

PROJECT PHOENIX



Psst...
**EVERYTHING YOU
WANTED TO KNOW
ABOUT NATIVE SEED
LICENSING**



PROJECT SUMMARY

JUNE 2021

Across all of our Project Phoenix activities and actions we pay respect to the Traditional Owners and Custodians of the lands and waters on which we work. We honour the resilience and continuing connection to country, culture and community of all Aboriginal and Torres Strait Islander people across Australia. We recognise the decisions we make today will impact the lives of generations to come.

First published 2021
Project Phoenix
Greening Australia (National Office)
Level 3, 349 Collins Street
Melbourne VIC 3000
Tel: 1300 886 589
Email: phoenix@greeningaustralia.org.au
Website: www.greeningaustralia.org.au

ISBN: xxx-x-xxxxxx-xx-x (Book)
xxx-x-xxxxxx-xx-x (epub)

Author: Zoe Birnie, Technical Lead, Greening Australia
Title: Psst... Everything you wanted to know about native seed licensing

Copyright © Project Phoenix 2021
Cover by Kerry O'Flaherty, Design Consultant
Internal design by Kerry O'Flaherty, Design Consultant
Proofread by Puddingburn Publishing Services

This report is copyright. Except for private study, research, criticism or reviews, as permitted under the *Copyright Act 1968* (Cth), no part of this report may be reproduced, stored in a retrieval system or transmitted in any form or by any means without prior written permission. Enquiries should be made to phoenix@greeningaustralia.org.au.

Project Phoenix is supported by the Australian Government's *Wildlife and Habitat Bushfire Recovery program* and coordinated by Greening Australia.



Australian Government



ACKNOWLEDGEMENTS

This paper would not have been possible without the guidance and support of Samantha Craigie. This research was supported by interviews with on-ground seed collection practitioners and state Department professionals and I am very grateful for their contribution. The expertise of all contributors improved this paper in many ways, and saved me from many errors. This paper was written to the best of my ability with the resources available, but I recognise errors may still exist and I welcome feedback on those.

Greening Australia would like to acknowledge the hard work and dedication of the Project Phoenix Management Team: Samantha Craigie, Patricia Verden, Brian Ramsay, Irene Walker, Courtney Sullivan, Rowan Wood, Paul Della Libera, Kim Philliponi and Ella Campen.



CONTENTS

EXECUTIVE SUMMARY	5
About the project	5
Scope	5
Introduction	6
Issues	6
Comment.....	6
Key output.....	6
Outcomes	7
Findings	8
Evidence	9
RECOMMENDATIONS.....	10
WANT TO KNOW MORE?	11



EXECUTIVE SUMMARY

About the project

Seed licensing has been identified by industry participants as a current issue and a barrier to future scaling up of the native seed industry in response to increasing seed requirements.

In the context of licensing, this project reviews legislative framework constraints that impact upon industry capacity to secure requisite seed by each state and territory, and looks at how they relate to different land tenures.

Consideration of the constraints for both wild seed collection and seed production area set-up are components of this Report.

Scope

The scope of this project was to:

- understand the legislative framework constraints to scaling associated with wild seed collection
- understand the legislative framework constraints to the establishment of seed production areas and
- compare and contrast state-based systems (and federal) to allow recommendations to be made.



Introduction

This project is intended to summarise key aspects of the licensing systems within Australia that pertain to seed collection and highlight areas that could be improved in order to increase the access to and supply of native seed for large-scale restoration.

Issues

It was more difficult than initially anticipated to get in contact with some state and territory government departments and also to obtain completed questionnaires from the appropriate licensing team within individual jurisdictions' seed licensing systems.

The small number of questionnaires returned caused a setback in terms of the completion date of the report and also impacted the quality of analysis. Analysis was therefore carried out using the limited responses we received, and this was documented as a limitation within the report.

This report is the first of its kind to undertake a large-scale review of all licensing systems within Australia and thus comes with its own set of limitations. Namely, we were unable to derive licensing data or similar information from academic literature. Since the completion of this report, we have sought to obtain data on licensing from the NSW Government which can be later included in the report as a variation.

Comment

Not applicable



Key output

A report detailing the licensing systems and legislation that govern wild seed collection within each state and territory in Australia. This report identifies the key factors that underpin licensing systems and sheds light on the constraints and opportunities of the licensing systems according to on-ground practitioners.

Outcomes

This project conducted a review of licensing systems and legislation that govern wild seed collection across Australia's states and territories, seeking to identify barriers that restrict seed collection in the context of scaling up landscape restoration.

This review consisted of a series of interviews with Greening Australia internal staff as well as key external personnel within the seed industry. These groups and number of responses are summarised below in Table 1.

Table 1: Summary of sample sizes for key groups within the seed sector interviewed as part of this review.

