



Australian Government

Department of Agriculture



State Specific Guideline for Queensland

This Guideline has been prepared by the Australian Government and the Queensland Government. It is intended to assist processors from Queensland, who process raw logs into another form, in understanding the regulatory framework in Queensland in order for them to carry out their due diligence obligations under the *Illegal Logging Prohibition Regulation 2012*, which supports the *Illegal Logging Prohibition Act 2012*.

This Guideline was co-endorsed by the Australian and Queensland Governments
on 16 June 2015

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Who is a processor?

For the purposes of *Illegal Logging Prohibition Act 2012* (the Act), a processor is a person who processes Australian grown raw logs into something other than a raw log. This includes activities such as the processing of Australian grown raw logs into woodchips, sawlogs, pulp, or other timber products.

The Act also specifies that a processor needs to be a constitutional corporation, or a person processing the raw logs:

- on behalf of a constitutional corporation, the Commonwealth or a Commonwealth authority
- for trade with other countries or between Australian states or territories; or within a state or territory.

Entities which are not constitutional corporations, and therefore not regulated under the Act, include:

- state authorities not established as a body corporate
- partnerships
- unincorporated associations
- individuals.

Product sourced interstate

The Australian Government developed state specific guidelines in collaboration with relevant government officials in each state to provide information on the laws in force **in the place of harvest** to assist processors to carry out due diligence obligations. For processors who source raw logs interstate, they should refer to the state specific guideline developed for the state the timber was harvested in.

The guidelines allow processors to identify the information they can obtain in order to be confident that the raw logs they process present a low risk of having been illegally logged.

What is required under the new law?

The Act restricts the movement of illegally logged timber into Australia at the border, for imported timber and timber products; and at timber processing mills, for domestically grown raw logs.

The Act seeks to address the harmful environmental, social and economic impacts of illegal logging, including forest degradation, habitat loss and threats to sustainable livelihoods.

The Act defines illegally logged as:

'...in relation to timber, means harvested in contravention of laws in force in the place (whether or not in Australia) where the timber was harvested.'

The *Illegal Logging Prohibition Regulation 2012* (the Regulation) prescribes due diligence for the regulated community, that is, Australian importers of regulated timber products (for the purposes of the Act, a regulated timber product is a product listed in Schedule 1 to the Regulation) and Australian processors of domestic raw logs. Under the Regulation, the regulated community has to undertake a due diligence process to minimise the risk of sourcing illegally logged timber.

Due diligence requirements for processors include the following steps:

- Step 1:** Information gathering
- Step 2:** Assessing and identifying risk against a timber legality framework (optional) or a state specific guideline (optional)
- Step 3:** Risk assessment (if required)
- Step 4:** Risk mitigation (if required)

Further information about the Act and the Regulation is available at www.agriculture.gov.au/illegallogging.

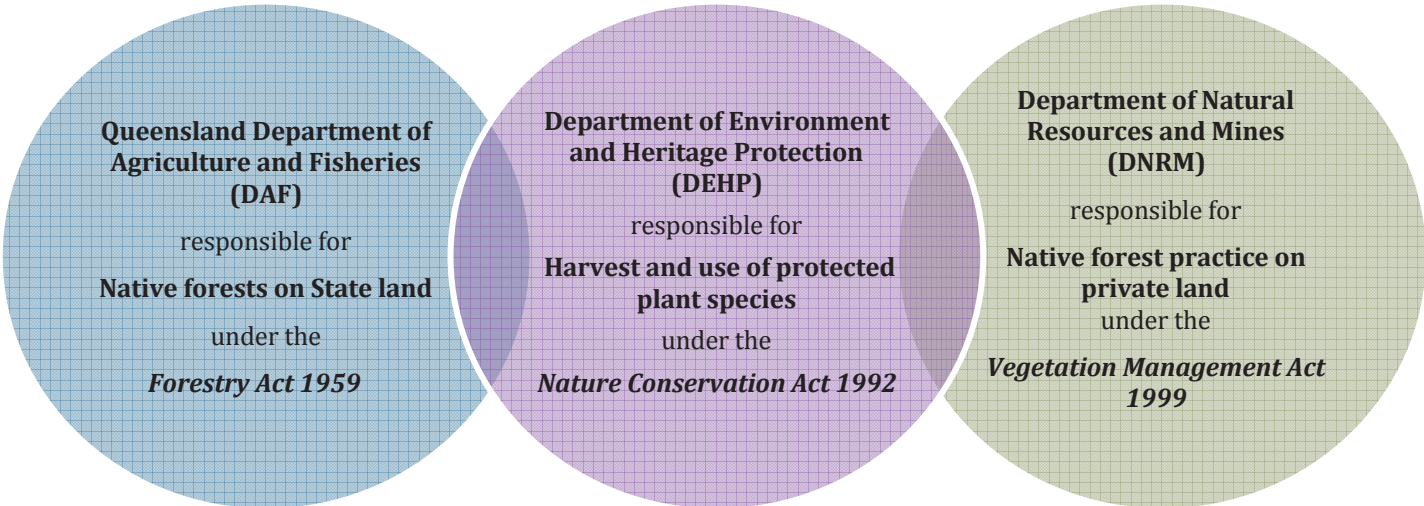
This guideline is intended to assist a processor of Australian raw logs from Queensland to comply with the due diligence requirements of the Regulation.

