

**Aston Resources Limited**  
**MAULES CREEK COAL MINE PROPOSAL**  
**Background to the Brigalow-Nandewar Western Regional Assessment**

**Brief**

Aston Resources Pty Ltd (through Australian Public Affairs) has commissioned an objective and factual paper on the history and conduct of the Western Regional Assessment in NSW. This is to inform the company in its dealings with the Department of Planning, Planning Assessment Commission and the Minister for Planning and infrastructure in assessing and considering approval of the proposed mine. A summary of the relevant qualifications and experience of the author is at Appendix 3.

**Mining Proposal**

Open cut coal mining is proposed by Aston Resources Pty Ltd in Coal Lease 375 and Coal Authorisation 346 by its wholly owned subsidiary Aston Coal 2 Pty Ltd. The mine pit will be almost entirely within Leard State Forest and the overburden emplacement area is proposed within and adjoining the State forest. The mining would significantly affect White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (the sanctioned informal contraction is Box-Gum Woodland and Derived Native Grassland). This ecological community is listed as critically endangered by the Commonwealth. The similar, but not identical, White Box Yellow Box Blakely's Red Gum Woodland (often contracted to Box-Gum Woodland) is a NSW Endangered Ecological Community. For this and other nature conservation reasons the proposal is opposed by the NSW National Parks Association (NSW NPA 2011) and other environmental non-government organisations

**Inter-governmental Agreements on Regional Forestry Assessments**

This section presents a brief overview of the intergovernmental agreements underpinning the comprehensive regional assessments and regional forest agreements to set the scene for the western regional assessment (WRA). The east coast assessments in NSW were the precursor and model for the WRA.

The Commonwealth, and mainland State and territory governments made the National Forestry Policy Statement (NFPS) in 1992 (Commonwealth of Australia 1992, 1995 -Tasmania became a party in 1995).

The NFPS requires: "Completion of comprehensive regional assessments, as outlined in Section 4.3, and negotiation of a Commonwealth-State regional agreement to form the basis for meeting wood production, nature conservation and other forest allocations." (Commonwealth, 1992, 1995).

CRA is defined as "A joint assessment of all forest values by the Commonwealth and State - environmental, heritage, economic and social - leading to the establishment of a comprehensive, adequate and representative reserve system, agreements on forest management, and the signing of a regional forest agreement (RFA)." (Joint ANZECC/MCFFA, 1997).

It is clear from the NFPS that assessments and agreements were intended for all forests in Australia. Subsequently the Commonwealth changed its stance (see below for the consequences of this for the Brigalow and Nandewar regions).

The NFPS requires the development of "...broad criteria on which to base reserve systems to protect the nature conservation values of forests. The criteria will be based on the principles of comprehensiveness, adequacy and representativeness." (Commonwealth 1992, 1995).

This resulted in the JANIS criteria (Joint ANZECC/MCFFA, 1997). The JANIS Criteria allows economic and social considerations to influence the degree to which the conservation criteria are met:

#### **"5.4 ECONOMIC AND SOCIAL CONSIDERATIONS**

There will be many possible configurations of a CAR [comprehensive, adequate and representative] reserve system within any particular region and, therefore, considerable scope to satisfy the reserve criteria while obtaining optimal economic and social outcomes. It should be recognised that the extent of potential social and economic impacts may limit the ability to meet reserve criteria. Determination of the CAR reserve system will therefore require a comprehensive planning approach which integrates conservation requirements with social and economic considerations. The analytical processes which integrate the application of the reserve criteria with social and economic considerations should be transparent.

The principle of least cost should be used and, where different configurations of reserves can be identified as meeting the criteria, the option which imposes the least cost on the community should be adopted. The economic and social costs and benefits of alternative reserve options could include:

- the benefits accruing from non-timber uses of reserves;
- the direct costs associated with the choice, implementation and management of a reserve system;
- the opportunity costs of existing forest uses;
- the costs associated with broader employment impacts and industry adjustment; and
- the cost of sustainable forest management options." (Joint ANZECC /MCFFA, 1997).

