



# Private Native Forestry information package

The following information has been developed to help you better understand the regulation of native forestry operations on private land, and to outline the steps involved in obtaining an approved Private Native Forestry Plan.

## Overview

Private Native Forestry (PNF) is the management of native vegetation on privately owned land to obtain forest products – including sawlogs, veneer logs, poles, girders, piles and pulp logs – on a sustainable basis. Local Land Services (LLS) holds the responsibility for the PNF approvals and advisory services, aligning the management of native forests on private land with other sustainable land management options – a single point of contact for landholders. The NSW Environment Protection Authority (EPA) maintains responsibility for PNF compliance and enforcement functions.

## Regulation of private native forestry

Under the *Biodiversity Conservation Act 2016* and *Local Land Services Act 2013*, harvesting and associated forestry operations conducted for the purposes of PNF require an approved PNF Plan. PNF operations under a PNF Plan must be conducted in accordance with the relevant PNF Codes of Practice (the Codes).

## The PNF Codes of Practice

The Codes establish a regulatory framework for the sustainable management of private native forests by ensuring that operations improve or maintain environmental values.

The Codes contain provisions for:

- protecting habitat and biodiversity
- protecting catchments by minimising soil erosion and reducing contamination of waterways
- maintaining the forest structure
- protecting Aboriginal and cultural heritage values.

There are four Codes, with each applicable to a particular area within the state, as outlined below:

- Northern NSW – land north of the Sydney CBD, i.e. latitude 33°52'02.71S

- Southern NSW – land south of the Sydney CBD, i.e. latitude 33°52'02.71S
- River Red Gum Forests – forests dominated by *Eucalyptus camaldulensis*
- Cypress and Western Hardwood Forests – Cypress forests are forests dominated by white cypress pine (*Callitris glaucophylla*). Western hardwood forests are predominantly eucalypt woodlands and forests of the Western Plains and Western Slopes of NSW and typically include box woodlands, box-ironbark woodlands, black cypress and eucalypt woodlands, western red gum woodlands and white box – stringybark woodlands.

The Codes can be accessed online via the LLS website: [www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-code-of-practice](http://www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-code-of-practice).

## Did you know?

All four Codes can be found on the Local Land Services website.

Alternatively, why not give our expert staff a call to discuss your specific circumstances on 1300 795 299.



Local Land  
Services

## PNF Plans

Landholders are required to obtain a PNF Plan in order to undertake forestry operations on their land. A PNF Plan is an approval for ecologically sustainable forest management activities to be undertaken on a landholding. The approval contains a satellite image or aerial photograph of the property and identifies the PNF Plan approval area along with any areas that are important to protect, such as rainforest, old-growth forest and drainage features.

Approval to conduct forestry operations under a PNF Plan can currently be granted for a maximum of 15 years and must be conducted in accordance with the relevant PNF Code of Practice.

## Protecting Biodiversity

The Codes have built-in requirements to protect biodiversity, including old-growth forests, rainforests, threatened species, endangered ecological communities, riparian areas, wetlands, and habitat trees (including hollow bearing, recruitment and feed trees). Detailed information and provisions for biodiversity values are outlined in the Codes, including prescriptions for threatened species relevant to PNF activities.

When a landholder applies for a PNF Plan, LLS officers will conduct a range of searches to assist in identifying biodiversity values specific to your property. Given the importance of any findings, LLS Officers will bring these to your attention and discuss in further detail.

### Rainforests

The definition of rainforests, as quoted in the Codes, is: 'A rainforest is tree-dominated vegetation where the tree stratum (over 3 metres in height) which has the greatest crown cover has rainforest species making up 50% or more of the crown cover, except where non-rainforest emergent species (including brushbox and turpentine) occur and exceed 30% or more of the upper stratum crown cover. Rainforest includes all areas of rainforest mappable at a 1:25,000 scale. Rainforest also includes areas exceeding 0.5 hectares occurring as isolated clumps or lineal strips of rainforest trees.'

The above definition means that areas with the following characteristics will be classified as moist eucalypt forest rather than rainforest:

- a mainly closed understorey of rainforest plants greater than 3 metres tall (that is, areas with over 50% crown cover), and
- emergent non rainforest species including eucalypts, brushbox and turpentine, which have a combined crown cover of 30% or more.

### Old-growth forests

The definition adopted<sup>1</sup> in NSW for identifying old-growth forest is: 'Old-growth forest is ecologically mature forest where the effects of disturbance are now negligible'. In applying this interpretation to a forest ecosystem, the following principles apply:

- Ecological maturity is defined by the characteristics of the older growth stages.
- Where data is available on the structural, floristic, and functional qualities that characterise an ecologically mature forest ecosystem, this data should be used to assess the significance of disturbance.
- In most forests, a significant proportion of trees with age-related features and a species composition characteristic of the ecologically mature forest ecosystem will show negligible disturbance effects.

<sup>1</sup> Definition from the Joint Australian and New Zealand Environment Conservation Council/Ministerial Council on Forestry, Fisheries and Aquaculture Implementation Sub-committee (JANIS 1997) National Forest Policy Statement

## Aboriginal objects and places

Aboriginal objects and places are an important part of Australia's shared history. They are significant to Aboriginal people as they provide a direct link with Aboriginal culture and heritage. The NSW landscape displays the evidence of tens of thousands of years of Aboriginal occupation - preservation of this history is vital.

Cultural heritage values in the landscape may be of a non-physical nature and include areas or places where cultural practices are or have been undertaken, and places of importance because of their relevance to cultural knowledge, songs and stories.

