



Plantations Regulation

Overview of plantation authorisation requirements and available information

Introduction

The *Plantations and Reafforestation Act 1999* (the Act) and *Plantations and Reafforestation (Code) Regulation 2001* regulate plantations on private and crown land. The Act and Code are administered by the Plantations Regulation Unit (PRU) of the Department of Primary Industries (DPI) as delegated by the Minister administering the Act and the Secretary of Department of Regional NSW. The Act requires all plantations greater than 30 hectares in area to be authorised and comply with environmental standards for establishing and managing the plantation.

The purpose of the Act is to:

- facilitate the reafforestation of land, and
- promote and facilitate development for timber plantations on essentially cleared land, and
- codify best practice environmental standards, and provide a streamlined and integrated scheme, for the establishment, management and harvesting of timber and other forest plantations,

consistently with the principles of ecologically sustainable development (as described in section 6 (2) of the [Protection of the Environment Administration Act 1991](#)).

For the purposes of the Act a **plantation** is an area of land on which the predominant number of trees or shrubs forming, or expected to form, the canopy are trees or shrubs that have been planted (whether by sowing seed or otherwise):

- for the purpose of timber production, or
- the protection of the environment, or
- for any other purpose, but not principally for the purpose of the production of food or any other farm produce other than timber.

Public register

The Act requires the Minister responsible for administering the Act (or delegate) to maintain a public register of authorised plantations including the identity of the plantation and description of its location. The Minister may also include any other matters considered appropriate.

The public register of plantations authorisations can be viewed at:

[DPI – Plantations Regulation website](#)

More information about the specifics of a plantation authorisation, including any applicable conditions, can be obtained via the PRU email address, forests@dpi.nsw.gov.au.

What if I am a neighbour of a plantation?

While the Act does not require plantation owners/ managers to formally consult with adjoining land owners, communication with neighbours regarding plantation operations is encouraged. Information about the requirements of the Code can be found on the DPI Plantations Regulation website. You may also contact your local Plantation Assessment Officer for more information or to discuss the plantation operations. You can also discuss the plantation operations and cross boundary management with the adjoining land owner/ manager.

DPI provides some guidance to plantation owners and managers on managing relationships with neighbours. Refer to the *Plantations Regulation – Working with plantation neighbours* information sheet for more information.

Purchasing land

Information regarding the presence of a plantation on parcels of land to be purchased or adjoining parcels of land can be obtained from the PRU by contacting your local Plantation Assessment Officer or emailing forests@dpi.nsw.gov.au. A purchaser may also seek a planning certificate for legal certainty regarding the plantation authorisation and infrastructure contribution liabilities if relevant. The application form for a plantation certificate is available on the DPI Plantations website.

Conditions an authorisation is subject to under the Act

All new complying plantations authorised under the Act must be established and operated in accordance with the *Plantations and Reafforestation (Code) Regulation 2001*. The Code sets out limitations and operation standards to protect the environment and manage risks such as soil erosion. Non-complying plantations undergo additional assessment and may have conditions applied to the authorisation for mitigation of any risks.

The Code contains limitations and conditions with respect of standards for establishment operations and regulation of management and harvesting operations (where applicable).

Standards for establishment of the plantation include standards relating to:

- The protection of soil and water
- The protection of places, objects or items of heritage significance
- The protection of biodiversity
- Bushfire risk mitigation

Regulation of management operations includes:

- Operational plans, records and data
- Regulation of roads and tracks
- Site management
- Protection of places, objects and items of heritage significance
- Managing progressive planting
- Managing retained areas of native vegetation

Regulation of harvest operations (for timber plantations only) includes:

- Slope limits for harvesting operations
- Regulation of log dumps and landings
- Protection of buffer zones

- Restoration of harvested areas
- Regulation of timber extraction
- Wet weather provisions

The PRU work with plantations owners and managers to achieve best practice management of plantation operations. The PRU also undertake an audit program to monitor and manage compliance with the Code.

