort of plant community. Sadly, man's needs are often in conflict with those of nature, and plants are not equipped to adapt to rapid changes associated with agricultural, industrial and urban development.

While it is inevitable that natural bushland areas will be reduced by development, other areas are often harmed by thoughtlessness. Litter, fire and vehicles are major sources of this type of damage. Vehicle tracks in fragile areas such as coastal dunes and granite rocks may cause severe erosion and loss of plant communities.

Nature Reserves and National Parks

Areas of land in a natural state may be set aside as Nature Reserves or National Parks and subsequently managed by the Department of Conservation and Land Management (CALM). Restrictions are imposed on activities within these conservation areas so that our flora and fauna have a secure habitat. We can help conserve our wildlife by observing these management regulations and encouraging the establishment of new conservation reserves.

Although they are an important tool in wildlife conservation, Nature Reserves and National Parks alone cannot guarantee the survival of our flora. We have a responsibility to ensure that ALL wildlife habitat is treated as conservation reserves.

Flora cannot be legally taken from Nature Reserves, National Parks, State Forest, Timber Reserves or other Crown land reserves without the prior permission of the landowner/manager.

The Law

The laws governing flora conservation are contained in the Wildlife Conservation Act and its regulations, which are administered by CALM.

In general, legislation prohibits the taking of indigenous flora except under certain circumstances. Provision for management of the trade in wildflowers and other specific activities are also controlled by CALM in accordance with a management program approved by Commonwealth authorities.

The principal aspects of the legislation are summarised below. It should be noted, however, that full details of the laws are beyond the scope of this summary. Additional information can be obtained from CALM.

Protected Flora

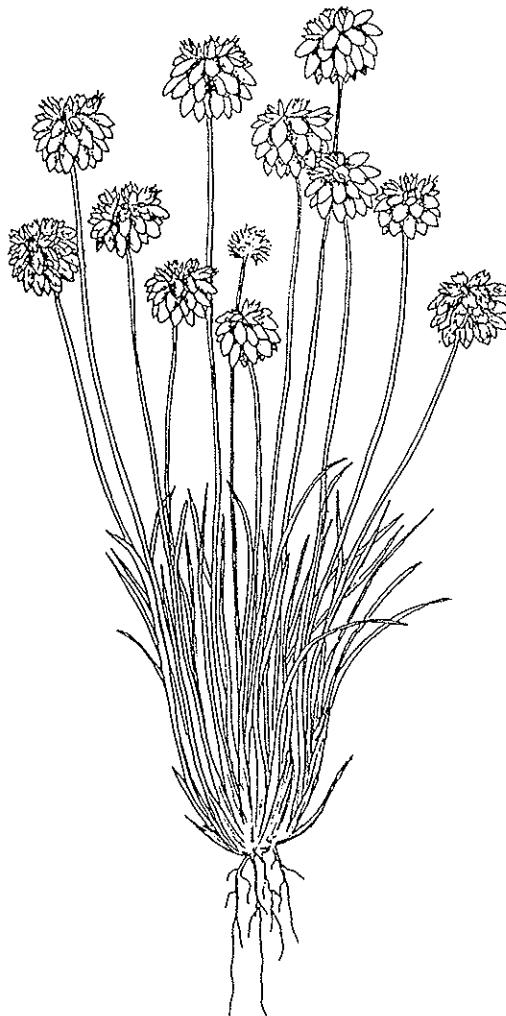
"Flora" is legally defined as any plant (including any wildflower, palm, shrub, tree, fern, creeper or vine) which is either native to Western Australia or declared to be flora under the Act and includes any part of flora and all seeds and spores thereof.

Classes of flora protected throughout the State include all Spermatophyta (flowering plants, conifers and cycads), Pteridophyta (ferns and fern allies), Bryophyta (mosses and liverworts) and Thallophyta (algae, fungi, and lichens).

In addition over two hundred and twenty species of plants are declared as "Rare Flora" and given special protection. (See paragraph below for information on rare species.)

Taking Protected Flora

Protected flora may only be taken under specific circumstances outlined in the following sections. Please note that, in legal terms, "to take in relation to any flora includes to gather, pluck, cut, pull up, destroy, dig up, remove or injure the flora or permit the same to be done by any means".



Sowerbaea multicaulis -
a species presumed extinct

Crown Land

On Crown land, protected flora may only be taken by individuals who hold a licence issued by CALM. If the flora is to be sold, a Commercial Purposes Licence is required. People who wish to take flora for scientific study, propagation, or other non-commercial purposes must hold a licence for Scientific or Other Prescribed Purposes. This licence does not entitle the holder to sell any of the flora taken. All applications for licences should be referred to the Department's State Operations Headquarters, 50 Hayman Road, Como, or at the nearest CALM Regional/District office.

Private Land

Protected flora may only be taken from private land by the owner or occupier of the land or by a person who has the owner or occupier's consent to take flora. If the landholder wishes to sell flora taken from his property, he must hold a Commercial Producer's Licence or a Nurseryman's Licence.

Florists

Florists and others who trade in indigenous flora are not required to hold a licence unless they are also involved in taking flora for sale. However, it is an offence to sell flora which has not been legally taken, so it is essential that traders ensure that their stocks are obtained from licensed sources.

Anyone trading in indigenous flora must keep a written record of the type and quantity of flora they purchase showing the date of purchase and the name and address of the supplier. These records must be retained for twelve months and shown to a Wildlife Officer on demand.

Rare Flora

The Minister for CALM has declared the species on the attached list to be "Rare Flora". These plants are considered to be in danger of extinction, rare, or otherwise in need of special protection.

Those species listed MAY NOT BE TAKEN without the specific written approval of the Minister for CALM. This prohibition applies equally to both Crown and private land; to licensed and unlicensed persons; and to the owners and occupiers of land on which rare flora is found. The prohibition does not extend, however, to cultivated or domesticated specimens. All applications to take rare flora should, in the first instance, be referred to the Senior Clerk (Flora) at CALM's State Operations Headquarters in Hayman Road, Como.

NOTE

In instances where an owner or occupier of private land has been refused consent to take rare flora from his property, the Wildlife Conservation Act contains provisions for the payment of compensation to the property holder. The Minister for CALM must, however, be satisfied that the refusal has resulted in the loss of use or enjoyment of the land. Further information on this matter may be obtained from the State Operations Headquarters at the Department of Conservation and Land Management, 50 Hayman Road, Como.

Licences - General Information

Applications for flora licences should be made to either the State Operations Headquarters at the Department of Conservation and Land Management, 50 Hayman Road, Como, or to any CALM Regional/District office.

Licences will be issued specifying conditions which must be complied with. Licence holders are required to supply returns of the flora they have taken. Full information on returns and conditions will be given when a licence is issued.

General

If you need additional information, officers from CALM would be pleased to advise you.