

# Brigalow and Nandewar Community Conservation Area Act 2005 No 56

[2005-56]



New South Wales

## Status Information

### Currency of version

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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# Brigalow and Nandewar Community Conservation Area Act 2005 No 56



New South Wales

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# Brigalow and Nandewar Community Conservation Area Act 2005 No 56



New South Wales

An Act to establish and provide for the management of the Brigalow and Nandewar Community Conservation Area; to amend certain Acts; and for other purposes.

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Brigalow and Nandewar Community Conservation Area Act 2005*.

### 2 Commencement

- (1) This Act commences on 1 December 2005, except as provided by subsection (2).
- (2) The following provisions of this Act commence, or are taken to have commenced, on 1 July 2005:
  - (a) Part 1, Division 1 of Part 3, Part 5 and Schedule 10,
  - (b) Schedule 12 (except Schedule 12.4).

### 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.

### 4 Definitions

- (1) In this Act:

**Advisory Committee** means a Community Conservation Advisory Committee established under Division 2 of Part 3.

**commencement of this Act** means 1 December 2005.

**Community Conservation Area** means the area of the State described in the map at the end of this section.

**Community Conservation Area Agreement** means an agreement in force under Part 4.

**Community Conservation Council** means the Brigalow and Nandewar Community Conservation Council established under Division 1 of Part 3.

**Crown land** has the same meaning as in the [Crown Lands Act 1989](#).

**State forest** means land dedicated under the [Forestry Act 1916](#) (or under the former [Forestry Act 1909](#)) as State forest, being a dedication that is in force.

**Zone 1** of the Community Conservation Area means the land described or referred to in Schedule 1—Conservation and Recreation Zone.

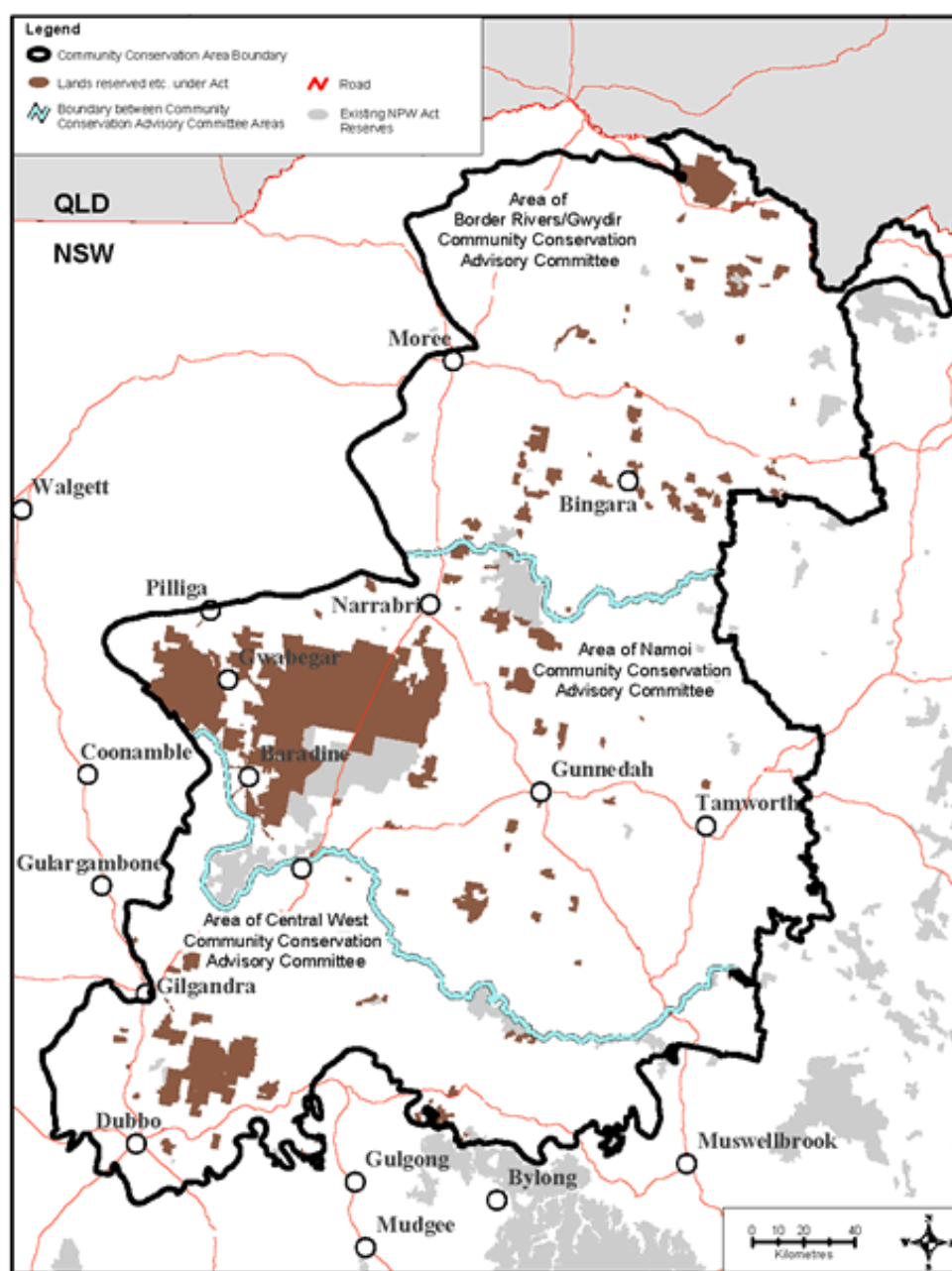
**Zone 2** of the Community Conservation Area means the land described or referred to in Schedule 2—Conservation and Aboriginal Culture Zone.

**Zone 3** of the Community Conservation Area means the land described or referred to in Schedule 3—Conservation, Recreation and Mineral Extraction Zone.

**Zone 4** of the Community Conservation Area means the land described or referred to in Schedule 4—Forestry, Recreation and Mineral Extraction Zone.

(2) Notes included in this Act do not form part of this Act.

## **Brigalow and Nandewar Community Conservation Area**



## Part 2 The Community Conservation Area

### Division 1 Zone 1—Conservation and recreation

#### 5 Reservation of former State forests as national park

The lands described in Part 1 of Schedule 1 are reserved under the [National Parks and Wildlife Act 1974](#) as national park.

#### 6 Reservation of Crown land as national park

The lands described in Part 2 of Schedule 1 are reserved under the [National Parks and Wildlife Act 1974](#) as national park.

[Wildlife Act 1974](#) as national park.

## **7 Reservation of NPW Minister land as national park**

The lands described in Part 3 of Schedule 1 are reserved under the [National Parks and Wildlife Act 1974](#) as national park.

## **Division 2 Zone 2—Conservation and Aboriginal culture**

### **8 Reservation of former State forest as Aboriginal area**

The lands described in Part 1 of Schedule 2 are reserved under the [National Parks and Wildlife Act 1974](#) as Aboriginal area.

## **Division 3 Zone 3—Conservation, recreation and mineral extraction**

### **9 Reservation of former State forest as state conservation area**

(1) The lands described in Part 1 of Schedule 3 are reserved under the [National Parks and Wildlife Act 1974](#) as state conservation area.

### **10 Reservation of Crown land as state conservation area**

The lands described in Part 2 of Schedule 3 are reserved under the [National Parks and Wildlife Act 1974](#) as state conservation area.

## **Division 4 Zone 4—Forestry, recreation and mineral extraction**

### **11 State forests in Zone 4**

Schedule 4 describes land within areas of State forests that is within Zone 4.

## **Division 5 Vesting in NPW Minister and other reservations**

### **12 Vesting in NPW Minister of certain former State forests**

- (1) The lands described in Schedule 5 vest in the Minister administering the [National Parks and Wildlife Act 1974](#) on behalf of the Crown for the purposes of Part 11 of that Act for an estate in fee simple, freed and discharged from:
- (a) all trusts, obligations, estates, interests, rights of way or other easements, and
  - (b) any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked.
- (2) Despite subsection (1), lands described in Schedule 5 are not freed and discharged from any perpetual lease, special lease or term lease within the meaning of the [Crown Lands \(Continued Tenures\) Act 1989](#) (or from rights or interests arising under an incomplete purchase within the meaning of that Act) to which the lands were subject



immediately before their vesting under this section.

- (3) Divisions 1–3 do not apply to land described in Part 1 of Schedules 1–3 (or in Schedule 6) that is also described in Schedule 5.

### **13 Reservation of former State forests as part of existing national parks**

The lands described in Schedule 6 are reserved under the [National Parks and Wildlife Act 1974](#) as part of national parks (as indicated in that Schedule).

### **14 Reservation of Crown land as part of existing national parks or nature reserves**

The lands described in Schedule 7 are reserved under the [National Parks and Wildlife Act 1974](#) as part of national parks or nature reserves (as indicated in that Schedule).