Information or evidence listed in this guideline is not an exhaustive list of evidence or documentation required to satisfy due diligence requirements under the Regulation. The Regulation should be referred to for a complete list of the information required to be gathered to satisfy due diligence requirements.

Information gathered by applying this guideline, along with any other information gathered in accordance with the Regulation, needs to be assessed in accordance with the processes outlined in the Regulation to identify the risk that a regulated timber product is, is made from, or contains illegally logged timber.

How timber harvesting is regulated in Queensland.

Timber harvesting in Queensland is regulated by the *Forestry Act 1959*, the *Nature Conservation Act 1992*, the *Vegetation Management Act 1999* and associated policies and codes. The relevant government departments and the applicable laws they are responsible for are:



Forestry Act 1959

Native forests on State land

The State owns the native forest timber on State land and can authorise the harvesting of State-owned timber under the *Forestry Act 1959* (Forestry Act). State land includes State forests, timber reserves, forest entitlement areas, local government road reserves and various land leased under the *Land Act 1994*. The Department of Agriculture and Fisheries (DAF) administers the Forestry Act and is the principal provider of native timber sourced from State land.

Native forest timber on State land sold or provided to a log processor must be authorised under the provisions of the Forestry Act. The authority will be in the form of a **sales permit**, which specifies the location, species, quantity and conditions under which the log timber can be harvested (see [Attachment A](#)). A record of the species, quality and quantity of log timber removed must be recorded on an accountable **docket** prior to being transported to the processor (see [Attachment B](#)).

The State charges the processor for the value (royalty) of logs removed under an applicable sales permit and issues a tax invoice itemising the area from which the logs came from, the species, quality, quantity and value (see [Attachment C](#)). The State oversees, monitors and audits compliance with the terms and conditions of the sales permit and the *Code of practice for native forest timber production on the QPWS forest estate 2014*, and to verify the species, quality and quantity of logs removed from a specified location on State land.

Private plantations on State land

Plantation forests on State land in Queensland are managed, grown and harvested by [HQPlantations Pty Ltd](#) (HQP), a private company, which was granted a 99-year plantation licence issued under the Forestry Act by the Queensland Government in 2010. This means that HQP now owns the plantation forests and log timber on the areas covered by the licence - although the land underlying these plantations and associated native forest buffer areas is still State land.

HQP sells plantation timber to processors under commercial supply agreements.

A record of the date, species, product grade, quantity and relevant sustainable forest management certification of log timber removed from the harvest area is recorded on a **load docket** prior to being transported to the processor. HQP charges the processor for the value of logs removed under the commercial supply agreement and issues a **tax invoice** itemising the harvesting location, the species, quality, quantity, value and depending on the nature of agreed chain of custody arrangements with the customer, and the relevant sustainable forest management certification(s).

