



Plantations authorisations

A guide for applicants

Benefits of plantations

The establishment of forest plantations and reforestation can provide a sustainable timber resource and a diversified source of income for landholders.

Plantations and reforestation can deliver a range of environmental benefits including acting as carbon 'sinks' to offset greenhouse gas emissions. This also creates an additional basis for investment and trade in carbon credits.

Replanting trees on cleared land can restore some of the natural balance of landscapes, and where native species are established, can contribute to biodiversity outcomes. Tree plantings can also provide land management benefits such as windbreaks, reduce salinity and provide a timber source for on-farm infrastructure.

Plantations Regulation

The *Plantations and Reforestation Act 1999* (PR Act) provides a streamlined approval process for timber plantations and also provides certainty for your harvest when the times comes.

The PR Act and *Plantations and Reforestation (Code) Regulation 2001* (the Code) have environmental standards that prevent soil erosion and land degradation and protect biodiversity and cultural values. An object of the Act is to facilitate plantations development on essentially cleared land.

The Code sets clear guidelines for plantation establishment and management. The Code details requirements for:

- the level of permissible clearing;
- protection of rivers and other drainage features;
- protection of cultural sites;
- roading and harvesting operations; and
- fire prevention/safety.

The Department of Primary Industries (NSW DPI) Forestry Policy, Research and Development group, through the Plantations Regulation Unit (PR Unit) is the consent authority for plantations under the Act.

To make an application for authorisation you need to address the following steps.

Do I need an authorisation?

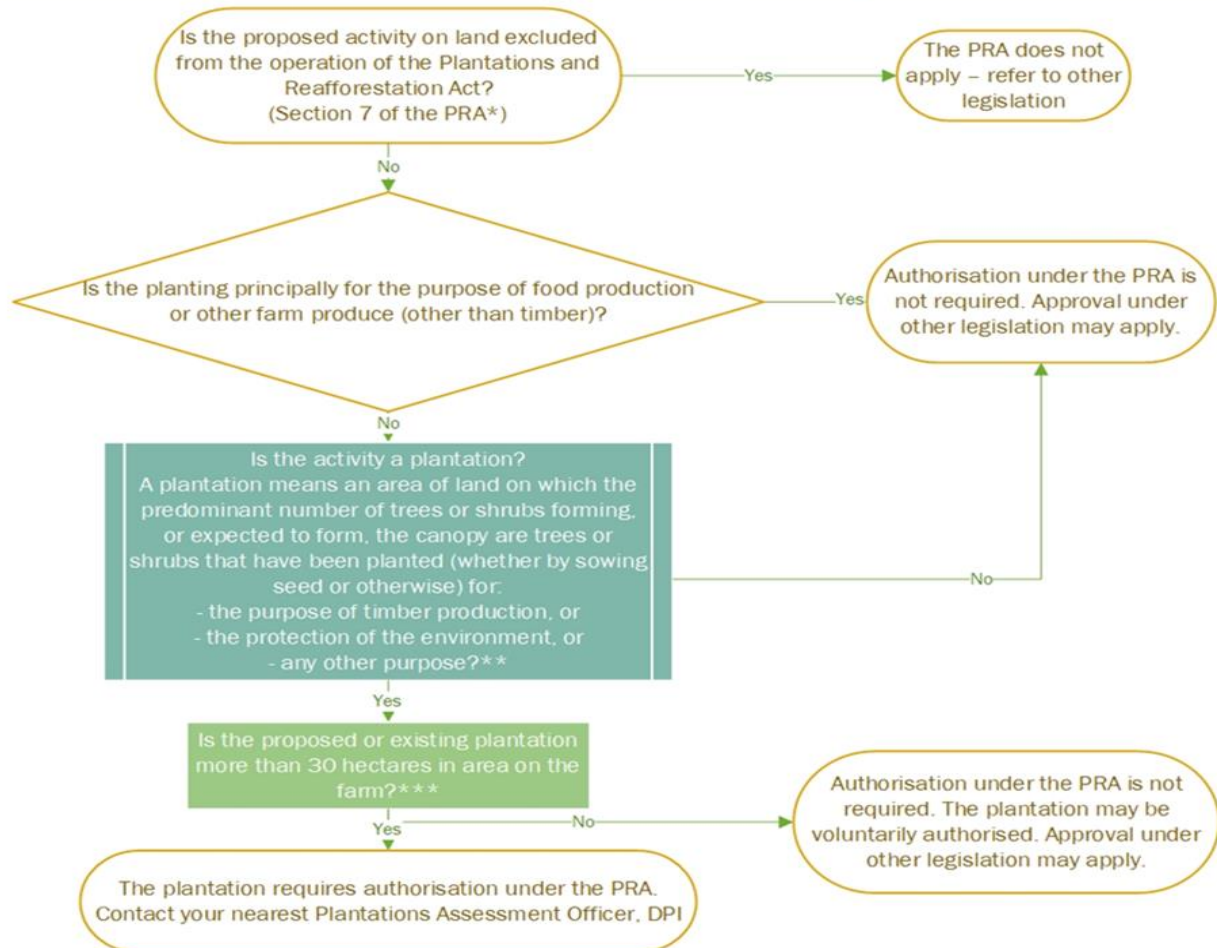
There are two classes of plantations under the Act that require authorisation:

- timber plantations (commercial species for harvest); and

- plantations other than timber plantations (for the protection of environment and not harvested).

