

The following has been released in relation to a request for information relating to Future Potential Production Forest.

Section 4 of the *Forestry (Rebuilding the Forest Industry) Act 2014* (FRFI Act) establishes a form of land tenure known as Future Potential Production Forest Land (FPPFL).

FPPFL is Crown Land, administered by the Crown Lands Minister (the Minister administering the *Crown Lands Act 1976*). Under the FRFI Act, no native forest harvesting can be undertaken on FPPFL. However, special species timber harvesting, if it is approved by the Crown Lands Minister after October 2017, is excluded from the definition of native forest harvesting. This means that after October 2017, special species timber harvesting is able to proceed in FPPFL, if approved by the Crown Lands Minister, and where it meets certain other legislative requirements, including consistency with a special species management plan.

FPPFL may be converted to Permanent Timber Production Zone Land (PTPZL) after 8 April 2020, however land within the FPPFL may be exchanged with land within PTPZL at any time. An order to convert or exchange land from within FPPFL does not come into effect unless approved by both Houses of Parliament.

No conversion or exchange of FPPFL has occurred since the FRFI Act commenced in 2014.

The Minister administering the *Forest Management Act 2013* (FMA) (currently the Minister for Resources) may request the Crown Lands Minister to consider the exchange of future potential production forest land for permanent timber production zone land. In making a request, the Minister administering the FMA is required to have obtained and have regard to certain information pertaining to the exchange, which is to be provided to the Crown Lands Minister.

This information relates to:

- (a) the reasons for the request being made including whether the future potential production forest land specified in the request is required for the supply of forest products; and
- (b) the impact of the permanent timber production zone land specified in the request ceasing to be, or forming part of, permanent timber production zone land on the capacity of the Forestry corporation –
 - (i) to meet the annual supply of veneer and sawlog; and
 - (ii) to supply logs to the holder of a forestry compensation certificate in accordance with Part 5A of the FMA; and
- (c) the size, location, valuation and conservation values of the future potential production forest land, and the permanent timber production zone land, that is the subject of the request; and
- (d) the implications of the exchange for the Forestry corporation's forest management certification.

Before agreeing or disagreeing with a request from the Minister administering the FMA the Crown Lands Minister must obtain information from the Minister administering the FRFI Act on the impact of the proposed exchange on the area of land identified under the special species management plan as being available for special species timber harvesting and the production of special species timber.

Once the Crown Lands Minister has the relevant information required above, he or she may approve an exchange of future potential production forest land for permanent timber production zone land. The Crown Lands Minister must then provide advice of the decision, in writing, to the Minister administering the FMA who must then give effect to the exchange by making a relevant order under section 11A of the FMA (a land exchange order).

A land exchange order must be published in the Gazette. The order and the advice and information referred to above must be tabled in both Houses of Parliament within the first five sitting days after the land exchange order is made. The order has no effect unless accepted by both Houses of Parliament (it is a disallowable instrument). Hence, ultimately, it will be for the Parliament to determine whether an exchange, as approved by the Crown Lands Minister, takes effect.

Released under RTI