The NFPS assumes the retention of all forest, including that with the principal purpose of timber production, but recognises activities such as mining will occur. An indication of this is that the NFPS and RFAs require controls on the manner and intensity of logging and forestry activities to protect the natural environment. An example of this is the provisions of the Integrated Forestry Operations Approval for Brigalow-Nandewar Region (IFOA, 2010). An object of the Forestry Commission in the Forestry Act is "to conserve birds and animals thereon [State forests]". The NFPS includes these statements about the interaction of mining and forest management:

#### **"Mining and mineral exploration**

"The Governments recognise that, in making land use decisions for public native forests, it is necessary to take into account access for mineral extraction and exploration activities. To ensure that this occurs, the Governments agree that mineral resource agencies will be consulted in a timely fashion on strategic land use planning proposals that may have implications for mineral extraction and exploration in public forests.

Mining activities will often have a significant localised impact on forested areas. Where mining does occur, it will be managed to minimise impacts and to ensure that regeneration accords with soundly based principles." (Commonwealth 1995, page 27).

#### **"Other economic and social uses**

...

"The Governments acknowledge that in some cases areas of forest will need to be cleared to provide access to minerals and for power transmission and transport routes. In such circumstances

consultation between forest management agencies and relevant parties is necessary to ensure appropriate management.

- The Governments will require all government authorities and instrumentalities that use forested land in pursuit of their objectives to consult fully with forest management agencies to ensure that their actions are in accord with the integrated management plans for the forest region.” (Commonwealth 1995, page 31).

It is clear from both the NFPS and JANIS that the governments envisaged compromises; that full attainment of the JANIS reserve targets would not always be possible because of potential adverse economic and social consequences:

“Flexibility in the application of reserve criteria is needed in consideration of differing regional circumstances to ensure that the CAR reserve system delivers optimal nature conservation outcomes as well as acceptable social and economic outcomes. Therefore the criteria described in Section 6 are to be considered as guidelines rather than mandatory targets.” (Joint ANZECC/MCFFA, 1997).

JANIS sets a basic criterion of reservation of 15% of pre-European extent of forest ecosystems. Where forest ecosystems are recognised as vulnerable, then at least 60% of their remaining extent should be reserved. All remaining occurrences of rare and endangered forest ecosystems should be reserved or protected by other means as far as is practicable (Joint ANZECC / MCFFA, 1997).

### **Comprehensive Regional Assessments (CRA) and Regional Forest Agreements (RFA) in NSW**

The incoming NSW Government in 1995 promised as part of its election campaign to conduct regional forest assessments, protect high conservation value forests and to restructure the timber industry, including through financial incentives. The government commenced the comprehensive regional assessments (CRA) in partnership with the Commonwealth Government. The major interested NGOs were represented on the Resource and Conservation Assessment Council (RACAC) and on the four sectoral steering committees. Those NGOs included conservation groups, the NSW Minerals Council, Forest Products Association, NSW Aboriginal Land Council and later NSW Farmers.

Comprehensive assessments were conducted over several years, negotiations concluded and decisions taken on new conservation reserves, timber volumes able to be taken from State forests and ancillary aspects. In each region the assessment included detailed reports on mineral resources, potential and titles. In designing new conservation reserves areas of high mineral potential and existing mining and exploration titles were either not included in conservation reserves or only in State conservation areas, in which mining is permissible (subject to ministerial agreement).

The inter-governmental Regional Forest Agreements (RFAs) are 20-year plans for the conservation and sustainable management of Australia's native forests. In NSW they were made for the Eden Region (1999), Northeast NSW (Upper and Lower North Regions) (2000) and the Southern Region (2001). (Collectively, the east coast RFAs). The RFAs include data on achievement of the conservation targets by vegetation type and for fauna species. The RFAs are available at <http://www.daff.gov.au/rfa>.

Towards the end of the east coast assessments the Commonwealth Government advised that it did not, at the time, intend to engage in regional assessments or conclude RFAs in regions in NSW beyond those listed above. These regions were those from which woodchips were exported, being one of the statutory triggers for Commonwealth involvement through the need for export approval.