### **15 Reservation of NPW Minister land as part of existing or new national park or nature reserve**

The lands described in Schedule 8 are reserved under the [National Parks and Wildlife Act 1974](#) as, or as part of, national parks or nature reserves (as indicated in that Schedule).

## **Division 6 General**

### **16 Future additions to zones of Community Conservation Area**

- (1) The Governor may, by proclamation, amend Schedule 1, 2, 3 or 4 to add descriptions of land in the Community Conservation Area to:
- (a) Part 4 of Schedule 1, or
  - (b) Part 2 of Schedule 2, or
  - (c) Part 3 of Schedule 3, or
  - (d) Schedule 4.
- (2) Land may only be added to Schedule 1, 2 or 3 if:
- (a) it is the whole or any part of land reserved under Part 4 of the [National Parks and Wildlife Act 1974](#), or
  - (b) it is land vested in Her Majesty, or the Minister administering the [National Parks and Wildlife Act 1974](#) on behalf of the Crown, for the purposes of Part 11 of that Act.
- (3) Land may only be added to Schedule 4 if it is the whole or any part of State forest.
- (4) Land (or part of land) described in Schedule 3 may be omitted from Schedule 3 by a proclamation under this section that adds that land (or part) to Part 4 of Schedule 1 following its reservation as national park under section 47MA of the [National Parks and Wildlife Act 1974](#).

*Wildlife Act 1974.*

**17 Land ceasing to be in zone of Community Conservation Area**

- (1) Land in Zone 1, 2 or 3 ceases to be in that zone if its reservation as national park, Aboriginal area or state conservation area is revoked by or under an Act of Parliament. This subsection is subject to section 16 (4).
- (2) Land in Zone 4 ceases to be in that zone if it ceases to be State forest.

**18 Community Conservation Area not to be declared wilderness areas**

Land in Zone 1, 2, 3 or 4 is not eligible to be identified or proposed for identification, or declared, as a wilderness area under the *Wilderness Act 1987* or the *National Parks and Wildlife Act 1974*.

**19 Zone 1, 2 or 3 land not eligible for nomination as Schedule 14 land under NPW Act**

Land in Zone 1, 2 or 3 is not eligible to be proposed under section 71AS of the *National Parks and Wildlife Act 1974* for listing in Schedule 14 to that Act.

**20 Revocation of State forests (and any flora reserves, national forests or special management zones)**

- (1) The dedication as State forest of the following lands is revoked:
  - (a) lands described in Part 1 of Schedule 1,
  - (b) lands described in Part 1 of Schedule 2,
  - (c) lands described in Part 1 of Schedule 3,
  - (d) lands described in Schedule 5,
  - (e) lands described in Schedule 6.
- (2) Any notices under section 25A of the *Forestry Act 1916* that set apart, as flora reserves, areas of State forests whose dedication is revoked by subsection (1) are also revoked, but only to the extent to which they relate to flora reserves or parts of flora reserves situated within the lands referred to in that subsection.
- (3) Any notices under section 21A of the *Forestry Act 1916* that declare, as special management zones, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act, but only to the extent to which they relate to special management zones or parts of special management zones situated within the lands referred to in that subsection.
- (4) Any notifications under section 19A of the *Forestry Act 1916* that declare, as national forests, areas of State forests whose dedication is revoked by subsection (1) are also

revoked by this Act, but only to the extent to which they relate to national forests or parts of national forests situated within the lands referred to in that subsection.

## 21 Revocation of timber reserves

Any timber reserves (within the meaning of the [Forestry Act 1916](#)) with respect to land described in Part 2 of Schedule 1, Part 2 of Schedule 3 or Schedule 7 are revoked by this Act, but only to the extent to which they relate to timber reserves or parts of timber reserves situated within that land.

## 22 Adjustment of description of transferred land

- (1) The description of any land described in the following Schedules (a **relevant Schedule**) may be adjusted in accordance with this section:
  - (a) Parts 1–3 of Schedule 1,
  - (b) Part 1 of Schedule 2,
  - (c) Parts 1 and 2 of Schedule 3,
  - (d) Schedules 4–8.
- (2) A description of land may be adjusted from time to time:
  - (a) to alter the boundaries of the land for the purposes of the effective management of the land, including adjustments to enable boundaries to follow distinctive land features, to provide access to land or to rationalise the boundaries of similar areas of land, or
  - (b) to adjust the boundary of any land adjoining a public road, including adjustments to enable the boundary to follow the formed path of the road or to provide an appropriate set back from the carriageway of the road, or
  - (c) to include, remove or change a description of any easement or restriction to which the land is subject, or
  - (d) to provide a more detailed description of the boundaries of the land.
- (3) An adjustment of the description of land is to be made by the Director-General of the Department of Environment and Conservation by a notice published in the Gazette that amends a relevant Schedule.
- (4) A notice under this section may only be published with the approval of:
  - (a) the Minister administering the [National Parks and Wildlife Act 1974](#), and
  - (b) the Minister administering the [Forestry Act 1916](#), and
  - (c) to the extent that the notice applies to any Crown land reserved for use as a

road—the Minister administering the [Crown Lands Act 1989](#), and

(d) to the extent that the notice applies to a classified road—the Minister administering the provisions of the [Roads Act 1993](#) relating to classified roads.

(5) The Director-General of the Department of Environment and Conservation is required to certify in any notice under this section that the adjustments effected by the notice will not result in any significant reduction in the size or value of the land reserved under the [National Parks and Wildlife Act 1974](#) or as State forest.

(6) An adjustment of the description of land may only be made before:

(a) 31 December 2005, except as provided by paragraph (b), or

(b) 31 December 2011, in the case of an adjustment of the description of the boundary of land adjoining a public road.

(7) If any of the land described in a relevant Schedule on the commencement of this Act is not included in the adjusted description of the land, the land that is not so included is taken never to have been subject to or affected by the provisions of this Act applying to land described in the relevant Schedule.

(8) If land included in the adjusted description of the land includes any land not described in a relevant Schedule on the commencement of this Act, the land concerned is taken to have been subject, on and from the commencement of this Act, to the provisions of this Act applying to land described in the relevant Schedule.

(9) The Director-General of the Department of Environment and Conservation may, in a notice published under this section for the purpose of adjusting the boundary of land adjoining a public road, declare that:

(a) any such land (described in the notice) is part of the public road and, accordingly, is vested in the roads authority for that public road under the [Roads Act 1993](#) or is Crown land, or

(b) any such land (described in the notice) ceases to be part of that public road and, accordingly, is divested from the relevant roads authority or the Crown and becomes part of the land subject to the provisions of this Act applying to land described in the relevant Schedule in which the land is included.

A declaration under this subsection has effect according to its tenor, despite anything to the contrary in the [Roads Act 1993](#).

(10) In this section:

**classified road** and **public road** have the same meanings as in the [Roads Act 1993](#).

**land adjoining a public road** includes land in the vicinity of a public road.

## **23 Land transfers—ancillary and special provisions**

Schedule 9 has effect.

## **Part 3 Community Conservation Council and Advisory Committees**

### **Division 1 Community Conservation Council**

#### **24 Establishment of Council**

- (1) There is established by this section the Brigalow and Nandewar Community Conservation Council.
- (2) The Community Conservation Council is, in the exercise of its functions, subject to the control and direction of the Premier.

#### **25 Membership and procedure of Council**

- (1) The Community Conservation Council consists of:
  - (a) the Director-General of the Premier's Department, who is to be the Chairperson of the Council, and
  - (b) the Director-General of the Department of Environment and Conservation, and
  - (c) the Director-General of the Department of Primary Industries, and
  - (d) the Director-General of the Department of Infrastructure, Planning and Natural Resources.
- (2) Schedule 10 has effect with respect to the members and procedure of the Community Conservation Council.

#### **26 Functions of Council**

- (1) The Community Conservation Council has such functions as are conferred or imposed on it by or under this or any other Act.
- (2) In particular, the Community Conservation Council has the following functions:
  - (a) to develop a Community Conservation Area Agreement under Part 4,
  - (b) to implement, or co-ordinate the implementation of, and monitor the achievements of, government policy objectives in respect of the Community Conservation Area.
- (3) The Community Conservation Council may, for the purpose of exercising its functions, arrange for the use of the services of any staff (by secondment or otherwise) or facilities of any government department or public or local authority.

- (4) The Community Conservation Council may delegate the exercise of any of its functions (other than this power of delegation) to any person.

## **Division 2 Community Conservation Advisory Committees**

### **27 Establishment of Advisory Committees**

There is established by this section the following Community Conservation Advisory Committees:

- (a) the Border Rivers/Gwydir Community Conservation Advisory Committee (constituted in respect of that part of the Community Conservation Area shown on the map at the end of section 4), and
- (b) the Namoi Community Conservation Advisory Committee (constituted in respect of that part of the Community Conservation Area shown on that map), and
- (c) the Central West Community Conservation Advisory Committee (constituted in respect of that part of the Community Conservation Area shown on that map).