The Department of Planning, Industry and Environment (DPIE) maintains a register of known Aboriginal objects and declared Aboriginal places in NSW, called the Aboriginal Heritage Information Management System (AHIMS).

When a landholder applies for a PNF Plan, LLS officers will conduct a basic search of AHIMS. A copy of the results of that search will be provided to the landholder. If the basic search returns a positive result, an extensive search will also be carried out. Given the importance of any findings, LLS Officers will bring these to your attention and discuss in further detail. Detailed information and provisions for protecting cultural heritage values are outlined in the Codes.



## Forest Operation Plan (FOP)

A FOP is a detailed plan of all forestry operations occurring on the land where a PNF Plan has been approved. The FOP will be provided following approval, and consists of a map and template, for completion before operations commence.

A FOP is the key communication tool between the landholder and all forestry operators, to include details about the forest (e.g. type and condition), harvesting methods used, planned regeneration activities, environmental protection measures and road planning. A copy of the FOP must be available on site during all forestry operations and must be read, signed and dated by the landholder and all forestry operators.

Templates and associated guidelines to help prepare a FOP can be downloaded from:

[www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-plans-and-forest-operation-plans](http://www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-plans-and-forest-operation-plans)

## Reporting requirements

The PNF Plan requires landholders to notify LLS prior to the commencement of forest management operations including harvesting operations. There is also a requirement to notify LLS at the completion of forest management operations. Providing LLS with notification helps us to provide you with additional support to help you to achieve your forest management goals, whether it be a harvesting event or using fire to help manage for multiple benefits.

### What are Aboriginal objects?

Examples of Aboriginal objects may include, but are not limited to: campsites, shell middens, scarred and carved trees, stone artefacts, burial sites, natural features, quarries, stone arrangements, axe grinding grooves, stone engravings, rock paintings, and Bora grounds or ceremonial rings.

The *National Parks and Wildlife Act 1974* defines an Aboriginal object as 'any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains'.

## Monitoring of compliance and enforcement

The Environment Protection Authority (EPA) has the responsibility for monitoring and enforcing compliance of PNF operations across NSW. The aim of the EPA's compliance program is to ensure that landholders comply with PNF Plans and the PNF Codes.

The EPA may undertake inspections either as part of a proactive compliance program, or in response to a complaint. Prior to conducting an inspection EPA will contact the landholder or their representative to arrange an appropriate time to inspect the operation.

All aspects of an operation may be inspected during an EPA visit including the FOP, the protection of environmental features, crossings of drainage features, retention of basal area and regeneration.

The EPA does not provide silviculture or harvesting advice, however a request for the EPA to attend your property to assess an operations compliance with the Code may be made by calling the EPA on 131 555.

## Allowable activities

Allowable activities cover a range of routine land management undertakings associated with agriculture, forestry and other common practices in rural areas. Clearing for activities deemed allowable, does not require approval under the *Local Land Services Act 2013*.

There are three (3) Allowable Activity Zones in NSW, the Western, Central and Coastal Zones. The maximum clearing distances for allowable activities are different for each zone. Where land is classed as Category 2 – vulnerable regulated land or Category 2 – regulated sensitive land, allowable activities are limited and reduced maximum clearing distances apply.

Please refer to the LLS website [www.lls.nsw.gov.au](http://www.lls.nsw.gov.au) for further advice on allowable activities or contact an LLS Land Management Officer in your area.



Once a PNF plan is in place the range of Allowable activities is reduced to ensure that forest values are maintained. The range of Allowable activities available in PNF Plan areas include:

- Reduce or remove imminent risk
- Traditional Aboriginal cultural activities
- Planted native vegetation
- Private power lines
- Maximum clearing distances for rural infrastructure

**Note:** Clearing for an allowable activity should be undertaken to the minimum extent necessary, and certain allowable activities, such as Firebreaks and Gravel Pits, are limited or prohibited outside of the Western Zone.

### Additional consents

In addition to an approved PNF Plan, you may require consent from your local council (if this is required by a Local Environment Plan or other planning instrument under the *Environmental Planning and Assessment Act 1979*), in order to conduct forestry operations on your property.

You may also require consent under other legislation, such as the *Rural Fires Act 1997*, *Water Management Act 2000*, or the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* to conduct activities that are associated with forestry operations.



### Next steps

- Head to our website [www.lls.nsw.gov.au/help-and-advice/private-native-forestry](http://www.lls.nsw.gov.au/help-and-advice/private-native-forestry) for further information and practical videos on how to implement PNF.
- Apply for a PNF approval using the provided application form.

Please note, the application cannot be processed without the authorisation of all owners of the property and any holders of forestry rights. Owner details must match lands Titles records and be accompanied with their signature. Where a company is the registered owner of the land, please provide full names and capacity of each signatory authorised to execute the PNF Plan for, or on behalf of that company.

- To assist LLS process your application it is important to provide the correct details and provide a map of your proposed PNF area, where possible. LLS staff can often assist you to find property details and provide guidance around providing a map if required.
- Upon receipt of your application, LLS will assess your application and notify you if there are any issues preventing the issuing of an approval. If your application meets the conditions required by Part 5B of the LLS Act an approved PNF Plan and associated forestry operations documents will be forwarded to you. If the approved plan then requires future amendment or you no longer wish to conduct forestry operations, please contact your nearest PNF officer.

If you need further assistance or wish to discuss any issue not contained in this document, please contact your nearest PNF Officer [www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-officer-contacts](http://www.lls.nsw.gov.au/help-and-advice/private-native-forestry/private-native-forestry-officer-contacts)

**Disclaimer:** This information pack provides general information on PNF and does not constitute formal legal advice. Please seek specific advice from LLS before undertaking any forestry operations on private land.