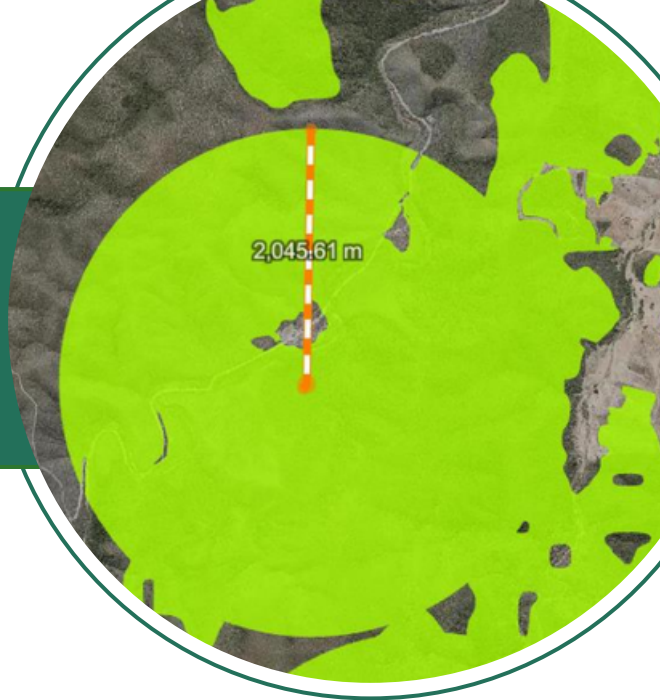


# Protected Plants Information Guide



Environmental legislation aims to protect plants in forest operations by:

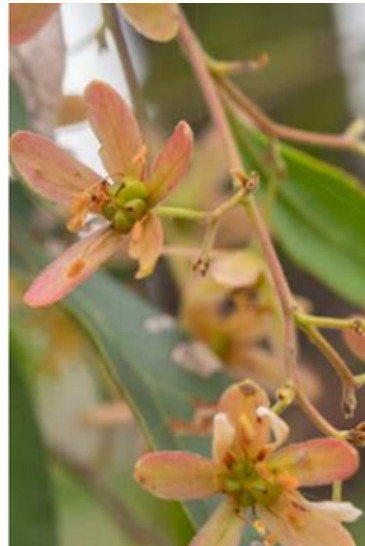
- Identifying and listing Commonwealth and Queensland species to be protected
  - *Protected plants can be trees, shrubs, flowers and grasses*
  - *Protected plants can be plants in the wild or plants in timber plantations.*
- Ensure activities are regulated.
  - *That people are doing the right thing.*
- Ensure organisations implement controls to comply.
  - *That processes are being followed to protect species.*

## What you need to do

Work through the **decision tree** on the following page to determine if protected plant measures apply to the operational area you're working in.