An RFA removes this requirement. The Commonwealth position left open the possibility for RFAs in other forests in the future. The Environmental Protection and Biodiversity Conservation Act (Commonwealth) exempts from the need for approval forestry operations consistent with a regional forestry agreement.

It was this position which led the NSW Government to proceed with its own processes for Brigalow/Nandewar and subsequently River Red Gums. This was in fulfilment both of the NFPS and the government's undertakings.

### **NSW Western Regional Assessments (Brigalow and Nandewar) (WRA)**

The Western Regional Assessment began as the east coast RFAs were completed or winding down:

“In 1999 The NSW Government initiated a regional assessment of western NSW to guide future planning and encourage partnerships to protect the environment. The Brigalow and Nandewar assessment was similar to the NSW forest assessments of coastal regions and reflected the National Forest Policy Statement, but also took into account the region's fragmented landscape. As well as considering forests, the assessment included studies of woodlands and rural areas” (Office of Environment and Heritage, 2011).

The assessment covered the Brigalow Belt South Bioregion (that part in NSW) and the Nandewar Bioregion (that part in NSW - with its eastern boundaries adjusted to mesh with the already completed Upper and Lower North Regions). Bioregions are biophysical subdivisions of Australia used in planning and reporting on nature conservation issues (DSEWA&C 2011). Leard State Forest is in the Brigalow Bioregion, within about 5 to 15 km of its eastern boundary with the Nandewar Bioregion. The adjacent Mount Kaputar National Park, to the north, is in the Nandewar Bioregion. Appendix 1 lists the projects conducted for the WRA in Brigalow. Relevantly, there are reports on geology, mineral potential, fauna, vegetation and criteria setting.

The assessment phase of the WRA involved data gathering and analysis conducted largely by State government agencies or contractors, overseen by the Resource and Conservation Assessment Council (RACAC) through various subcommittees and working groups. Appendix 1 lists the projects conducted for the WRA in Brigalow. Relevantly, there are reports on geology, mineral potential, fauna, vegetation and criteria setting.

The minerals potential report refers to the Maules Creek coal project (under previous ownership) and to the quality of that coal (RACAC 2002c).

Following the completion of data gathering conservation criteria were developed for the specific attributes of the region, based on the JANIS criteria, other policy and scientific documents and the experience and practice of the east coast forest assessments and RFAs. The JANIS criteria were “adopted as indicators to guide deliberations, rather than firm targets to pursue.” (RACAC, 2002a). This was because of doubts about their applicability in a region of highly altered vegetation, relatively low proportion of public land (eg, State forests, Crown land) and uneven distribution of land across the bioregion (RACAC 2002a).

Targets were developed using the JANIS criteria (both the quantitative and qualitative criteria) for use in the C-Plan computer negotiation program. In brief, C-Plan is underlain by Geographic Information System. It uses the data to calculate indices against targets or indicators and can devise

most efficient ways of meeting targets. C-Plan was also used in the east coast RFA negotiations (see, for example, Margules, C. R. and R. L. Pressey, 2000; Margules, Pressey and Williams 2002, and Pressey 1999). In both instances various options for conservation reserve/State forest (as the main focus) and other tenured land were developed and publicly exhibited for comment.

The negotiations took into account timber modelling against notional conservation reserves, and also other resource and tenure issues such as mining. In essence the negotiations sought to produce options for conservation reserves at least cost and to various levels of achievement of the criteria.

Negotiations were held in 2002. Eight options were developed (indicative of the strongly held and polarised views in the community). These were publicly exhibited and submissions received. (RACAC 2003).

The options A to D (essentially those developed by government agencies) all proposed reservation of the discrete western section of Leard State Forest (SF) as a state conservation area (as occurred, see below). This is understood to have been on the basis of the coal and current leases and development approval. The Western Conservation Alliance option (Map 7) proposed formal reservation (in the sense of JANIS, ie national park or nature reserve) of the entirety of Leard SF (and a large proportion of all the public land in the Brigalow Bioregion). The Brigalow Region United Stakeholders (BRUS – Map 8) proposed management by prescription of the western section of Leard SF and approximately the western 60% of the larger section of the State forest. Management by prescription means it would have remained as State forest with any timber harvesting subject to conditions beyond those practiced routinely directed at protecting wildlife. (Maps and description of options available at RACAC, 2003).

