



TREES REGULATIONS 1999

[Consolidated as at 6 April 2004
on the authority of the Administrator
and in accordance with
the *Enactments Reprinting Act 1980*]

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Trees Regulations 1999

Short title

1. These Regulations may be cited as the *Trees Regulations 1999*.

Interpretation

2. In these Regulations —
“the Act” means the *Trees Act 1997*.

Protected Trees

3. (1) Subject to subregulation 3(2), each tree of a species specified in column 1 of the Schedule is a protected tree for the purposes of the definition of “protected tree” in section 5 of the Act.

(2) If a height is specified in column 2 of the Schedule opposite a species of tree specified in column 1 of the Schedule, a tree of that species is not a protected tree until it reaches that height, measured in accordance with Regulation 4.

Measuring height of tree

4. The height of a tree is to be measured from the highest point of the ground surrounding the base of its trunk.

Prescribed fee - application for a permit to take protected trees

5. For the purposes of paragraph 6(2)(b) of the Act, the prescribed fee is 1 fee unit.

Prescribed information - application for registration of plantation

6. For the purposes of paragraph 10(2)(g) of the Act, an application for registration of an area of land as a plantation must contain the following additional information —

- (a) a map specifying —
 - (i) the outer boundary of that area; and

- (ii) in respect of each protected tree within that area planted on or after 1 January 1973 for forestry purposes, its location and the date on which it was planted; and
 - (iii) in respect of each other protected tree within the outer boundary of that area, its location, height and the diameter of its trunk measured at a height of 1.5 metres from the highest point of the ground surrounding the base of its trunk; and
- (b) in respect of each protected tree within that area planted on or after 1 January 1973 for forestry purposes, evidence substantiating the date on which the tree was planted and the purpose for which it was planted; and
 - (d) a statement that the outer boundary of that area does not come within 3 metres of the trunk of any protected tree, other than a protected tree planted after 1 January 1973 for forestry purposes.

Prescribed fee - application for timber licence

7. For the purposes of paragraph 16(3)(b) of the Act, the prescribed fee is 1 fee unit.

Prescribed rate - imposition of royalty

8. (1) For the purposes of subsection 19(1) of the Act, the prescribed royalty rate is the sum of —

- (a) \$.85 for each centimetre of diameter of the trunk of the tree; and
- (b) an additional \$1.75 for each centimetre of diameter of the trunk of the tree that exceeds 50 centimetres of diameter.

(2) For the purposes of subregulation 8(1), the diameter of the trunk of a tree is to be measured at a height of 1.5 metres from the highest point of the ground surrounding the base of its trunk.

Prescribed fee - application for authority to collect pine cones, knots and seeds

9. For the purposes of section 23 of the Act, the prescribed fee is 1 fee unit.

**SCHEDULE OF PROTECTED TREES AND THE HEIGHT ABOVE WHICH A
TREE OF A PROTECTED TREE SPECIES BECOMES PROTECTED**

Column 1	Column 2
Whitewood (<i>Celtis paniculata</i>)	3m
Sia's Backbone (<i>Streblus pendulinus</i>)	2m
Nettle tree (<i>Boehmeria australis</i>)	
Birdcatcher (<i>Pisonia brunoniana</i>)	
Chaff-tree (<i>Achyranthes arborescens</i>)	
Bastard Oak (<i>Ungeria floribunda</i>)	
Norfolk Hibiscus (<i>Hibiscus tiliaceus</i>)	2m
White Oak (<i>Lagunaria patersonia</i> subsp. <i>patersonia</i>)	4m
Norfolk Island Mahoe (<i>Melicytus latifolius</i>)	
Whiteywood (<i>Melicytus ramiflorus</i> subsp. <i>oblongifolius</i>)	
Bastard Ironwood (<i>Pouteria costata</i>)	
Beech (<i>Rapanea ralstoniae</i>)	2m
Oleander (<i>Pittosporum bracteolatum</i>)	2m
Kurrajong (<i>Wickstroemia australis</i>)	
Isaacwood (<i>Exocarpus phyllanthoides</i> var. <i>phyllanthoides</i>)	2m
Maple (<i>Elaeodendron curtispendulum</i>)	3m
Pennantia (<i>Pennantia endlicheri</i>)	
Bloodwood (<i>Baloghia inophylla</i>)	3m
Kava Tree (<i>Homalanthus populifolius</i>)	
Melky Tree (<i>Excoecaria agallocha</i>)	
Tea-Tree (<i>Dodonaea viscosa</i> subsp. <i>viscosa</i>)	3.5m
Sharkwood (<i>Dysoxylum bijugum</i>)	
Shade Tree (<i>Melicope littoralis</i>)	
Little Yellow Wood (<i>Zanthoxylum pinnatum</i>)	
Big Yellow Wood (<i>Sarcomelicope simplicifolia</i>)	
Narrow-leaved Meryta (<i>Meryta angustifolia</i>)	
Broad-leaved Meryta (<i>Meryta latifolia</i>)	
Ironwood (<i>Nestegis apetala</i>)	3m
Popwood, Bastard Ironwood (<i>Myoporum obscurum</i>)	
Coastal Coprosma (<i>Coprosma baueri</i>)	
Mountain Coprosma (<i>Coprosma pilosa</i>)	
Norfolk Island Palm (<i>Rhopalostylis baueri</i> var. <i>baueri</i>)	

Column 1	Column 2
Ti (<i>Cordyline obtecta</i>)	2m
Norfolk Island Pine (<i>Araucaria heterophylla</i>)	4.5m
Rough Tree Fern (<i>Cyathea australis subsp. norfolkensis</i>)	
Norfolk Tree Fern (<i>Cyathea brownii</i>)	3m

NOTES

The *Trees Regulations 1999* as shown in this reprint comprises Regulations No. 1 of 1999 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Trees Regulations 1999</i>	1, 1999	29.4.99	
<i>Trees Amendment Regulations 2004</i>	4, 2004	27.2.04	

Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and substituted
 inserted

Provision affected	How affected
8(1)(b)	am 4, 2004

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