## What this document covers

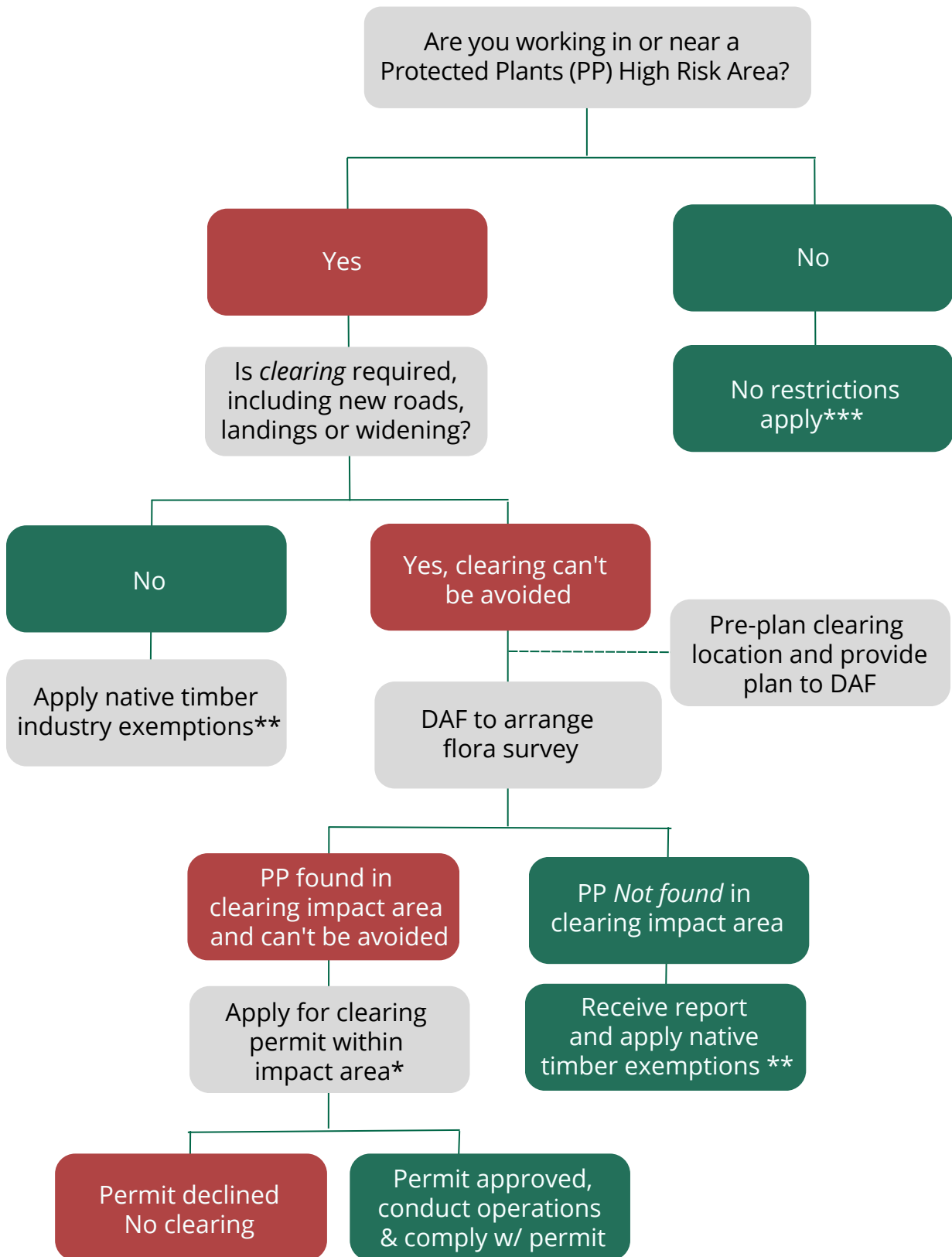
- What is a protected plant high risk area?
- How to understand and identify if "clearing" is required.
- Permitted and exempt activities in native forest operations, including walkover techniques.
- How to know when a flora survey is required.
- The role of Department of Agriculture and Fisheries (Forestry) [DAF] in managing protected plants in forest operations.
- The relevant protected plants documentation that permittees and operators must apply when working in state-owned native forests.



Examples of protected plants. Source: DAF, 2023.

# Protected Plants Decision Tree

Refer to this chart when conducting forest operations.



- Follow the decision tree to understand what you need to do when working near protected plants.
- View the guides on the following pages to better understand each step.
- Always document your decision-making process and any advice you have received.

\* It is unlikely this process will be supported by DAF, due to time and complexity. Other options would be explored first.

\*\* DAF to submit exempt clearing notification to DES.

\*\*\* Unless a plant is found, and is therefore 'known'.

Note: Additional requirements are required when a CEEVNT species is known but not occurring within a PPHRA or if protected under EPBC Act.

# Step 1

## Are you working in or near a Protected Plants High Risk Area?

### Protected Plants High Risk Area

A Protected Plants High Risk Area (PPHRA) is an area:

- With a validated record of threatened plants or near threatened protected plants (CEEVNT) or
- Where CEEVNT\* species are likely to be present or
- Species listed as special concern due to harvest pressure, commercial value and special traits.
- PPHRA are mostly limited to mapped natural areas (non-cleared areas).