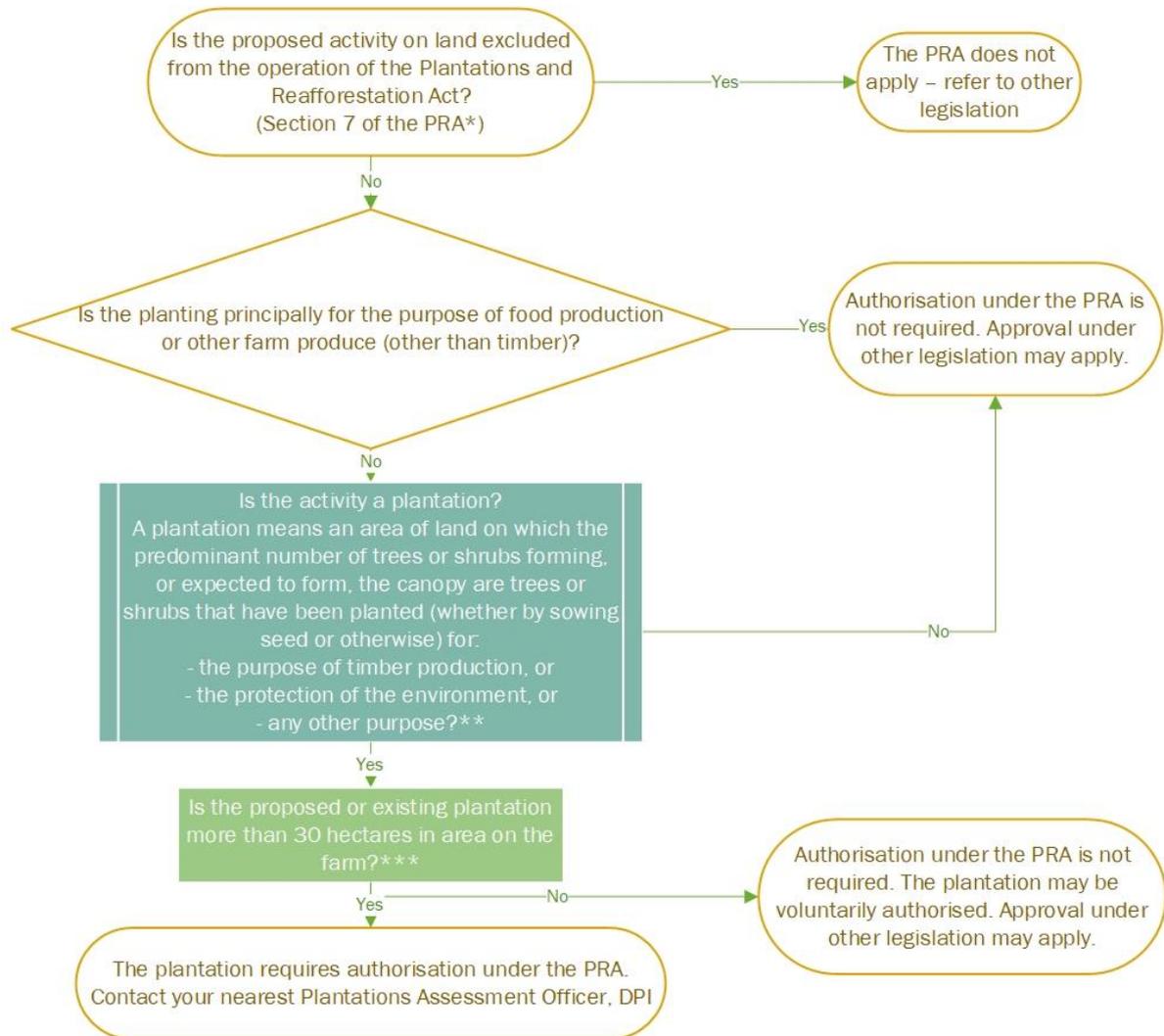
Determining if an authorisation is required under the Act

Figure 1 provides guidance in determining if an authorisation is required under the Act. For more detailed advice or further information, contact your nearest Plantations Assessment Officer at DPI. Contacts are listed on the DPI – Plantations Regulation website.

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Plantations and Reafforestation Act 1999 (PRA)

Is a plantation authorisation required?



*Land excluded from the Operation of the Plantations and Reafforestation Act 1999.

The Act does not apply to the following land:

- (a) land that is within the following local government areas (or part of a local government area) specified in Part 1 of Schedule 1: Ashfield, Auburn, Bankstown, Baulkham Hills, Blacktown, Botany Bay, Burwood, Canterbury, Concord, Drummoyne, Fairfield, Holroyd, Hornsby, Hunters Hill, Hurstville, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Liverpool, Manly, Murrumbidgee, Mosman, Newcastle, North Sydney, Parramatta, Pittwater, Randwick, Rockdale, Ryde, South Sydney, Strathfield, Sutherland, Sydney, Warringah, Waverley, Willoughby, Wollongong, Woollahra
- (b) Land that is within a zone designated "residential" (but not "rural-residential"), "village", "township", "industrial" or "business" under an environmental planning instrument (within the meaning of the Environmental Planning and Assessment Act 1979).
- (c) Land to which State Environmental Planning Policy No 14—Coastal Wetlands and State Environmental Planning Policy No 26—Littoral Rainforests applies (replaced by the State Environmental Planning Policy (Coastal Management) 2018).
- (d) land that is dedicated or set apart as a flora reserve under the Forestry Act 2012 or declared to be a special management zone under that Act,
- (e) land that is declared as wilderness area under the Wilderness Act 1987 or the National Parks and Wildlife Act 1974,
- (f) land that is dedicated or reserved under the National Parks and Wildlife Act 1974,
- (g) land that is subject to a conservation agreement entered into under Division 7 of Part 4 of the National Parks and Wildlife Act 1974,
- (h) land that is subject to an interim protection order made under Part 6A of the National Parks and Wildlife Act 1974,
- (i) land that is declared as a marine park or an aquatic reserve under the Marine Estate Management Act 2014,
- (j) land that is critical habitat under Part 3 of the Threatened Species Conservation Act 1995 (replaced by Biodiversity Conservation Act 2016) or Part 7A of the Fisheries Management Act 1994,
- (k) land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies,
- (l) Lord Howe Island.

The PR Act does not cease to apply to an authorised plantation merely because the land becomes land referred to in subsection (1) after the authorisation was granted.

** A natural forest is not a plantation for the purposes of the Act. However, an area is not a natural forest merely because it contains some native trees or shrubs that have not been planted

*** A farm is an area of land (or contiguous areas of land) owned by the same person/s.