### **28 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.

- (3) One of the members of an Advisory Committee is, by the instrument of the member's appointment to the Committee or by a subsequent instrument, to be appointed by the relevant Ministers as Chairperson of the Committee.
- (4) Schedule 11 has effect with respect to the members and procedure of an Advisory Committee.
- (5) For the purposes of this Division and Schedule 11, the **relevant Ministers** are the Minister administering the [National Parks and Wildlife Act 1974](#) and the Minister administering the [Forestry Act 1916](#).

## **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.

## **Part 4 Community Conservation Area Agreement**

### **30 Purpose of Agreement**

The purpose of a Community Conservation Area 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.

### **31 Development of Agreement**

- (1) The Community Conservation Council is to develop the Community Conservation Area Agreement in consultation with the Advisory Committees.
- (2) Before the Agreement is made, the Council is to arrange for the draft Agreement to be publicly exhibited and is to call for public submissions on the draft Agreement within the period notified by the Council.

### **32 Approval of Agreement**

- (1) The Community Conservation Area Agreement (or any amendment or replacement Agreement) does not have effect until it is approved by the relevant Ministers.
- (2) For the purposes of this Part, the **relevant Ministers** are:
  - (a) the Minister for the Environment, and
  - (b) the Minister for Primary Industries, and

- (c) the Minister for Natural Resources.

### 33 Content of Agreement

- (1) The Community Conservation Area Agreement 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](#).

### 34 Management of Zones in accordance with Agreement

- (1) A plan of management in relation to land in Zone 1, 2 or 3 is to be prepared having regard to the principles for the management of that land in the Community Conservation Area Agreement and after consultation with the relevant Advisory Committee.
- (2) The integrated forestry operations approval contained in the Community Conservation Area Agreement applies to land in Zone 4.
- (3) In this section:

***integrated forestry operations approval*** has the same meaning as it has in Part 4 of the [Forestry and National Park Estate Act 1998](#).

***plan of management*** has the same meaning as it has in Part 5 of the [National Parks and Wildlife Act 1974](#).

### 35 Review of Agreement

- (1) The Community Conservation Council is to review the Community Conservation Area Agreement every 7 years in consultation with the Advisory Committees.
- (2) The Council may develop amendments or a replacement Agreement in accordance with the provisions of this Part relating to the development of the initial Agreement.

## Part 5 Miscellaneous

### 36 Act to bind Crown

This Act binds the Crown in right of New South Wales and, in so far as the legislative



power of the Parliament of New South Wales permits, the Crown in all its other capacities.

### **37 Indigenous land use agreements**

- (1) The Community Conservation Council and a Community Conservation Advisory Committee must, in exercising their functions, have regard to the relevant provisions of any indigenous land use agreement under the [Native Title Act 1993](#) of the Commonwealth that relate to the Community Conservation Area.
- (2) This section extends to functions relating to the development of the Community Conservation Area Agreement.

### **38 Regulations**

- (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.
- (3) Any such provision may, if the regulations so provide, take effect from 1 July 2005 or a later date.
- (4) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
  - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
  - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

### **39 Amendment of other Acts**

The Acts specified in Schedule 12 are amended as set out in that Schedule.

### **40 Review of Act**

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 5 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament

within 12 months after the end of the period of 5 years.

## **Schedule 1 Zone 1—Conservation and recreation**

(Sections 5, 6, 7 and 16)

Zone 1 of the Community Conservation Area comprises the land described or referred to in the following Parts of this Schedule:

### **Part 1 State forest reserved as national park on commencement of Act**

#### **1 Z1-09: Arthurs Seat State forest**

An area of about 787 hectares, being whole or part of ARTHURS SEAT State Forest No 334 and being the land designated as Z1-09 on the diagram catalogued MISC R 00279 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **2 Z1-21: Baradine State Forest**

An area of about 92 hectares, being whole or part of BARADINE State Forest No 672 and being the land designated as Z1-21 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **3 Z1-34: Bebo State Forest**

An area of about 20,352 hectares, being whole or part of BEBO State Forest No 418 and being the land designated as Z1-34 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **4 Z1-14: Breelong State Forest**

An area of about 1,151 hectares, being whole or part of BREELONG State Forest No 429 and being the land designated as Z1-14 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **5 Z1-11: Bullala State Forest**

An area of about 2,621 hectares, being whole or part of BULLALA State Forest No 406 and being the land designated as Z1-11 on the diagram catalogued MISC R 00280 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **6 Z1-01: Bunal State Forest**

An area of about 1,045 hectares, being whole or part of BUNAL State Forest No 151 and

being the land designated as Z1-01 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**7 Z1-02: Couradda State Forest**

An area of about 360 hectares, being whole or part of COURADDA State Forest No 159 and being the land designated as Z1-02 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**8 Z1-26: Cubbo State Forest**

An area of about 691 hectares, being whole or part of CUBBO State Forest No 811 and being the land designated as Z1-26 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**9 Z1-30: Denobollie State Forest**

An area of about 6,483 hectares, being whole or part of DENOBOILLIE State Forest No 854 and being the land designated as Z1-30 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**10 Z1-20: Dowe State Forest**

An area of about 380 hectares, being whole or part of DOWE State Forest No 597 and being the land designated as Z1-20 on the diagram catalogued MISC R 00298 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**11 Z1-39: Drillwarrina State Forest**

An area of about 1,077 hectares, being whole or part of DRILLWARRINA State Forest No 676 and being the land designated as Z1-39 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**12 Z1-04: Etoo State Forest**

An area of about 2,096 hectares, being whole or part of ETOO State Forest No 269 and being the land designated as Z1-04 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**13 Z1-15: Eura State Forest**

An area of about 2,266 hectares, being whole or part of EURA State Forest No 430 and

being the land designated as Z1-15 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**14 Z1-32: Garrawilla State Forest**

An area of about 939 hectares, being whole or part of GARRAWILLA State Forest No 884 and being the land designated as Z1-32 on the diagram catalogued MISC R 00295 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**15 Z1-16: Goonoo State Forest**

An area of about 9,092 hectares, being whole or part of GOONOO State Forest No 436 and being the land designated as Z1-16 on the diagram catalogued MISC R 00308 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**16 Z1-23: Gunyerwarildi State Forest**

An area of about 316 hectares, being whole or part of GUNYERWARILDI State Forest No 705 and being the land designated as Z1-23 on the diagram catalogued MISC R 00280 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**17 Z1-17: Lincoln State Forest**

An area of about 3,435 hectares, being whole or part of LINCOLN State Forest No 437 and being the land designated as Z1-17 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**18 Z1-18: Mehi State Forest**

An area of about 2,257 hectares, being whole or part of MEHI State Forest No 478 and being the land designated as Z1-18 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**19 Z1-10: Moema State Forest**

An area of about 2,018 hectares, being whole or part of MOEMA State Forest No 551 and being the land designated as Z1-10 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**20 Z1-31: Mogriguy State Forest**

An area of about 399 hectares, being whole or part of MOGRIGUY State Forest No 875 and

being the land designated as Z1-31 on the diagram catalogued MISC R 00309 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**21 Z1-08: Nullamanna State Forest**

An area of about 296 hectares, being whole or part of NULLAMANNA State Forest No 332 and being the land designated as Z1-08 on the diagram catalogued MISC R 00279 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**22 Z1-29: Orr State Forest**

An area of about 4,350 hectares, being whole or part of ORR State Forest No 844 and being the land designated as Z1-29 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**23 Z1-03: Pilliga East State Forest**

An area of about 3,533 hectares, being whole or part of PILLIGA EAST State Forest No 266 and being the land designated as Z1-03 on the diagrams catalogued MISC R 00289 (Edition 1) and MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**24 Z1-22: Pilliga West State Forest**

An area of about 7,927 hectares, being whole or part of PILLIGA WEST State Forest No 267 and being the land designated as Z1-22 on the diagram catalogued MISC R 00287 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**25 Z1-27: Quegobla State Forest**

An area of about 5,531 hectares, being whole or part of QUEGOBLA State Forest No 813 and being the land designated as Z1-27 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**26 Z1-19: Somerton State Forest**

An area of about 761 hectares, being whole or part of SOMERTON State Forest No 515 and being the land designated as Z1-19 on the diagram catalogued MISC R 00299 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**27 Z1-28: Timmallallie State Forest**

An area of about 17,822 hectares, being whole or part of TIMMALLALLIE State Forest No

819 and being the land designated as Z1-28 on the diagrams catalogued MISC R 00290 (Edition 1) and MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**28 Z1-33: Tinkrameanah State Forest**

An area of about 969 hectares, being whole or part of TINKRAMEANAH State Forest No 915 and being the land designated as Z1-33 on the diagram catalogued MISC R 00296 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**29 Z1-12: Warialda State Forest**

An area of about 1,603 hectares, being whole or part of WARIALDA State Forest No 417 and being the land designated as Z1-12 on the diagram catalogued MISC R 00281 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**30 Z1-07: Wittenbra State Forest**

An area of about 6,983 hectares, being whole or part of WITTENBRA State Forest No 274 and being the land designated as Z1-07 on the diagrams catalogued MISC R 00290 (Edition 1) and MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**31 Z1-05: Yarrigan State Forest**