Verification of the legality of logs sold by HQP is undertaken as part of regular, independent third party certification reviews to both the [Australian Forestry Standard](#) and [Forest Stewardship Council](#) sustainable forest management standards. HQP also directly oversee, monitor and audit compliance with the terms and conditions of the commercial supply agreement to verify the species, quality and quantity of logs removed from the specified plantation forest.

Vegetation Management Act 1999

Under the *Vegetation Management Act 1999*, native forest harvesting on freehold land must comply with the practices in the *Managing a native forest practice – a self-assessable vegetation clearing code* (the code). The code applies to areas shown as Category B on the regulated vegetation management map (available at www.dnrm.qld.gov.au).

The code provides for the selective harvesting of native timber on freehold and Indigenous land for the purpose of producing value-added products (other than woodchips for export) for an ongoing forestry business. The code specifically requires that landholders maintain documentary evidence of the sale of products.

Before harvesting commences, the owner of the land must notify the Department of Natural Resources and Mines (DNRM) using the **Vegetation management notification form for self-assessable vegetation clearing codes** (see [Attachment D](#)).

Nature Conservation Act 1992

The *Nature Conservation Act 1992* (Nature Conservation Act) prohibits harvesting on the protected area estate (e.g. National Parks) and regulates the harvesting of restricted plant species (those species classified as endangered, vulnerable, near threatened and special least concern) on all other tenures in Queensland.

Harvesting of protected plant species prescribed as restricted plants (e.g. native sandalwood - *Santalum lanceolatum*) must satisfy the relevant legal requirements and be authorised under the Nature Conservation Act. The authority is in the form of a **protected plant harvesting**

licence (see [Attachment E](#)). The licence must be obtained prior to conducting any harvesting of restricted plants.

More information on the legislative requirements concerning protected plants under the Nature Conservation Act can be found at the Department of Environment and Heritage Protection website at www.ehp.qld.gov.au.

Other relevant laws that relate to legal timber

Local government planning schemes

Log timber sourced from privately owned native forest and plantations on freehold land may be subject to local government requirements implemented through planning schemes.

Identifying legal product from Queensland

State Land

Native forests on State land

Documentation that may assist processors to undertake their due diligence requirements for native forest sourced logs from State land includes:

- A sales permit ([Attachment A](#)), which is identified by a unique number, issued under the Forestry Act specifying who the sales permit has been issued to and the general area of harvesting supply zone, species, type, quality and quantity of logs to be harvested.
- A tax invoice ([Attachment C](#)) issued by the State of Queensland through the Department of Agriculture and Fisheries (DAF) for payment of a royalty owing for harvested native log timber, itemising the area from which the logs came from, the species, quality, quantity and value as well the sales permit, identified by its invoice number, under which the logs were lawfully sourced.

Private plantations on State land

Documentation that may assist processors to undertake their due diligence requirements for plantation log timber sourced from the HQP plantation licence area includes:

- A commercial supply agreement with HQP specifying the locations, species, quality and quantity of logs to be harvested
- A tax invoice issued by HQP for the purchase of harvested plantation log timber specifying the area from which the logs came from, the species, quality, quantity, value and the relevant sustainable forest management certification number and removals docket number/s.

Freehold land

Documentation that may assist processors to undertake their due diligence requirements for native forest sourced logs from remnant forests on freehold land includes:

- An emailed confirmation of lodgement including the lodgement reference number, received from DNRM, confirming that the Vegetation management notification form for self-assessable vegetation clearing codes (Attachment D) has been provided to DNRM for managing a native forest practice.

Harvesting protected plants

In addition to the legal requirements outlined above that relate to specific land tenure, if restricted plants (as defined by the Nature Conservation Act) are harvested, whether it is from freehold or State land, further documentation will be required. The documentation that may assist processors to undertake their due diligence requirements for raw logs sourced from restricted plants is a **Protected plant harvesting licence** (see Attachment E) under the Nature Conservation Act, specifying the location, species and quantity to be harvested within the specified time period.

The processor may be required to keep a record of the details of the transaction. More information on the record-keeping requirements can be found in the *Nature Conservation (Wildlife Management) Regulation 2006* available at www.legislation.qld.gov.au.

Local government planning schemes

The required evidence, if any, will depend on the local government planning requirements relevant to the area from which the logs are sourced. Processors are advised to contact the relevant local government.