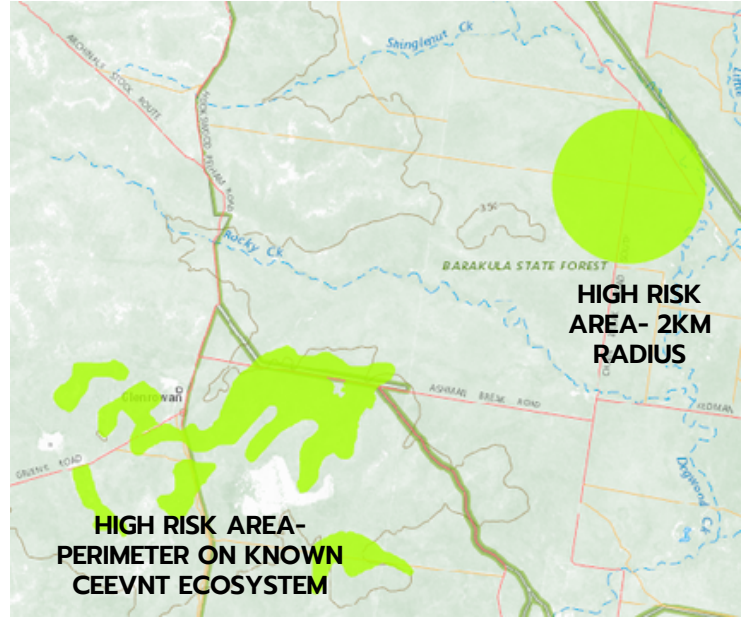
PPHRA can be demonstrated as:

- **2km radius** around the validated protected plant or
- If the area has had a flora survey completed, then in some cases may be **different shape or exactly where the species is located**. This is influenced by conducting flora surveys and applying a general perimeter on known CEEVNT ecosystems

\*CEEVNT - Critically endangered, endangered, vulnerable, near threatened)

PPHRA are also referred to as:

- Flora Survey Trigger Map (usually shown in green)
- High Risk Areas
- Blue Triggers (usually shown in blue)



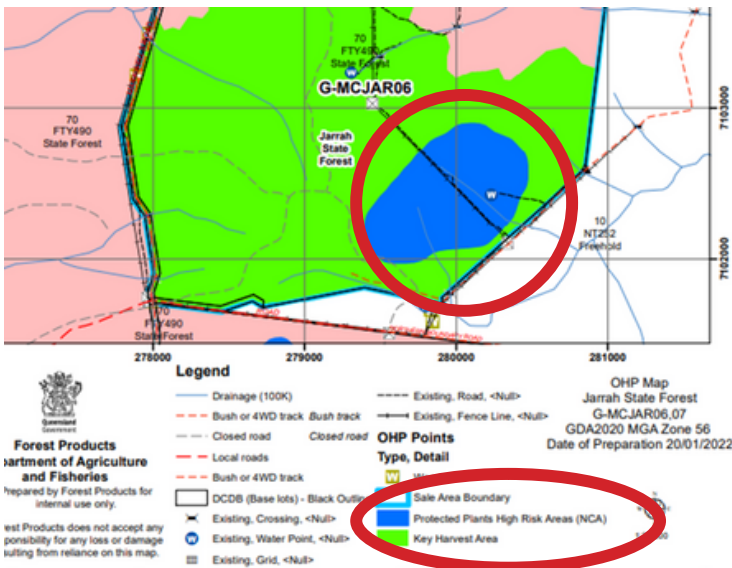
Sample of Protected Plants High Risk Areas from QGlobe

### Contractual documents

Department of Agriculture and Fisheries (Forestry) [DAF] develop contractual documents for native forest operations on state-owned land, including:

- Sales Permit.
- Operational Harvesting Plan (OHP).
  - DAF prepare the OHP map, and determine if there is a PPHRA
- Species Management Profiles (SMP).

The documents detail the activities to occur and legislative requirements, including identifying PPHRAs.



Example of Operational Harvesting Plan with a Protected Plants High Risk Area shown in blue

## Step 2

### Is clearing required? (including new or widening of roads and landings?)

#### Clearing

To **protected plants legislation**, clearing means "*taking (e.g. removing or destroying) native plants from where they are growing*".

In native forest specific activities, clearing includes conducting the following activities within a PPHRA:

- Establishing new roads and tracks.
- Establishing new landings.
- Widening infrastructure (roads, tracks, landings) from their original and existing footprint.
- Felling non-commercial timber.