GROUP	SAMPLE
Internal Greening Australia Staff	7
External seed collectors	6
State and territory department representatives	4



Findings

This research was able to identify that seed collection is managed at the state and territory level and is governed by the respective legislation (e.g. *Flora and Fauna Guarantee Act 1988*). More broadly, these systems must also align to the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999*. While it was outside of the scope of this project to review the legislation in detail, it was nevertheless identified that the legislation predominately sets out penalties for non-compliance. Additional plans and guidelines have also been published to provide a detailed outline of individual licensing systems.

This research provides key insights into seed collection licensing and legislation in Australia. Specifically, it highlights that there are large differences in licensing systems across the states and territories. Perhaps more importantly, it also reveals that there are various elements that contribute to these systems which were assessed as not fit-for-purpose, especially as the native seed sector scales up to meet restoration demand.

As we enter the UN Decade of Restoration, we know that we are going to need a lot of seed to grow plants to restore and safeguard degraded landscapes across Australia (and the globe), and to mitigate and adapt to the unpredictable impacts of climate change. We need to obtain this seed in a sustainable manner from wild populations so as not to further degrade our existing landscapes, and this will require key changes within the native seed sector.

Key findings from this research include:

1. The seed licensing systems are technologically outdated, which could have flow-on effects for data management, analysis and tracking, and enforcing compliance.

Most licensing systems in Australia rely on paper-based application and reporting systems. This highlights a duplication of effort across the lifecycle of these processes when compared to an online system that is able to instantaneously deliver and store data. An online system would help to ensure data completeness through building in 'mandatory fields'.

2. Data is typically not collated to a single source, reporting of returns data is not always mandatory nor is it complied with, and there are large gaps in data.

None of the departments that responded to our questionnaire were able to disclose the total amount of seed that was either intended to be harvested or was harvested for a calendar or financial year. These gaps in data highlight a technological constraint of the current licensing systems, and raise questions on how effectively compliance is tracked and enforced and indeed, whether seed is in fact harvested sustainably.



3. There is a lack of regulation on seed quality.

There are currently no standards or regulations for mandatory testing for native seed. Therefore, it is likely that seed with low viability and poor genetic quality is entering the native seed market. In fact, one respondent recalled an instance where seed which had been sold into the market was tested and found to have a viability of 0%. As we know, seed is a limited resource. Therefore, it is crucial that it is harvested and applied in an optimal manner.

4. Native seed licensing is siloed in its approach to policy-making and adaptive management (or lack thereof).

A lack of cross-sector collaboration and two-way knowledge sharing was identified as a constraint in terms of optimising seed licensing in a way that will align to the scaling up of the native seed sector. This is evident across the lifecycle of licensing. For example, there are often long turnaround times (ranging from 2–4 weeks to many months) for on-ground practitioners to receive licence approval or renewals. For many on-ground practitioners, seed collection is their livelihood, therefore delays in licensing can directly affect their operations.

Additionally, like many environmental activities, the seed collection window is seasonal, often short, and can follow inter-yearly patterns. This means that harvesting seed when it is viable and plentiful needs to be somewhat opportunistic. The process for practitioners to ensure compliance with licensing before taking advantage of these opportunistic harvests reportedly differed regionally, and some respondents noted that the complexity of receiving licensing confirmation had previously resulted in harvest windows being missed.

Evidence

This research reviewed publicly available licensing information (legislation, guidelines and management plans) and made a qualitative assessment of the constraints of the respective licensing system.

Additionally, a qualitative analysis of responses to over-the-phone and email questionnaires was conducted with on-ground practitioners from around Australia.

A complete list of references is provided in the full report *Psst... Everything you wanted to know about native seed licensing*.



RECOMMENDATIONS

The key findings of this research have been used as a basis to develop the following three recommendations with regard to native seed licensing across Australia.

RECOMMENDATIONS

1

Integrate new technologies including implementing:

- online application systems
- smart data management and reporting systems to streamline licensing returns data management and increase the ease with which this data can be analysed and reported for the benefit of the native seed sector.

2

Make licensing systems more conducive to ecological outcomes by:

- simplifying the licence structure to a 'driver's licence model'
- supporting the development of a National Standard for Seed Quality and Code of Conduct for the supply of native seed within Australia that builds off the *FloraBank Guidelines*
- aligning licensing systems to formalised training and testing.

3

Improve cross-sector collaboration to inform an adaptive management approach for native seed as the industry evolves, through the development of a committee that reports to decision-makers.



WANT TO KNOW MORE?

For further information read the full report *Psst... Everything you wanted to know about native seed licensing*.

Related projects

- *Australian native seed production in 2021*
- *Everything you wanted to know about access to land for native seed collection*
- *Do we need a National Seed Code of Practice?*
- *Native seed transfer zones in Australia — How far can seed go?*
- *New FloraBank training for the Native Seed Sector*

This project contributes to the evidence base for a ten-year strategy to guide the native seed and landscape sector. The document, which is untitled until endorsement in September 2021, is referred to as the Strategy in all Project Phoenix publications.



PROJECT PHOENIX