Relevant government resources

Queensland legislation, policies and codes

Forestry Act 1959:

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/F/ForestryA59.pdf>

Land Act 1994: <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/L/LandA94.pdf>

Vegetation Management Act 1999:

<https://www.legislation.qld.gov.au/LEGISLTN/ACTS/1999/99AC090.pdf>

Nature Conservation Act 1992:

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/N/NatureConA92.pdf>

Managing a native forest practice – A self-assessable vegetation clearing code:

<https://publications.qld.gov.au/storage/f/2014-08-04T23%3A17%3A15.199Z/managing-native-forest-practice-code.pdf>

Relevant non-government resources

Forest Stewardship Council Australia

Public certificate search: info.fsc.org/

Australian Forestry Standard Ltd

Find certified: www.forestrystandard.org.au/find-certified/find-certified

Who should I contact for further information?



Australian Government
Department of Agriculture

Department of Agriculture

GPO Box 858
Canberra City ACT 2601
Phone: 02 6272 3933

www.agriculture.gov.au/illegallogging

illegallogging@agriculture.gov.au



Department of Agriculture and Fisheries

GPO Box 46
Brisbane QLD 4001
Phone: 07 3896 3111

forestproducts@daf.qld.gov.au

Example of sales permit



SALES PERMIT xxxxxxxxx
FOR GETTING OF HARDWOOD SAWLOGS / POLES / GIRDERS
/ CYPRESS SAWLOGS

Issued to

[PERMITTEE NAME]
(ACN xx)

Department of Agriculture, Fisheries and Forestry
GPO Box 46
Brisbane QLD 4001
Australia

SALES PERMIT XXXXXXXXX

**FOR THE GETTING OF HARDWOOD SAWLOGS / POLES / GIRDERS / CYPRESS
SAWLOGS**

GRANTED BY: THE STATE OF QUEENSLAND as represented by the Chief Executive,
Department of Agriculture, Fisheries and Forestry (ABN 66 934 348 189) of Level 6,
80 Ann Street, Brisbane, Queensland 4000 ("the Chief Executive").

TO: [PERMITTEE NAME] (ACN xxxx) of [ADDRESS] ("You").

BACKGROUND:

- A. You have been issued a Sales Permit, under the provisions of the *Forestry Act 1959*, for getting hardwood sawlogs / poles / girders / cypress sawlogs located on a specified part of Lot x on Plan xxx, which is also known as xxxx.
- B. The Chief Executive has granted You this Sales Permit under sections 46 and 56 of the *Forestry Act 1959* ('the Act'), by which the Chief Executive agrees to sell and You agree to purchase hardwood sawlogs / poles / girders / cypress sawlogs in accordance with the terms and conditions of this Sales Permit and the Act.

Examples of [public native forest] accountable removal docket

Forest Products
 Department of Agriculture, Fisheries
 and Forestry

NATIVE FOREST SAWLOG DOCKET

(to be completed before sawlogs leave the Sale Area)

Docket No.

B

Page of
 (if more than one page per load)

Sales Permitt No. [ⓐ] Sale Area Unit [ⓐ]

Docket initially completed by:[ⓐ]

1	Cutter - Initial Classification	<input type="text"/>
2	Cutter - Duf Report	<input type="text"/>
3	Truck Driver	<input type="text"/>
4	Purchaser's Representative	<input type="text"/>
5	Forest Officer - Initial Classification	<input type="text"/>
6	Forest Officer - Missing Logs	<input type="text"/>

Final classification by:[ⓐ]

7	Cutter	<input type="text"/>
8	Purchaser's Representative	<input type="text"/>
9	Forest Officer	<input type="text"/>

Purchaser
 Mill Destination
 Cut Contractor
 Snig Contractor
 Haul Contractor
 Muid

* Tick appropriate box, include accreditation or crown hammer code and sign below

Time of Loading am/pm Area Code
 Truck Rego No.