An area of about 3,130 hectares, being whole or part of YARRIGAN State Forest No 272 and being the land designated as Z1-05 on the diagram catalogued MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**32 Z1-24: Yarrobil State Forest**

An area of about 1,328 hectares, being whole or part of YARROBIL State Forest No 78 and being the land designated as Z1-24 on the diagram catalogued MISC R 00311 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**33 Z1-06: Yearinan State Forest**

An area of about 2,876 hectares, being whole or part of YEARINAN State Forest No 273 and being the land designated as Z1-06 on the diagram catalogued MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Part 2 Crown land reserved as national park on commencement of Act**

### **34 Z1-35**

An area of about 250 hectares, being the land designated as Z1-35 on the diagram catalogued MISC R 00302 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **35 Z1-36**

An area of about 180 hectares, being the land designated as Z1-36 on the diagram catalogued MISC R 00282 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **36 Z1-37**

An area of about 260 hectares, being the land designated as Z1-37 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **37 Z1-38**

An area of about 215 hectares, being the land designated as Z1-38 on the diagram catalogued MISC R 00302 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Part 3 NPW Minister land reserved as national park on commencement of Act**

### **38 Z1-25**

An area of about 5,402 hectares, being the land designated as Z1-25 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Part 4 Future additions to Zone 1**

[This Part was blank on the commencement of this Act]

## **Schedule 2 Zone 2—Conservation and Aboriginal culture**

(Sections 8 and 16)

Zone 2 of the Community Conservation Area comprises the land described or referred to in the following Parts of this Schedule:

### **Part 1 State forest reserved as Aboriginal area on commencement of**

## **Act**

### **1 Z2-01: Berrygill State Forest**

An area of about 2,725 hectares, being whole or part of BERRYGILL State Forest No 150 and being the land designated as Z2-01 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **2 Z2-06: Campbell State Forest**

An area of about 461 hectares, being whole or part of CAMPBELL State Forest No 518 and being the land designated as Z2-06 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **3 Z2-04: Courallie State Forest**

An area of about 2,784 hectares, being whole or part of COURALLIE State Forest No 414 and being the land designated as Z2-04 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **4 Z2-10: Deriah State Forest**

An area of about 2,240 hectares, being whole or part of DERIAH State Forest No 407 and being the land designated as Z2-10 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **5 Z2-08: Irrigappa State Forest**

An area of about 899 hectares, being whole or part of IRRIGAPPA State Forest No 710 and being the land designated as Z2-08 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **6 Z2-09: Kelvin State Forest**

An area of about 2,267 hectares, being whole or part of KELVIN State Forest No 848 and being the land designated as Z2-09 on the diagram catalogued MISC R 00298 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **7 Z2-03: Mission State Forest**

An area of about 1,266 hectares, being whole or part of MISSION State Forest No 412 and being the land designated as Z2-03 on the diagrams catalogued MISC R 00281 (Edition 1)



and MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

#### **8 Z2-07: Montrose State Forest**

An area of about 1,503 hectares, being whole or part of MONTROSE State Forest No 552 and being the land designated as Z2-07 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **9 Z2-02: Pilliga East State Forest**

An area of about 1,352 hectares, being whole or part of PILLIGA EAST State Forest No 266 and being the land designated as Z2-02 on the diagram catalogued MISC R 00294 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **10 Z2-05: Terry Hie Hie State Forest**

An area of about 5,862 hectares, being whole or part of TERRY HIE HIE State Forest No 421 and being the land designated as Z2-05 on the diagram catalogued MISC R 00281 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **Part 2 Future additions to Zone 2**

[This Part was blank on the commencement of this Act]

### **Schedule 3 Zone 3—Conservation, recreation and mineral extraction**

(Sections 9, 10 and 16)

Zone 3 of the Community Conservation Area comprises the land described or referred to in the following Parts of this Schedule:

#### **Part 1 State forest reserved as state conservation area on commencement of Act**

##### **1 Z3-11: Beni State Forest**

An area of about 1,813 hectares, being whole or part of BENI State Forest No 435 and being the land designated as Z3-11 on the diagram catalogued MISC R 00310 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

##### **2 Z3-13: Biddon State Forest**

An area of about 3,362 hectares, being whole or part of BIDDON State Forest No 449 and being the land designated as Z3-13 on the diagram catalogued MISC R 00306 (Edition 1) in the Department of Environment and Conservation, subject to any variations or

exceptions noted on that diagram.

### **3 Z3-22: Bingara State Forest**

An area of about 527 hectares, being whole or part of BINGARA State Forest No 859 and being the land designated as Z3-22 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **4 Z3-08: Bobbiwaa State Forest**

An area of about 2,692 hectares, being whole or part of BOBBIWAA State Forest No 416 and being the land designated as Z3-08 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **5 Z3-25: Bullawa Creek State Forest**

An area of about 99 hectares, being whole or part of BULLAWA CREEK State Forest No 980 and being the land designated as Z3-25 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **6 Z3-18: Cubbo State Forest**

An area of about 5,118 hectares, being whole or part of CUBBO State Forest No 811 and being the land designated as Z3-18 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **7 Z3-24: Curryall State Forest**

An area of about 975 hectares, being whole or part of CURRYALL State Forest No 946 and being the land designated as Z3-24 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **8 Z3-23: Durridgere State Forest**

An area of about 3,446 hectares, being whole or part of DURRIDGERE State Forest No 882 and being the land designated as Z3-23 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **9 Z3-17: Euligal State Forest**

An area of about 735 hectares, being whole or part of EULIGAL State Forest No 810 and being the land designated as Z3-17 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or

exceptions noted on that diagram.

**10 Z3-14: Goodiman State Forest**

An area of about 570 hectares, being whole or part of GOODIMAN State Forest No 458 and being the land designated as Z3-14 on the diagram catalogued MISC R 00311 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**11 Z3-12: Goonoo State Forest**

An area of about 53,745 hectares, being whole or part of GOONOO State Forest No 436 and being the land designated as Z3-12 on the diagram catalogued MISC R 00308 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**12 Z3-02: Killarney State Forest**

An area of about 1,858 hectares, being whole or part of KILLARNEY State Forest No 195 and being the land designated as Z3-02 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**13 Z3-10: Leard State Forest**

An area of about 1,176 hectares, being whole or part of LEARD State Forest No 420 and being the land designated as Z3-10 on the diagram catalogued MISC R 00297 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**14 Z3-20: Merriwindi State Forest**

An area of about 1,729 hectares, being whole or part of MERRIWINDI State Forest No 839 and being the land designated as Z3-20 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**15 Z3-07: Murchison State Forest**

An area of about 1,556 hectares, being whole or part of MURCHISON State Forest No 317 and being the land designated as Z3-07 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**16 Z3-05: Pilliga East State Forest**

An area of about 50,990 hectares, being whole or part of PILLIGA EAST State Forest No 266 and being the land designated as Z3-05 on the diagrams catalogued MISC R 00289 (Edition 1), MISC R 00290 (Edition 1) and MISC R 00294 (Edition 1) in the Department of

Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**17 Z3-06: Pilliga West State Forest**

An area of about 34,244 hectares, being whole or part of PILLIGA WEST State Forest No 267 and being the land designated as Z3-06 on the diagrams catalogued MISC R 00287 (Edition 1) and MISC R 00288 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**18 Z3-21: Ruttley State Forest**

An area of about 613 hectares, being whole or part of RUTTLEY State Forest No 852 and being the land designated as Z3-21 on the diagram catalogued MISC R 00294 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**19 Z3-16: Sepoy State Forest**

An area of about 1,057 hectares, being whole or part of SEPOY State Forest No 733 and being the land designated as Z3-16 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**20 Z3-15: Stonehenge State Forest**

An area of about 530 hectares, being whole or part of STONEHENGE State Forest No 617 and being the land designated as Z3-15 on the diagram catalogued MISC R 00281 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**21 Z3-01: Trinkey State Forest**

An area of about 10,228 hectares, being whole or part of TRINKEY State Forest No 177 and being the land designated as Z3-01 on the diagram catalogued MISC R 00296 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**22 Z3-04: Turill State Forest**

An area of about 1,052 hectares, being whole or part of TURILL State Forest No 203 and being the land designated as Z3-04 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**23 Z3-09: Warialda State Forest**

An area of about 2,393 hectares, being whole or part of WARIALDA State Forest No 417 and being the land designated as Z3-09 on the diagram catalogued MISC R 00281 (Edition

1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **24 Z3-03: Wondoba State Forest**

An area of about 1,669 hectares, being whole or part of WONDOBA State Forest No 196 and being the land designated as Z3-03 on the diagram catalogued MISC R 00299 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **25 Z3-19: Yaminba State Forest**

An area of about 1,009 hectares, being whole or part of YAMINBA State Forest No 821 and being the land designated as Z3-19 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **Part 2 Crown land reserved as state conservation area on commencement of Act**

#### **26 Z3-26**

An area of about 1,057 hectares, being the land designated as Z3-26 on the diagram catalogued MISC R 00282 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **27 Z3-27**

An area of about 1,453 hectares, being the land designated as Z3-27 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **Part 3 Future additions to Zone 3**

[This Part was blank on the commencement of this Act]

### **Schedule 4 Zone 4—Forestry, recreation and mineral extraction**

(Sections 11 and 16)

Zone 4 of the Community Conservation Area comprises the following land within that area that is State forest.