There are exemptions for plantations under 30 hectares in area on a property, but many landholders choose to obtain an authorisation to provide legislative certainty for the option to harvest timber.

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, Drummoyn, Fairfield, Holroyd, Hornsby, Hunters Hill, Hurstville, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Liverpool, Manly, Marrickville, 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), 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.

Application steps

Planning a new plantation

Familiarise yourself with the Code and its requirements. You can find a current version of the Code [here](#) or follow the links from the NSW DPI [Plantation forestry web page](#).

What happens next?

After making the preliminary checks outlined above, contact your nearest [Plantation Assessment Officer](#) for advice on your proposal. The Plantation Assessment Officer will guide you through the application process and undertake the relevant assessments.

Plantation Assessment officers can provide information to assist you with the preparation of your proposal, such as:

- an aerial photograph or satellite image;
- information showing lot boundaries for your property;
- maps and technical information on vegetation, habitats and threatened species in the area;
- land resource information, such as rainfall, slope and soil types;
- the existence of any Aboriginal places or objects.

The steps involved in the application process are:

Step 1: The site visit

Step 2: Preparing an application

Step 3: Submitting your application

Step 4: Processing your application

Step 5: Assessment outcome and authorisation

Step 1: The site visit

If you decide to proceed with an application, the Plantation Assessment Officer will undertake a site visit.

At the site visit officers will ensure that:

- you understand the difference between the various categories of plantations;
- both parties have a common understanding of the proposal; and
- all the issues that need to be addressed in the plantation plan are discussed.

You will be advised of the options under the Code and of the plantation category relevant to your proposal.

If your proposal does not meet all the requirements of Part 4 of the Code modifications may be discussed and the proposal modified. If the proposal is not able to meet all the requirements a non-complying application can be made.

Step 2: Preparing an application

The Plantation Assessment Officer will provide assistance in preparing the documentation required to be submitted for the application. An application form and plantation plan are required. The draft documentation will be developed with the assistance of the Plantation Assessment Officer, including the preparation of maps.

If the application does not comply with the Code additional information will be required and additional conditions may be placed on the authorisation.

Step 3: Submitting your application

When you are satisfied the draft documentation, you will complete and sign the application form and submit it with plantation plan and any other applicable supporting documentation to the Plantation Assessment Officer.

If during the assessment process it becomes apparent that the information supplied is not adequate, the officer assessing your application will advise you of the extra information required.

Step 4: Processing your application

Depending on the type of plantation, the application will be processed within the following time frames from the date of submission and payment of the relevant fee:

- 14 days if it is assessed as complying with Part 4 of the Code; or
- 40 days if it is being assessed as not complying with Part 4 of the Code.

More time is required to assess non-complying applications because of additional checks and assessments.

If the application is assessed as having a potentially significant effect on threatened species, populations, ecological communities or their habitats, a species impact statement in accordance with the *Biodiversity Conservation Act 2016* may be required.

The Plantation Assessment Officer assessing your application will advise you of its progress and include you in discussions for solutions to more complex assessment issues.

Step 5: Assessment outcome and authorisation

The application will be determined as follows:

- authorised;
- authorised with conditions; or
- refused.

If authorised, you will receive:

- a statement of authorisation, with conditions if appropriate;
- a map confirming details of the plantation plan; and
- a copy of the Code.

If your application is refused, you will receive a letter confirming this.

You may appeal to the Land and Environment Court within 28 days after the date of the decision if you disagree with the outcome.

Existing plantations

If you have an existing plantation, established legally prior to commencement of the PR Act, authorisation under the PR Act is not required, but you may choose to have it authorised.

However, authorisation is required for future rotations. This means that if you have an existing plantation, you will need authorisation in order to re-establish it after harvesting. Once you have obtained authorisation, it will remain valid through future rotations.

Applications for existing plantations will be authorised if the plantation was legally established in accordance with the *Environmental Planning and Assessment Act 1979*, or any other relevant law, and the planted trees are or will form the predominant component of the canopy.

If your existing plantation was authorised under the *Timber Plantations (Harvest Guarantee) Act 1995*, it is automatically taken to be authorised under the PR Act, and the provisions within the Code apply and any conditions of the accreditation continue to apply.

Want more information?

The PR Act and the Code are available to view on the [Plantation forestry web page](#).

Plantations Regulation Unit – authorisation and audit team

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