Though the options were produced in late 2002 and work began on a decision soon thereafter, government made its decision on Brigalow and Nandewar in May 2005. The delay was largely due to changes in portfolio ministers after the 2003 election, a perception by some that forestry issues had been concluded with the east coast decisions and a focus on other natural resources issues, including water, private vegetation controls and the establishment of catchment management authorities.

### **Brigalow and Nandewar Decision**

There was substantial and protracted negotiation within government on the final configuration of conservation reserves and State forests in the Brigalow region. Again, mineral resources were part of this picture, and it was government policy not to sterilise important mineral resources, as was the case in the east coast decisions on RFAs.

The decision included about 350,000 hectares of new conservation reserves, almost all drawn from State forest. Figure 1 shows the new conservation reserves and remaining State forests in the Namoi section of the regions. By far the largest reserves were centred on the Pilliga group of State forests (see Figure 1) and Goonoo State Forest (in the far south, near Dubbo). National parks, state conservation areas and Aboriginal areas were made by the *Brigalow and Nandewar Community Conservation Area Act 2005 No 56* (BNCCA Act). The Act assigned these tenures to one of four zones (Community Conservation Zones 1 to 4). This is the source of some confusion; the zones are

an overlay to reservation under the national parks legislation (and tenure as State forest) not an alternative, though this may initially have been contemplated. It established three community conservation area committees (dividing the regions along the intersections of catchment management authority boundaries) and introduced a few additional provisions, such as ousting the *Wilderness Act* from application to CCA zones 1 to 4 and requiring a community conservation area agreement (see below for detail on the agreement). Pre-existing national parks and nature reserves (such as Pilliga, Warrumbungle and Mount Kaputar) were not included in the zones.

Notably the government package also included substantial funding for forest industry exit and restructure, arising as a consequence of reduced timber volumes.

It is apparent the then government saw the decision as fixed for many decades, much in the vein of the twenty-year RFAs. For example, the second reading speech for the BNCCA Bill includes this statement by the then environment minister on minerals and mining in the Brigalow and Nandewar Community Conservation Area:

"Parts of the Brigalow and Nandewar regions have high minerals and gas potential. Significant exploration activity has already occurred and is expected to expand rapidly over the next 10 to 20 years.

"The Government's decision will preserve the full economic potential of the regions by ensuring the local coal and gas reserves can be accessed by the mining industry, including in reserve zone 3, which is the same as State conservation areas in the National Parks and Wildlife Act that permit exploration and extraction activities for gas and mining. The job potential from these industries is considerable. It is predicted that more than \$2 billion will be invested in these industries over the next 15 years. As a result, hundreds of new jobs will be created. Indeed the first of these jobs are already in place, following the development by Eastern Star Gas of a \$9 million gas gathering and electricity facility near Narrabri." (Hansard 2005).

This is reflected in the objects of the BNCCA Act:

### **"3 Objects of Act**

The objects of this Act are:

- (a) to reserve forested land in the Brigalow and Nandewar area to create a Community Conservation Area that provides for permanent conservation of land, protection of areas of natural and cultural heritage significance to Aboriginal people and sustainable forestry, mining and other appropriate uses, and
- (b) to give local communities a strong involvement in the management of that land."

In late 2010 and early 2011 about 8,500 hectares were added to conservation reserves in Brigalow and Nandewar. This was drawn from Crown land as a result of finalising arrangements not resolved at the time of the main decision.

The then opposition earlier expressed similar views (with some frustration): "The world's highest-quality coal comes from the Gunnedah basin. The coal from Gunnedah and the areas north to Narrabri, including the Leard State Forest, which is under lease from mining companies, is the best coal in the world, but New South Wales cannot touch it because the State's rail infrastructure is so lousy." (Hansard 2003).