#### **1 Z4-31: Attunga State Forest**

An area of about 861 hectares, being whole or part of ATTUNGA State Forest No 724 and being the land designated as Z4-31 on the diagram catalogued MISC R 00301 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**2 Z4-44: Baby State Forest**

An area of about 255 hectares, being whole or part of BABY State Forest No 846 and being the land designated as Z4-44 on the diagram catalogued MISC R 00292 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**3 Z4-28: Balladoran State Forest**

An area of about 330 hectares, being whole or part of BALLADORAN State Forest No 677 and being the land designated as Z4-28 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**4 Z4-27: Baradine State Forest**

An area of about 9,868 hectares, being whole or part of BARADINE State Forest No 672 and being the land designated as Z4-27 on the diagrams catalogued MISC R 00290 (Edition 1) and MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**5 Z4-15: Bebo State Forest**

An area of about 2,263 hectares, being whole or part of BEBO State Forest No 418 and being the land designated as Z4-15 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**6 Z4-05: Benbraggie State Forest**

An area of about 846 hectares, being whole or part of BENBRAGGIE State Forest No 1068 and being the land designated as Z4-05 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**7 Z4-18: Beni State Forest**

An area of about 31 hectares, being whole or part of BENI State Forest No 435 and being the land designated as Z4-18 on the diagram catalogued MISC R 00310 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**8 Z4-29: Bibblewindi State Forest**

An area of about 7,409 hectares, being whole or part of BIBBLEWINDI State Forest No 712 and being the land designated as Z4-29 on the diagram catalogued MISC R 00293 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**9 Z4-48: Bingara State Forest**

An area of about 2,110 hectares, being whole or part of BINGARA State Forest No 859 and being the land designated as Z4-48 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**10 Z4-36: Black Jack State Forest**

An area of about 197 hectares, being whole or part of BLACK JACK State Forest No 789 and being the land designated as Z4-36 on the diagram catalogued MISC R 00299 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**11 Z4-03: Boyben State Forest**

An area of about 2,572 hectares, being whole or part of BOYBEN State Forest No 1042 and being the land designated as Z4-03 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**12 Z4-07: Breeza State Forest**

An area of about 1,364 hectares, being whole or part of BREEZA State Forest No 110 and being the land designated as Z4-07 on the diagram catalogued MISC R 00299 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**13 Z4-35: Clive State Forest**

An area of about 611 hectares, being whole or part of CLIVE State Forest No 782 and being the land designated as Z4-35 on the diagram catalogued MISC R 00282 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**14 Z4-33: Coomore Creek State Forest**

An area of about 4,210 hectares, being whole or part of COOMORE CREEK State Forest No 735 and being the land designated as Z4-33 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**15 Z4-06: Copeton State Forest**

An area of about 1,397 hectares, being whole or part of COPETON State Forest No 1071 and being the land designated as Z4-06 on the diagram catalogued MISC R 00282 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**16 Z4-13: Culgoora State Forest**

An area of about 1,301 hectares, being whole or part of CULGOORA State Forest No 411 and being the land designated as Z4-13 on the diagram catalogued MISC R 00286 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**17 Z4-40: Cumbil State Forest**

An area of about 7,660 hectares, being whole or part of CUMBIL State Forest No 812 and being the land designated as Z4-40 on the diagrams catalogued MISC R 00289 (Edition 1) and MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**18 Z4-49: Curban State Forest**

An area of about 198 hectares, being whole or part of CURBAN State Forest No 867 and being the land designated as Z4-49 on the diagram catalogued MISC R 00306 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**19 Z4-04: Daffeys Creek State Forest**

An area of about 1,081 hectares, being whole or part of DAFFEYS CREEK State Forest No 1057 and being the land designated as Z4-04 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**20 Z4-02: Dilly State Forest**

An area of about 68 hectares, being whole or part of DILLY State Forest No 1017 and being the land designated as Z4-02 on the diagram catalogued MISC R 00306 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**21 Z4-51: Dinawirindi State Forest**

An area of about 139 hectares, being whole or part of DINAWIRINDI State Forest No 960 and being the land designated as Z4-51 on the diagram catalogued MISC R 00301 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**22 Z4-20: Doona State Forest**

An area of about 1,323 hectares, being whole or part of DOONA State Forest No 512 and being the land designated as Z4-20 on the diagram catalogued MISC R 00300 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.



**23 Z4-38: Dubbo State Forest**

An area of about 2 hectares, being whole or part of DUBBO State Forest No 807 and being the land designated as Z4-38 on the diagram catalogued MISC R 00310 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**24 Z4-45: Eringanerin State Forest**

An area of about 11 hectares, being whole or part of ERINGANERIN State Forest No 851 and being the land designated as Z4-45 on the diagram catalogued MISC R 00307 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**25 Z4-54: Etoo State Forest**

An area of about 2,937 hectares, being whole or part of ETOO State Forest No 269 and being the land designated as Z4-54 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**26 Z4-12: Euligal State Forest**

An area of about 10,417 hectares, being whole or part of EULIGAL State Forest No 810 and being the land designated as Z4-12 on the diagrams catalogued MISC R 00289 (Edition 1) and MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**27 Z4-52: Eumungerie State Forest**

An area of about 136 hectares, being whole or part of EUMUNGERIE State Forest No 971 and being the land designated as Z4-52 on the diagram catalogued MISC R 00309 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**28 Z4-21: Goran State Forest**

An area of about 499 hectares, being whole or part of GORAN State Forest No 513 and being the land designated as Z4-21 on the diagram catalogued MISC R 00299 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**29 Z4-42: Horseshoe Bend State Forest**

An area of about 103 hectares, being whole or part of HORSESHOE BEND State Forest No 1051 and being the land designated as Z4-42 on the diagram catalogued MISC R 00281 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**30 Z4-10: Jacks Creek State Forest**

An area of about 10,095 hectares, being whole or part of JACKS CREEK State Forest No 270 and being the land designated as Z4-10 on the diagram catalogued MISC R 00293 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**31 Z4-34: Janewindi State Forest**

An area of about 474 hectares, being whole or part of JANEWINDI State Forest No 776 and being the land designated as Z4-34 on the diagram catalogued MISC R 00286 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**32 Z4-24: Kerringle State Forest**

An area of about 6,695 hectares, being whole or part of KERRINGLE State Forest No 595 and being the land designated as Z4-24 on the diagram catalogued MISC R 00294 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**33 Z4-17: Leard State Forest**

An area of about 7,470 hectares, being whole or part of LEARD State Forest No 420 and being the land designated as Z4-17 on the diagram catalogued MISC R 00297 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**34 Z4-39: Merriwindi State Forest**

An area of about 4,879 hectares, being whole or part of MERRIWINDI State Forest No 839 and being the land designated as Z4-39 on the diagrams catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**35 Z4-56: Minnon State Forest**

An area of about 2,416 hectares, being whole or part of MINNON State Forest No 809 and being the land designated as Z4-56 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**36 Z4-16: Mount Topper State Forest**

An area of about 458 hectares, being whole or part of MOUNT TOPPER State Forest No 419 and being the land designated as Z4-16 on the diagram catalogued MISC R 00282 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**37 Z4-43: Orr State Forest**

An area of about 2,398 hectares, being whole or part of ORR State Forest No 844 and being the land designated as Z4-43 on the diagram catalogued MISC R 00290 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**38 Z4-53: Parkhurst State Forest**

An area of about 582 hectares, being whole or part of PARKHURST State Forest No 991 and being the land designated as Z4-53 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**39 Z4-08: Pilliga East State Forest**

An area of about 131,449 hectares, being whole or part of PILLIGA EAST State Forest No 266 and being the land designated as Z4-08 on the diagrams catalogued MISC R 00289 (Edition 1), MISC R 00290 (Edition 1), MISC R 00293 (Edition 1) and MISC R 00294 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**40 Z4-09: Pilliga West State Forest**

An area of about 31,776 hectares, being whole or part of PILLIGA WEST State Forest No 267 and being the land designated as Z4-09 on the diagrams catalogued MISC R 00287 (Edition 1) and MISC R 00288 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**41 Z4-47: Pine Ridge State Forest**

An area of about 352 hectares, being whole or part of PINE RIDGE State Forest No 858 and being the land designated as Z4-47 on the diagram catalogued MISC R 00300 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**42 Z4-41: Quegobla State Forest**

An area of about 626 hectares, being whole or part of QUEGOBLA State Forest No 813 and being the land designated as Z4-41 on the diagram catalogued MISC R 00289 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**43 Z4-32: Sepoy State Forest**

An area of about 25 hectares, being whole or part of SEPOY State Forest No 733 and being the land designated as Z4-32 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions

noted on that diagram.

