



NSW Plantations Regulation

Plantations in NSW

Plantations are areas of land on which the predominant trees and shrubs are planted (by sowing seed or otherwise) for timber or non-timber purposes including environmental restoration, biodiversity conservation and carbon sequestration. A plantation can range in size from small farm forestry plantings to large commercial timber and carbon plantings.

Plantations can be on private or public land and include a wide range of species including radiata pine and native hardwoods. Due to the unmet community demand for timber and wood fibre, expansion of the plantation estate is needed to provide essential timber and fibre for the community and multiple environmental benefits including carbon sequestration.

Plantations Benefits

Plantations on farms provide an alternate or additional revenue stream to land managers through carbon projects, timber production or other uses such as bushfoods or tourism.

Plantations can also improve natural resources and can deliver environmental outcomes including increased biodiversity, erosion control, carbon sequestration, salinity management and other landscape benefits. These multiple benefits result in an improved natural resource base.

Plantations also provide a sustainable timber resource that is used for essential products used by the community such as house frames, furniture, paper, poles, and packaging.

Regulatory Framework

In NSW, timber, environmental protection plantings and other non-timber plantations are regulated by the *Plantations and Reafforestation Act 1999* (the Act) and *Plantations and Reafforestation (Code) Regulation 2001*. The Act requires plantations over a total area of 30 hectares on a property to be authorised. Many landholders also choose to authorise smaller plantation areas.

The Act provides a streamlined approval process for plantations whilst providing certainty for harvest of timber plantations. The Act and Code have environmental standards to prevent soil erosion and land degradation and protect biodiversity and cultural values. An object of the Act is to facilitate plantation development on essentially cleared land.

DPIRD Plantation Regulation

The Department of Primary Industries and Regional Development (DPIRD) Plantations Regulation Team is responsible for authorising and regulating plantations and tree plantings on public and private land under the Plantations and Reafforestation Act and Code. The Team assists landholders and corporate entities to make

practical decisions based on the best scientific information available and assists plantation owners and managers to comply with the Act and Code.

Key information for authorisation of tree and shrub plantings

In NSW tree/ shrub plantings (including the preparation for planting) over 30 hectares in total on a farm and/or plantings that involve clearing of native vegetation require authorisation from the Plantations Regulation Team, Department of Primary Industries and Regional Development. This includes planting for biodiversity or carbon outcomes.

Authorisation is also required for plantings 30 hectares and under in total where the establishment involves clearing of native vegetation (noting the clearing allowed under the Code is limited). Landholders/ forestry right owners may also choose to authorise plantations less than 30 hectares in size.

In NSW the planting of trees and shrubs for timber and non-timber purposes in non-urban areas (other than plantings principally for the purpose of the production of food or any other farm produce other than timber) is regulated by the *Plantations and Reafforestation Act 1999* (the Act). Such plantings are included in the definition of a plantation under the Act.

The authorisation process includes an assessment by the Plantations Regulation Team and site inspection to ensure the protection of biodiversity, threatened species, soil, water and cultural heritage. It also incorporates fire protections with setbacks from habitable buildings and powerlines required. On authorisation the plantation owner/ manager must undertake operations in accordance with the environmental standards of the Code.

The assessment process and authorisation provide several exemptions from requiring approval under other legislation for plantation operations on an authorised plantation. The applicable exemptions are listed in Part 6 of the Act and include exemption from approval under the *Environmental Planning and Assessment Act 1979*.

It is condition of a plantation authorisation that the plantation owner notify the Minister administering the Act when they become aware of the impact or likely impact of plantation operations (including management such as weed control) on unique or special wildlife values of the land. The unique or special wildlife values protections relate to species and communities listed as endangered or presumed extinct and provide additional protections to the threatened species assessment required for authorisation.

For more information go to the DPI Plantations Regulation webpage at <https://www.dpi.nsw.gov.au/forestry/plantations>



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