### **Community Conservation Area Agreement**

The Brigalow and Nandewar Community Conservation Area Act requires a Community Conservation Area Agreement (CCAA 2009). The Agreement is "to provide a co-ordinated framework for the management

of all the land in Zones 1, 2, 3 and 4 in consultation with the community of the Brigalow and Nandewar area” (section 30, BNCC Act). “It may contain:

- (a) principles for the management of the land in Zones 1, 2 and 3 by the persons responsible for the management of the land under the National Parks and Wildlife Act 1974, and
  - (b) the integrated forestry operations approval under the Forestry and National Park Estate Act 1998 for the carrying out of forestry operations on land in Zone 4.
- (2) The principles for the management of land in Zones 1, 2 and 3 are to be developed in accordance with any guidelines provided to the Community Conservation Council by the relevant Ministers and are not to be inconsistent with Division 2 of Part 4 of the National Parks and Wildlife Act 1974.” ” (Section 33, BNCC A Act).

The agreement is to be developed by the Community Conservation Council (CCC) in consultation with the three Community Conservation Area Committees (CCACs - see Appendix 2 for membership), exhibited for comment and made by the relevant ministers. The Council is the Directors-General of the departments of Premier’s, Environment and Conservation, Infrastructure, Primary Industries and Infrastructure, Planning and Natural Resources (as subsequently changed by administrative orders to match changes in departmental arrangements). The relevant ministers are Ministers for the Environment, Primary Industries, and Natural Resources (again, as varied by administrative orders to match new portfolios).

In practice the CCC commissioned the drafting to the CCACs, reviewing its progress at key points and directing the CCACs as necessary. The three CCACs reached a full consensus on the Agreement (after considerable debate in joint session). The Agreement was made by the two then relevant ministers on 11th June 2009. The agreement, as a creature of the BNCCA Act is subservient to it, and also to the decisions of government leading to the Brigalow-Nandewar decision. Much of the debate in the development of the CCAA was about correctly portraying the terms of the legislation and the decision.

Relevant to mining the Agreement (CCAC, 2009) provides:

“The continuation of forestry, exploration, mining, petroleum production and other uses in an ecologically sustainable manner within the nominated Zones [ie zones 3 and 4]” (CCAA section 2.1).

“11.7.1 The Land management Agencies managing Zones 1, 2, 3 and 4 will work with:

...

“e) Mineral, petroleum and extractive industries to facilitate development of resources (Zones 3 [state conservation areas] and 4 [State forests] only).” (CCAA section 11.7.1).

**“11.8. Mineral and petroleum exploration and extraction**

The Land Management Agencies will manage exploration, mining, petroleum production and extractive industry in their respective Zones in accordance with legislation, policies and operating practices. Extractive industry may be permitted only in Zone 4.”

It can be concluded that the members of the CCACs in agreeing to these provisions acknowledged the prospect of mining in State forests (Zone 3 and 4) of the Community Conservation Area.

## **Leard State Forest and Box-Gum Woodland**

Leard State forest was vigorously contended during the negotiations and subsequent representations. While it can only be speculation, it is likely that it would have been included in a conservation reserve had it not been underlain by important coal reserves held under lease. The result of the deliberation was that the coal resource prevailed over the considerable conservation values.

Reservation was a likely outcome because of the location of Leard SF in the eastern part of the Brigalow Bioregion in the otherwise largely cleared Liverpool Plains, and because of its vegetation, notably the Box-Gum Woodland community.

Leard State Forest is within Zone 4 - Conservation Forestry, Recreation and Mineral Extraction Zone of the Community Conservation Area established by the BNCCA Act. The nearby Leard State Conservation Area is within Zon3 - Conservation, recreation and mineral extraction.

The developers of the criteria for the Brigalow Bioregion chose not to directly include Box-Gum Woodland

(and all other Endangered Ecological Communities – EEC) because: “These are only defined using rather general terms, and there is no spatial data to identify these communities. There is no information on the specific habitat requirements of these, and there is no way to identify habitat of specific quality. Thus they cannot be included in this criterion at this time.”(RACAC 2002b). Instead the vegetation groupings (as they were known) included various types including White Box (*Eucalyptus albens*) and Blakely’s Red Gum (*E. blakelyi*). It is beyond the scope of this report to derive a correlation between the EEC and the WRA vegetation groupings, however, it is noted none of the eleven vegetation groups with either *E. albens* or *E. blakelyi* in its name received other than a 15% reservation target. (RACAC 2002b). It is possible that vegetation groups without either of those species in the name correspond to Box-Gum Woodland.