**44 Z4-01: Severn State Forest**

An area of about 3,242 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as Z4-01 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**45 Z4-25: Spring Ridge State Forest**

An area of about 1,004 hectares, being whole or part of SPRING RIDGE State Forest No 596 and being the land designated as Z4-25 on the diagram catalogued MISC R 00300 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**46 Z4-22: Strathmore State Forest**

An area of about 390 hectares, being whole or part of STRATHMORE State Forest No 516 and being the land designated as Z4-22 on the diagram catalogued MISC R 00280 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**47 Z4-26: Stuart State Forest**

An area of about 118 hectares, being whole or part of STUART State Forest No 636 and being the land designated as Z4-26 on the diagram catalogued MISC R 00280 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**48 Z4-23: Vickery State Forest**

An area of about 1,942 hectares, being whole or part of VICKERY State Forest No 550 and being the land designated as Z4-23 on the diagram catalogued MISC R 00298 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**49 Z4-14: Warialda State Forest**

An area of about 205 hectares, being whole or part of WARIALDA State Forest No 417 and being the land designated as Z4-14 on the diagram catalogued MISC R 00281 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**50 Z4-50: Waubebunga State Forest**

An area of about 104 hectares, being whole or part of WAUBEBUNGA State Forest No 944 and being the land designated as Z4-50 on the diagram catalogued MISC R 00287 (Edition 1) in the Department of Environment and Conservation, subject to any variations or

exceptions noted on that diagram.

**51 Z4-55: Wittenbra State Forest**

An area of about 5,689 hectares, being whole or part of WITTENBRA State Forest No 274 and being the land designated as Z4-55 on the diagrams catalogued MISC R 00290 (Edition 1) and MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

**52 Z4-19: Yalcogrin State Forest**

An area of about 930 hectares, being whole or part of YALCOGRIN State Forest No 450 and being the land designated as Z4-19 on the diagram catalogued MISC R 00306 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**53 Z4-30: Yarindury State Forest**

An area of about 1,464 hectares, being whole or part of YARINDURY State Forest No 713 and being the land designated as Z4-30 on the diagram catalogued MISC R 00311 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**54 Z4-11: Yearinan State Forest**

An area of about 257 hectares, being whole or part of YEARINAN State Forest No 273 and being the land designated as Z4-11 on the diagram catalogued MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**55 Z4-37: Yetman State Forest**

An area of about 469 hectares, being whole or part of YETMAN State Forest No 802 and being the land designated as Z4-37 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**Schedule 5 State forest vested in NPW Minister**

(Section 12)

**1 V-01: Bebo State Forest**

An area of about 155 hectares, being whole or part of BEBO State Forest No 418 and being the land designated as V-01 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**2 V-25: Bebo State Forest**

An area of about 399 hectares, being whole or part of BEBO State Forest No 418 and being the land designated as V-25 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**3 V-24: Biddon State Forest**

An area of about 325 hectares, being whole or part of BIDDON State Forest No 449 and being the land designated as V-24 on the diagram catalogued MISC R 00306 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**4 V-08: Bingara State Forest**

An area of about 496 hectares, being whole or part of BINGARA State Forest No 859 and being the land designated as V-08 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**5 V-23: Cobbora State Forest**

An area of about 3,724 hectares, being whole or part of COBBORA State Forest No 1028 and being the land designated as V-23 on the diagram catalogued MISC R 00308 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**6 V-16: Curryall State Forest**

An area of about 150 hectares, being whole or part of CURRYALL State Forest No 946 and being the land designated as V-16 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**7 V-17: Durridgere State Forest**

An area of about 246 hectares, being whole or part of DURRIDGERE State Forest No 882 and being the land designated as V-17 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**8 V-18: Durridgere State Forest**

An area of about 194 hectares, being whole or part of DURRIDGERE State Forest No 882 and being the land designated as V-18 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**9 V-19: Durridgere State Forest**

An area of about 82 hectares, being whole or part of DURRIDGERE State Forest No 882 and being the land designated as V-19 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**10 V-04: Mehi State Forest**

An area of about 548 hectares, being whole or part of MEHI State Forest No 478 and being the land designated as V-04 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**11 V-05: Mehi State Forest**

An area of about 478 hectares, being whole or part of MEHI State Forest No 478 and being the land designated as V-05 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**12 V-20: Munmurra State Forest**

An area of about 105 hectares, being whole or part of MUNMURRA State Forest No 1014 and being the land designated as V-20 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**13 V-21: Munmurra State Forest**

An area of about 204 hectares, being whole or part of MUNMURRA State Forest No 1014 and being the land designated as V-21 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**14 V-09: Munro State Forest**

An area of about 2,016 hectares, being whole or part of MUNRO State Forest No 1004 and being the land designated as V-09 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**15 V-10: Munro State Forest**

An area of about 1,210 hectares, being whole or part of MUNRO State Forest No 1004 and being the land designated as V-10 on the diagram catalogued MISC R 00283 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**16 V-12: Pilliga West State Forest**

An area of about 1,787 hectares, being whole or part of PILLIGA WEST State Forest No 267 and being the land designated as V-12 on the diagram catalogued MISC R 00287 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**17 V-11: Plagyan State Forest**

An area of about 449 hectares, being whole or part of PLAGYAN State Forest No 409 and being the land designated as V-11 on the diagram catalogued MISC R 00297 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**18 V-02: Severn State Forest**

An area of about 522 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as V-02 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**19 V-03: Severn State Forest**

An area of about 268 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as V-03 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**20 V-06: Severn State Forest**

An area of about 625 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as V-06 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**21 V-07: Severn State Forest**

An area of about 434 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as V-07 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**22 V-14: Warung State Forest**

An area of about 799 hectares, being whole or part of WARUNG State Forest No 457 and being the land designated as V-14 on the diagram catalogued MISC R 00303 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.



### **23 V-15: Warung State Forest**

An area of about 1,842 hectares, being whole or part of WARUNG State Forest No 457 and being the land designated as V-15 on the diagram catalogued MISC R 00303 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **24 V-13: Yaminba State Forest**

An area of about 835 hectares, being whole or part of YAMINBA State Forest No 821 and being the land designated as V-13 on the diagram catalogued MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **25 V-22: Yarrobil State Forest**

An area of about 456 hectares, being whole or part of YARROBIL State Forest No 78 and being the land designated as V-22 on the diagram catalogued MISC R 00311 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Schedule 6 State forests added to existing national parks**

(Section 13)

### **1 Addition to Coolah Tops National Park**

An area of about 122 hectares, being whole or part of WARUNG State Forest No 457 and being the land designated as 88-01 on the diagram catalogued MISC R 00303 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **2 Addition to Goulburn River National Park**

An area of about 1,009 hectares, being whole or part of MUNMURRA State Forest No 1014 and being the land designated as 60-01 on the diagram catalogued MISC R 00305 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **3 Addition to Kwiambal National Park**

An area of about 2,251 hectares, being whole or part of SEVERN State Forest No 1002 and being the land designated as 156-01 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **4 Additions to Mount Kaputar National Park**

(1) An area of about 4,156 hectares, being whole or part of PLAGYAN State Forest No 409

and being the land designated as 38-01 on the diagram catalogued MISC R 00297 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

- (2) An area of about 1,599 hectares, being whole or part of RUSDEN State Forest No 410 and being the land designated as 38-02 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Schedule 7 Crown lands added to existing national parks and nature reserves**

(Section 14)

### **Part 1 Additions to national parks on commencement of Act**

#### **1 Mount Kaputar National Park**

- (1) An area of about 713 hectares, being the land designated as 38-03 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) An area of about 1,890 hectares, being the land designated as 38-04 on the diagram catalogued MISC R 00297 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) An area of about 240 hectares, being the land designated as 38-05 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **Part 2 Additions to nature reserves on commencement of Act**

#### **2 Pilliga Nature Reserve**

An area of about 340 hectares, being the land designated as 464-01 on the diagram catalogued MISC R 00291 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **3 Weetalibah Nature Reserve**

- (1) An area of about 1,203 hectares, being the land designated as 489-01 on the diagram catalogued MISC R 00304 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) An area of about 330 hectares, being the land designated as 489-02 on the diagram catalogued MISC R 00304 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Schedule 8 NPW Minister land reserved as national park or nature reserve**

(Section 15)

### **1 Dthinna Dthinnawan Nature Reserve**

An area of about 1,611 hectares, being the land designated as 919-01 on the diagram catalogued MISC R 00277 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **2 Additions to Kwiambal National Park**

- (1) An area of about 857 hectares, being the land designated as 156-02 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) An area of about 987 hectares, being the land designated as 156-03 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) An area of about 691 hectares, being the land designated as 156-04 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (4) An area of about 446 hectares, being the land designated as 156-05 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **3 Additions to Mount Kaputar National Park**

- (1) An area of about 3,586 hectares, being the land designated as 38-06 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) An area of about 297 hectares, being the land designated as 38-07 on the diagram catalogued MISC R 00285 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) An area of about 491 hectares, being the land designated as 38-08 on the diagram catalogued MISC R 00284 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **4 Taringa Nature Reserve**

An area of about 1,334 hectares, being the land designated 914-01 on the diagram catalogued MISC R 00278 (Edition 1) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## Schedule 9 Land transfers—ancillary and special provisions

(Section 23)

### 1 Exclusion of freehold and certain leasehold interests

- (1) The following land is not reserved by this Act:
  - (a) land that a person holds for an estate in fee simple, other than land that immediately before the commencement of this Act was vested in Her Majesty, or the Minister administering the *National Parks and Wildlife Act 1974* on behalf of the Crown, for the purposes of Part 11 of that Act,
  - (b) land that a person holds under a perpetual lease, a special lease or a term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989*,
  - (c) land that is comprised in an incomplete purchase within the meaning of the *Crown Lands (Continued Tenures) Act 1989*.
- (2) This clause has effect despite any other provision of this Act.
- (3) This clause applies in relation to land described in Part 4 of Schedule 1, Part 2 of Schedule 2 and Part 3 of Schedule 4 as if a reference in this clause to the commencement of this Act were a reference to the making of a proclamation under section 16.