**These activities are not permitted in a PPHRA without conducting a flora survey.**

#### Ways to avoid clearing

- Use existing infrastructure and footprint.
- Applying the forestry exemptions outlined in the following documents and Step 2A

#### Protected Plant Fact Sheet

[https://www.qld.gov.au/\\_data/assets/pdf\\_file/0020/104258/protected-plant-clearing-fact-sheet.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0020/104258/protected-plant-clearing-fact-sheet.pdf)

#### Clearing and Protected Plants

<https://www.qld.gov.au/environment/plants-animals/plants/protected-plants/clearing/agriculture-primary-industries-sector>

## Step 2A

### Where clearing IS NOT required: Apply native timber exemptions

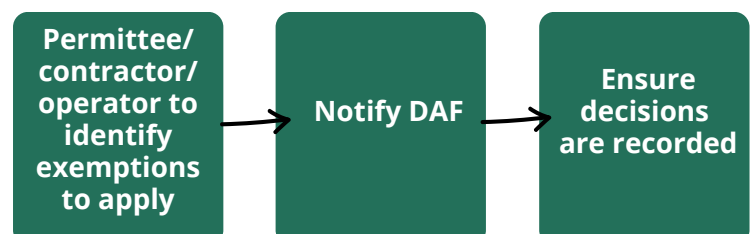
Department of Environment and Science (DES) have identified a range of exempt activities that are not classified as *clearing* and can be undertaken in Protected Plants High Risk Areas (PPHRA or blue trigger) during the forest operation.

Exempt activities within PPHRA are interpreted as:

- Felling commercial timber.
- Using walkover technique within PPHRA to:
  - Fell timber trees.
  - Snig and extract commercial logs.
- Incidental damage when driving vehicles off tracks.
- Multiple snig passes (most cases).
- Danger reduction.

- Routine maintenance of infrastructure within the existing footprint, including roads and landings.
- Follow up drainage and deactivation of roads and snig tracks.
- Re-clearing (previously cleared under a permit in the last 10 years).
- Fire management (with permission).
  - Fire safety including firebreaks to protect infrastructure.
  - Fuel hazard reduction burns. authorised under *Fire and Rescue Act 1990*.

#### Process to Apply Native Timber Exemptions



## Walkover technique

Walking machines through plants in the wild is determined as **incidental damage** and not directed at damaging the plants, even if there is a PPHRA present.

The **walkover technique** includes walking machines to commercially fell timber, and snigging and/or extracting commercial logs on existing tracks, and avoiding disturbance.



*Example of walkover method*

The following activities are **not** compliant with the walkover method:

- Widening landings, tracks and roads.
- Deliberately pushing over vegetation.
- Deliberate disturbance to *known* protected plants.



*Example of already cleared landing*

## Step 2B

Where clearing is required: Request a flora survey

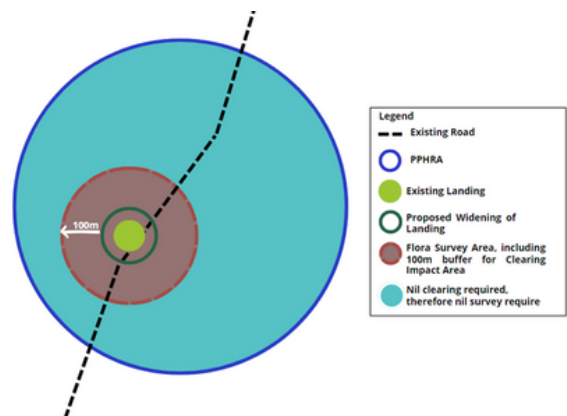
### Clearing impact area

The clearing impact area is defined as the exact area to be cleared within the PPHRA, plus an additional 100m buffer zone.

### Flora survey

A flora survey is triggered when clearing is to occur within a PPHRA. The flora survey is undertaken within the area to be cleared within the PPHRA and the surrounding **clearing impact area**, when clearing cannot be avoided, and no native forestry exemptions apply.

Flora surveys aim to identify whether protected plants are present within the PPHRA and clearing impact area.



A flora survey is conducted in accordance with the Flora Survey Guidelines (available online).

The Flora Survey Guidelines identify specific controls including:

- A suitably qualified person must complete the flora survey, typically a botanist or ecologist. (See section 4.2.1).
- Identify the flora survey method.

## Step 2C

### Where clearing is required: Request a flora survey (DAF's role)

If a flora survey is required, then the permittee and operator need to discuss with DAF.