## **Contemporary Responses to the Brigalow Decision by Conservation Groups**

Total Environment Centre director Jeff Angel said: "This is a mature decision where the right people get money and the right trees get saved." (Benson, 2005)

“In 2005, NPA was instrumental (as part of the Western Conservation Alliance), in the protection of 350,000 hectares of box- Ironbark woodlands as new National Parks in the Brigalow/Nandewar bioregions. This included substantial protection for two of the largest stands of temperate woodland left in Australia and the most significant barking owl population in NSW. This was one of the most significant conservation decisions made in NSW in the last decade.” (NPA undated).

“Despite being disappointed with some aspects of the package, Tom Widdup from the National Parks Association says with compensation and job creation for the industry, this is a positive for all sides.”(ABC, 2005)

The decision was generally not welcomed by forestry and local community interests outside conservation groups.

## **Conclusion**

The Brigalow and Nandewar Bioregions (in NSW) were subject to a comprehensive and rigorous multi-faceted assessment natural resource and socio-economic assessment. Based on this

information and analysis, informed by negotiations between non-government and government organisations, the government made substantial additions to conservation reserves. This involved compromises in some instances to preserve economic resources and activities.

The government in making the decision stated it was “providing an appropriate balance – between conservation and sustainable industries that will provide jobs in the timber, gas, minerals and apiary sectors” (Hansard, 2005). The permanency of the decision is evident from the tenor of the minister’s speech, statements about the continuation of mining and the intention (now realised) to grant twenty-year wood supply agreements.

Ian Cranwell

10 October 2011

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CCA Zone 1 is national park  
CCA Zone 2 is Aboriginal area  
CCA Zone 3 is state conservation area  
CCA Zone 4 is State forest  
"DECC Estate" (coloured green) shows reserves predating the *Brigalow Nandewar Community Conservation Area Act*

(map: OEH, 2008)

## APPENDIX 1

### Project Reports for the Western Regional Assessment - Brigalow

#### Brigalow Projects Stage 1

Project reports of the first stage of the BBSB Western Region Assessment program, completed in 2000:

- Preliminary Overview of the Brigalow Belt South Bioregion (Stg 1)
- Vegetation Survey and Mapping Report (Stg 1)
- Preliminary Bioregional Vegetation Project Report (Stg 1)
- Preliminary Fauna Survey (Stg 1)
- Tenure Report (Stg 1)
- Economic and Social Report (Stg 1)
- Disturbance History Mapping Report (Stg 1)
- Strategic Inventory Report (Stg 1): an inventory of timber resources on State forests in the Pilliga, Goonoo and Dubbo Management Areas
- MARVL Systems Analysis: Appendix A to Strategic Inventory Report
- Strategic Inventory Manual: Appendix B to Strategic Inventory Report
- Stage 1 Pilliga Gas Report

#### Brigalow Projects Stage 2

Project reports for the Stage 2 assessment program completed in 2002:  
Stage 2 Project Report Summaries - PDF (81k)

- Targeted Flora Survey
- Aboriginal Cultural Heritage - plus Appendices
- Geology
- Mineral Potential
- Soil Landscape Mapping plus Appendices
- Targeted Fauna Survey plus Appendix 1, Appendix 2 and Appendices 3 to 14
- Vegetation Mapping - not including Appendices
- Micro Forest Industry and Region Profiles
- Economic and Social GIS Toolkit
- Forest Development Opportunities
- Response to Disturbance
- Non-Indigenous Cultural Heritage
- Community Data Project
- Landscape Conservation
- Conservation Criteria - plus Appendices
- Strategic Framework

Source: Office of Environment and Heritage, 2011. Brigalow and Nandewar western regional assessment. <http://www.environment.nsw.gov.au/forestagreements/BrigalowNandewar.htm>. Page last updated: 27 February 2011. (Accessed 4:30pm 27 September 2011).