### 2 Application of Act

- (1) This Act has effect despite the provisions of the *Forestry Act 1916* and, in particular, despite any different procedure under that Act for the revocation of State forests, flora reserves, special management zones, national forests or timber reserves.
- (2) This Act has effect despite the provisions of the *National Parks and Wildlife Act 1974* and, in particular, despite any different procedure for reserving, or for vesting, land under that Act.

### 3 Reservation of lands as national parks, Aboriginal areas, state conservation areas or nature reserves

- (1) The lands reserved as, or as parts of, national parks, Aboriginal areas, state conservation areas or nature reserves by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so reserved by notice published under Division 1 of Part 4 of that Act.
- (2) A reference in the *National Parks and Wildlife Act 1974* to the publication of a notice under Division 1 of Part 4 of that Act is, in relation to a reservation of any of the lands that is effected by this Act, taken to be a reference to:
  - (a) the enactment of this Act, or

(b) in the case of land reserved by the making of a proclamation under section 16—the making of that proclamation.

(3) A name assigned to any national park, Aboriginal area, state conservation area or nature reserve by this Act is taken to have been assigned to that land by notice published under Division 1 of Part 4 of the [National Parks and Wildlife Act 1974](#).

(4) Section 35 (including section 35 as applied by section 58) and section 47D of the [National Parks and Wildlife Act 1974](#) do not apply to a reservation of land as, or as part of, a national park, state conservation area or nature reserve that is effected by this Act.

#### **4 Existing leases under [Forestry Act 1916](#) affecting lands reserved as national parks, Aboriginal areas, state conservation areas or nature reserves**

Section 42 (2) (including section 42 (2) as applied by sections 47K and 64) and section 55 of the [National Parks and Wildlife Act 1974](#) apply to and in respect of a lease under the [Forestry Act 1916](#), being a lease:

(a) affecting any of the lands described in Schedule 1, 2, 3 or 6 that are reserved as, or as parts of, national parks, Aboriginal areas, state conservation areas or nature reserves by this Act, and

(b) current and in force immediately before the commencement of this Act,

in the same way as those sections apply to a licence or permit under the [Forestry Act 1916](#).

#### **5 Access roads within national parks, Aboriginal areas, state conservation areas or nature reserves**

(1) In this clause:

**access roads** means the roads, tracks, trails and other means of access referred to in subclause (2) (a)–(c).

**private land holding** means land held:

(a) by an owner within the meaning of the [National Parks and Wildlife Act 1974](#), or

(b) as a holding within the meaning of the [Crown Lands Act 1989](#).

(2) This clause applies to and in respect of the following access roads situated within the lands described in Schedule 1, 2, 3, 6, 7 or 8 immediately before the commencement of this Act:

(a) roads of access within the meaning of section 33A of the [Forestry Act 1916](#),

(b) roads, tracks, trails and other means of access used for access to private land

holdings within those lands immediately before the commencement of this Act,

(c) roads, tracks, trails and other means of access through those lands to State forests or private land holdings that adjoin or are in the vicinity of the lands.

(3) The access roads to which this clause applies are not, on the commencement of this Act, reserved as, or as part of, a national park, Aboriginal area or state conservation area by this Act but vest in the Minister administering the [National Parks and Wildlife Act 1974](#) on behalf of the Crown for the purposes of Part 11 of that Act for an estate in fee simple, freed and discharged from:

(a) all trusts, obligations, estates, interests, rights of way or other easements, and

(b) any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked.

(4) The access roads may continue, subject to this clause, to be used for the purposes for which they were used immediately before the commencement of this Act.

(5) Within 6 years of the commencement of this Act, the Minister administering the [National Parks and Wildlife Act 1974](#) must, by one or more orders published in the Gazette, declare which of the access roads:

(a) are excluded from reservation as part of a national park, Aboriginal area, state conservation area or nature reserve, or

(b) are not so excluded and are reserved as part of the national park, Aboriginal area, state conservation area or nature reserve in which they are situated.

An order under this subclause may be published only with the concurrence of the Minister administering the [Forestry Act 1916](#).

(6) On the publication of an order under subclause (5):

(a) the access roads that are referred to in the order as excluded from reservation as part of a national park, Aboriginal area, state conservation area or nature reserve remain vested in the Minister administering the [National Parks and Wildlife Act 1974](#) for the purposes of Part 11 of that Act and may, subject to this clause, continue to be used for the purposes for which they were used immediately before the commencement of this Act, and

(b) the access roads that are not so excluded are reserved as part of the national park, Aboriginal area, state conservation area or nature reserve within which they are situated.

(7) Nothing in this clause affects the exercise of any power, authority, duty or function by the Minister administering the [National Parks and Wildlife Act 1974](#) or any other person under and in accordance with that Act in relation to any access road to which

this clause applies.

- (8) While a private land holding is in private ownership, nothing in this clause authorises the Minister administering the [National Parks and Wildlife Act 1974](#) to close any access road that comprises the only practical means of access to the land holding.
- (9) This clause has effect despite the provisions of the [Forestry Act 1916](#).
- (10) This clause applies in relation to access roads within lands described in Part 4 of Schedule 1, Part 2 of Schedule 2 and Part 3 of Schedule 4 as if a reference in this clause to the commencement of this Act were a reference to the making of a proclamation under section 16.

## **6 Status of land vested in NPW Minister**

- (1) Any land that is vested by this Act in the Minister administering the [National Parks and Wildlife Act 1974](#) for the purposes of Part 11 of that Act is taken to have been acquired by that Minister under that Part, and may be dealt with by that Minister as if it had been so acquired.
- (2) Any such land is, to the extent that it relates to land subject to a lease preserved by section 12, taken to be Crown land reserved from sale for the purpose of any application by the holder of the lease to purchase the land comprised in the lease.

## **7 Provisions relating to activities carried out on land vested in NPW Minister**

- (1) This clause applies to and in respect of land vested in the Minister administering the [National Parks and Wildlife Act 1974](#) for the purposes of Part 11 of that Act by this Act.
- (2) For the avoidance of doubt, the purposes for which the powers of the Minister administering the [National Parks and Wildlife Act 1974](#) under section 149 of that Act may be exercised in respect of land to which this clause applies include enabling an activity to continue to be carried out that was carried out on the land before it was so vested.
- (3) The Director-General of the Department of Environment and Conservation may authorise the use of relevant access roads for the purpose of enabling any lawful activity to be carried out on the land to which this clause applies.
- (4) In this clause, **relevant access roads** means roads, tracks, trails and other means of access through any land reserved under the [National Parks and Wildlife Act 1974](#) to land to which this clause applies.

## **8 Administration of perpetual leases affecting land vested in NPW Minister**

- (1) The administration of matters relating to perpetual leases (within the meaning of the [Crown Lands \(Continued Tenures\) Act 1989](#)) affecting any of the lands described in Schedule 5 and preserved by section 12, is vested in the Minister administering the

*National Parks and Wildlife Act 1974.*

- (2) For the purposes of subclause (1), the Minister administering the *National Parks and Wildlife Act 1974* has the powers of the Minister administering the *Crown Lands (Continued Tenures) Act 1989*.

## **9 Saving in relation to revocations**

A revocation effected by this Act does not affect anything done or omitted to be done before the revocation takes effect.