#### DAFs Role in PPHRA

- Can assist with identified existing infrastructure and already cleared areas.
- If clearing is required:
  - Organise and conduct a flora survey.
  - Prepare an Impact Management Plan and permit report\*.
  - Provide guidance on future steps after the flora survey is completed, whether not found or found.
  - Conduct inspections on operations to ensure activities are compliant.

\*Impact Management Plans and Permits are unlikely to occur due to the time and complexity

#### Information to provide DAF

- A map or another method of showing the area that requires clearing.
- Decision making process to show that avoided clearing has been assessed.
- A site visit may be required prior to conducting the flora survey with a DAF representative (FRIC).

It is important that pre-planning occurs and the requirement for a flora survey is identified early.

This is a complex process, and DAF requires notice to conduct this process.

## Step 3

### If protected plants are found/not found during the flora survey

#### Not Found

If a protected plant is not found within the clearing impact area, DAF will advise DES and clearing can proceed within 7 days and no later than 12 months after the survey is complete.

Conduct forest operations with usual vigilance for potential CEEVNT flora.

#### Found

If protected plants **are found** during the flora survey and clearing cannot be avoided, further actions are required.

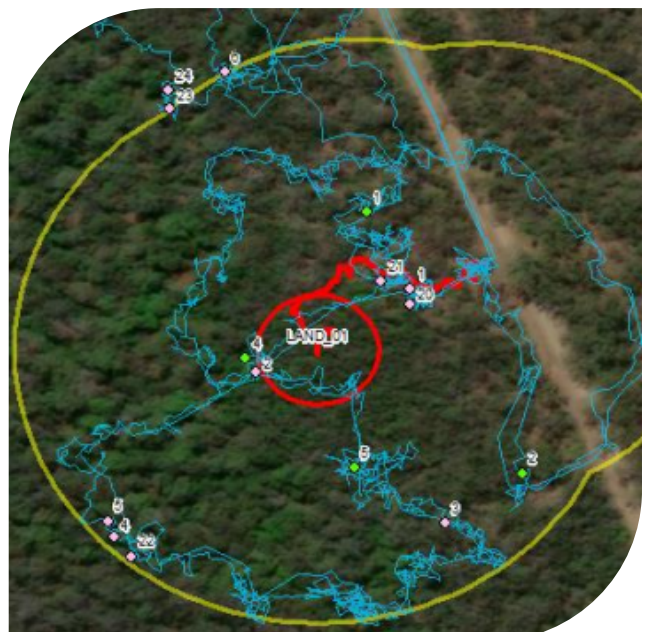
DAF will need to apply for a **protected plant removal permit**; or an exclusion may be enacted and the activities will not be able to occur within the PPHRA.

If the removal permit is **approved**, clearing activities must occur within one year. If the permit is **declined**, clearing must not occur.

#### Additional comments

Caution must still be applied when conducting operations within the area.

#### Additional actions may be required if the species is listed under the EPBC Act.



*GPS tracking for completed flora survey within clearing impact area*

## Legislation

This document draws from:

### *Nature Conservation Act 1992*

- Lists species status specific to Queensland under the codes:
  - extinct
  - extinct in the wild
  - critically endangered
  - endangered
  - vulnerable
  - near threatened
  - special least concern
  - least concern.
- These are commonly referred to as CEEVNT species and generally have a Species Management Plan associated with them. Controls of both Protected Plants legislation, and the SMP need to be applied.

### *Nature Conservation (Plants) Regulation 2020 (The Regulations)*

- Legislation that regulates activities in Queensland.
- Provides a Protected Plants Framework and identifies exemptions and allowable activities.
- Categorises two types of *plants*:
  - Plants in the wild and
  - Plants in timber plantations

### *Flora Survey Guidelines - Protected Plants*

- Outlines steps for undertaking flora surveys.

### *Other information*

Protected Plants Flora Survey Trigger areas can be publically found on:

- QGlobe
- Maps can be requested from DES.

### **Acknowledgments**

This field guide is a product of Timber Queensland's Native Forest Operations capacity building project, funded by the Queensland Department of Agriculture and Fisheries.

### **Disclaimer**

Information provided in this document is for general guidance only, it does not replace the prescriptions outlined in Commonwealth and State Government legislation. This field guide has been developed for Queensland state forests, however some of the information and controls may assist private native forestry operations to meet legal obligations.