Signature.....
 Date [ⓐ]
Measure or Loading Date

Signature.....
 Date

SEQ No.	Log Number	Length (M x 10)	Centre Diameter	Species Code	Initial Classification	Cutter's Code	Final Classification	Remarks	Debar	Mill No.
01										
02										
03										
04										
05										
06										
07										
08										
09										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										

Re-Inspection Use Only

28										
29										
30										
31										
32										
33										
34										

Totals

DAFF Measure Crown Hammer [ⓐ] Dates Received Checked Entered
 Use Only

FOREST PRODUCTS
Department of Agriculture Fisheries and Forestry

REMOVAL DOCKET

123456

Permittee:
Delivered to:
Product:
Quantity Removed:
.....

Sales Permit No.:
S.F./Lot on Plan:
Cpt./MUID/Locality:
Vehicle Registration Numbers.
Truck.....Trailer 1:
Dolly: Trailer 2:
Loading Date:/...../..... Time: am/pm
Name of Driver:
Signature:



BLUE TO CLIENT
GREEN TO FOREST PRODUCTS
YELLOW RETAINED IN BOOK

Example of [public native forest] Tax Invoice

DRAFT FOR DISCUSSION

Vegetation management notification form for self-assessable vegetation clearing codes

A copy of the notification form is available for downloading from the DNRM website: www.dnrm.qld.gov.au/_data/assets/pdf_file/0020/111593/sac-notification-form.pdf

Department of Natural Resources and Mines

Vegetation management notification form for self-assessable vegetation clearing codes

Important

It is the landholders' responsibility to provide the correct information to ensure notifications are valid.

This form is required if you intend to clear native vegetation under a self-assessable vegetation clearing code. This form must be lodged at a DNRM business centre. Alternatively you can complete an online form at <http://www.qld.gov.au/environment/land/vegetation/>.

1. Landholder details

A landholder includes:

- freehold owner
- lessee, licensee or permittee under the *Land Act 1994*
- holder of the title or tenure to the land
- sub-lessee of a lease under the *Land Act 1994*, subject to the consent of the lessee to make this notification
- lessee of freehold land, subject to the consent of the freehold owner to make this notification.

Note: Some self-assessable codes do not apply to some land tenures. Refer to section 2.3 of each code to see whether the code applies to the tenure of your land.

Name of landholder:	
Preferred name:	
Phone number:	
Mobile phone:	
Fax number:	
Postal address:	
Email Address:	

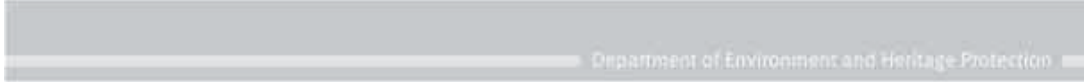
Great state. Great opportunity.



Application form for a protected plant harvesting licence

A copy of the application form for a protected plants harvesting licence is available for downloading from the DEHP website:

<http://ehp.qld.gov.au/licences-permits/plants-animals/documents/ap-wl-pp-harvesting.doc>



Application form

Section 14(b) – Nature Conservation (Administration) Regulation 2006

Protected plant harvesting licence

OFFICIAL USE ONLY

DATE RECEIVED _____

FILE NO. _____

PROJECT REF. _____

COMPLETE FORM: CORRECT AA:

COMPLETE FEE: CONCESSION FEE:

ADMINISTERING DISTRICT _____

ENTERED BY (SIGNATURE) _____

DATE _____

Important information for applicants

This form is to be used to apply for a protected plant harvesting licence. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available on the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on 1300 130 372.

Fees and concessions

In accordance with section 144 of the *Nature Conservation (Administration) Regulation 2006*, reduced fees are available for particular applications. Does the application relate to one of the following purposes?

- An educational purpose; or
- A scientific research purpose; or
- An activity directed at conservation; or
- Clearing to establish necessary property infrastructure; or
- A traditional owner activity.

See section 144 of the *Nature Conservation (Administration) Regulation 2006* for definitions of the eligible purposes.

In accordance with section 155 of the *Nature Conservation (Administration) Regulation 2006*, a fee exemption is available for particular applications. Is the applicant is one of the following:

- A recreational plant society
- A voluntary conservation organisation
- A volunteer community organisation

See section 155 of the *Nature Conservation (Administration) Regulation 2006* for definitions of eligible applicants.