The listed documents are available on this web site, though some are incomplete. For example, the appendices of the Conservation Criteria refer to other documents for tables, which have not been located for this report.

## APPENDIX 2

### Schedule 11 of the *Brigalow and Nandewar Community Conservation Act*

#### “Provisions relating to members and procedure of Advisory Committees

##### Membership and procedure of Advisory Committees

- (1) An Advisory Committee consists of 15 members appointed by the relevant Ministers.
- (2) Of those members:
  - (a) one is to be the Chairperson of the Catchment Management Authority within the relevant area for which the Committee is constituted, and
  - (b) one member is to represent the interests of local government, and
  - (c) one member is to represent the interests of the forestry industry, and
  - (d) one member is to represent the interests of the mining industry, and
  - (e) one member is to represent the interests of the apiary industry, and
  - (f) one member is to represent the interests of local farmers, and
  - (g) one member is to represent the interests of local recreational users, and
  - (h) two members are to represent the interests of Aboriginal people, and
  - (i) two members are to have relevant scientific expertise, and
  - (j) three members are to represent the interests of local environmental groups, and
  - (k) one member is to be a member of the National Park and Wildlife Regional Advisory Committee constituted under section 24 (2) of the National Parks and Wildlife Act 1974 in relation to the Community Conservation Area.

##### 29 Functions of Advisory Committee

- (1) A Community Conservation Advisory Committee has the function of advising the Community Conservation Council on the provisions of the Community Conservation Area Agreement applicable to the relevant area for which the Committee is constituted.
- (2) An Advisory Committee has such other advisory functions with respect to the Community Conservation Area as the relevant Ministers determine.”

#### NOTES

1. The names and organisations of the members of the members of the CCACs are not available on the web site of the Office of Environment and Heritage. The membership of the committees is likely to have changed since the making of the Community Conservation Area Agreement.
2. Representatives of relevant government agencies attend meetings of the CCACs in an advisory capacity.

## APPENDIX 3

### Summary of Relevant Experience

#### Ian Cranwell

- Over thirty years' experience and innovation in a range of natural resources and land management positions within government.
- Holds two natural resource/environmental science degrees.
- Deputy Director and Director (from 2000) of the Resource and Conservation Unit (RACU), the body established by government to lead the NSW inter-agency involvement in implementing its forestry policy. The Unit was variously named with changes in host department.
- NSW Chair of the intergovernmental Environment and Heritage Committee for the comprehensive regional forest assessments.
- Negotiation and conclusion as lead representative for NSW of all three Regional Forest Agreements for NSW (Eden, Southern, Upper and Lower North), with the Commonwealth Government.
- Assisted in development of a new legislative scheme for regulation of forestry operations: the *Forestry and National Parks Estate Act*.
- Instructed on and oversaw development of the *National Parks Estate (Southern Reservations) Act*, *National Parks Estate (Reservations) Act 2000*, *National Parks Estate (Reservations) Act 2002*, *National Parks Estate (Reservations) Act 2003*, and the *National Parks Estate (Lower Hunter Reservations Act 2006*.
- As Director of RACU, supervision of the Western Regional Assessment, and the negotiations and development of options of 2002.
- Development of proposals for the Brigalow-Nandewar region for government 2002-3, involvement in further negotiations 2003.
- Advised on the drafting of the *Brigalow and Nandewar Community Conservation Area Act*.
- Negotiation and conclusion of NSW forest agreements and integrated forestry operations approvals for Upper North East Region, Lower North East Region, Southern Region, Eden Region and negotiation of the integrated forestry operations approval for the Brigalow Nandewar Region.
- Establishment and servicing of the Community Conservation Area Committees until mid-2009. This included overseeing the development of the Community Conservation area Agreement, including liaison and reporting to the Community Conservation Council.
- Co-awardee of the Premier's Gold Award for Economy and Environment, 2001 ("Helping Trees and Jobs Live Together: NSW Comprehensive Regional Assessments").
- Negotiation and conclusion of NPW Act reserve additions including Lower Hunter and Byron/Arakwal.