## **Schedule 10 Provisions relating to members and procedure of Council**

(Section 25)

### **1 Definitions**

In this Schedule:

**Council** means the Community Conservation Council.

**member** means a member of the Council.

### **2 Nominees of members**

- (1) The Director-General of the Premier's Department may nominate an officer of the Premier's Department to act in the Director-General's place at any meeting of the Council.
- (2) The Director-General of the Department of Environment and Conservation may nominate an officer of the Department to act in the Director-General's place at any meeting of the Council.
- (3) The Director-General of the Department of Primary Industries may nominate an officer of the Department to act in the Director-General's place at any meeting of the Council.
- (4) The Director-General of the Department of Infrastructure, Planning and Natural Resources may nominate an officer of the Department to act in the Director-General's place at any meeting of the Council.
- (5) A nominee appointed under this section by a Director-General has, while acting in the place of the Director-General at a meeting, the functions of the Director-General, and is taken to be the Director-General, for the purposes of that meeting.

### **3 General procedure for calling and holding meetings of Council**

The procedure for the calling and holding of meetings of the Council is to be determined by the Council, subject to any directions of the Minister administering the *National Parks and Wildlife Act 1974* and the Minister administering the *Forestry Act 1916*.



#### **4 Quorum**

The quorum for a meeting of the Council is 3 members (including the Director-Generals of the Department of Environment and Conservation and the Department of Primary Industries).

#### **5 Presiding member**

- (1) The Chairperson of the Council (or, in the absence of the Chairperson, the member chosen by the members present) is to preside at a meeting of the Council.
- (2) The presiding member has a deliberative vote. In the event of an equality of votes, the presiding member (if the Chairperson of the Council) has a second or casting vote.

#### **6 Voting**

A decision supported by a majority of the votes cast at a meeting of the Council at which a quorum is present is the decision of the Council.

#### **7 Transaction of business outside meetings or by telephone**

- (1) The Council may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Council for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Council.
- (2) The Council may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone, closed-circuit television or other means, but only if any member who speaks on a matter before the meeting can be heard by the other members.
- (3) For the purposes of:
  - (a) the approval of a resolution under subclause (1), or
  - (b) a meeting held in accordance with subclause (2),the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the Council.
- (4) A resolution approved under subclause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Council.
- (5) Papers may be circulated among the members for the purposes of subclause (1) by facsimile or other transmission of the information in the papers concerned.

### **Schedule 11 Provisions relating to members and procedure of**

## Advisory Committees

(Section 28)

### 1 Definitions

In this Schedule:

**advisory committee** means a Community Conservation Advisory Committee established under Division 2 of Part 3.

**member** means a member of an Advisory Committee.

### 2 Terms of office

Subject to this Schedule, a member holds office for the term specified in his or her instrument of appointment (not exceeding 5 years) but is eligible (if otherwise qualified) for re-appointment.

### 3 Allowances for members

A member is entitled to be paid such allowances as the relevant Ministers from time to time determine in respect of the member.

### 4 Vacancy in office of member

(1) The office of a member of an advisory committee becomes vacant if the member:

- (a) dies, or
- (b) completes a term of office and is not re-appointed, or
- (c) resigns the office by instrument in writing addressed to the relevant Ministers, or
- (d) is removed from office by the relevant Ministers under this clause, or
- (e) is absent from 3 consecutive meetings of the advisory committee of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the relevant Ministers or Community Conservation Council or unless, before the expiration of 4 weeks after the last of those meetings, the member is excused by the committee for having been absent from those meetings, or
- (f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
- (g) becomes a mentally incapacitated person.

(2) The relevant Ministers may remove a member from office at any time.

## **5 Filling of vacancy in office of member**

If the office of a member becomes vacant, the relevant Ministers are to appoint a person to fill the office in accordance with this Act.

## **6 General procedure for calling and holding meetings of advisory committee**

The procedure for the calling and holding of meetings of an advisory committee is to be determined by the relevant Ministers.

## **7 Quorum**

The quorum for a meeting of an advisory committee consists of 8 members.

## **8 Disclosure of pecuniary interests**

(1) A member of an advisory committee:

- (a) who has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the advisory committee, and
- (b) whose interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,

must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest to the chairperson of the advisory committee.

(2) A disclosure by a member at a meeting of an advisory committee that the member:

- (a) is a member, or is in the employment, of a specified company or other body, or
- (b) is a partner, or is in the employment, of a specified person, or
- (c) has some other specified interest relating to a specified company or other body or to a specified person,

is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person that may arise after the date of the disclosure and that is required to be disclosed under this clause.

(3) After a member has disclosed the nature of an interest in any matter, the member must not, unless the chairperson otherwise determines:

- (a) be present during any deliberation of an advisory committee with respect to the matter, or
- (b) take part in any decision of the advisory committee with respect to the matter.

(4) A contravention of this clause does not invalidate any decision of an advisory

committee.

## **Schedule 12 Amendment of other Acts**

(Section 39)

### **12.1 Environmental Trust Act 1998 No 82**

#### **Section 7 Objects of Trust**

Insert after section 7 (d):

- (e) to fund the declaration of areas for marine parks and for related purposes,
- (f) to promote waste avoidance, resource recovery and waste management (including funding enforcement and regulation and local government programs),
- (g) to fund environmental community groups,
- (h) to fund the purchase of water entitlements for the purposes of increasing environmental flows for the State's rivers and restoring or rehabilitating major wetlands.

### **12.2 Forestry and National Park Estate Act 1998 No 163**

#### **[1] Section 14 Making of agreements**

Omit section 14 (2) and (3). Insert instead:

- (2) The parties to a forest agreement are to be the following Ministers:
  - (a) the Minister for Natural Resources,
  - (b) the Minister for the Environment,
  - (c) the Minister for Primary Industries.

#### **[2] Section 20 Review of agreements and related integrated forestry operations approvals**

Insert after section 20 (7):

- (8) This section does not apply in respect of any integrated forestry operations approval prepared for the Community Conservation Area as defined by the *Brigalow and Nandewar Community Conservation Area Act 2005*.

#### **[3] Section 27 Approvals to be granted jointly by relevant Ministers**

Omit section 27 (1). Insert instead:

- (1) An integrated forestry operations approval may only be granted jointly by the following Ministers:
  - (a) the Minister for Natural Resources,
  - (b) the Minister for the Environment,
  - (c) the Minister for Primary Industries.

**[4] Section 28 Forest agreement prerequisite for approval**

Insert after section 28 (2):

- (3) This section does not apply in respect of the Community Conservation Area as defined by the *Brigalow and Nandewar Community Conservation Area Act 2005*.

## **12.3 Forestry Restructuring and Nature Conservation Act 1995 No 50**

**[1] Section 4 Payments from the Fund for certain programs**

Omit section 4 (1) (b) and (c), (1A) and (4).

**[2] Section 4 (1) (d)**

Insert at the end of section 4 (1):

- (d) Expenditure for the purpose of implementing forestry restructure and assistance schemes and programs in the Brigalow and Nandewar and adjacent areas, including business exit assistance, timber worker assistance and industry development assistance, shown in the Budget Papers or declared in writing by the Treasurer as expenditure to be recouped from the Fund. That expenditure is referred to in this Act as ***Brigalow and Nandewar areas expenditure***.

**[3] Section 4 (5)**

Insert at the end of section 4:

- (5) Money is not to be paid from the Fund under this Act in respect of Brigalow and Nandewar areas expenditure unless the Minister for the Environment and the Minister for Primary Industries jointly certify that the expenditure has been incurred for the purposes of implementing a scheme or program designed to assist persons affected by Government forest conservation initiatives in the Brigalow or Nandewar areas.

**[4] Section 6 Limits on payments from the Fund**

Omit section 6 (1) (b).

**[5] Section 7**

Omit section 7. Insert instead:

**7 Sunset of payments—forestry industry restructuring expenditure**

Payments from the Fund under this Act in respect of forestry industry restructuring expenditure may not be made after 30 June 2007.

**[6] Sections 8 and 10**

Omit the sections.

**[7] Section 11 Minister to report on payments from the Fund**

Insert “forestry industry restructuring” after “responsible for” in section 11 (1) where firstly occurring.

**[8] Section 11 (2)**

Omit “30 June 2001 (or, in the case of forestry industry restructuring expenditure, the period to 30 June 2006)”.

Insert instead “30 June 2007”.

**[9] Schedule 1 Additional commitments expenditure**

Omit the Schedule.

## **12.4 National Parks and Wildlife Act 1974 No 80**

**[1] Section 25 Functions of advisory committees**

Insert after section 25 (2):

- (3) A regional advisory committee has no function in relation to the Community Conservation Area under the *Brigalow and Nandewar Community Conservation Area Act 2005*.

**Note—**

The members of a Community Conservation Advisory Committee established under that Act are to include a member of the relevant regional advisory committee.

**[2] Section 71AS Proposals for additions to Schedule 14**

Insert at the end of section 71AS:

**Note—**

Land in Zone 1, 2 or 3 of the Brigalow and Nandewar Community Conservation Area (established under the *Brigalow and Nandewar Community Conservation Area Act 2005*) is not eligible to be proposed under this section for listing in Schedule 14 to this Act.

**[3] Section 72 Preparation of plans of management**

Insert “or lands within Zone 1, 2 or 3 of the Community Conservation Area under the *Brigalow and Nandewar Community Conservation Area Act 2005*” after “4A” in section 72 (1BA).

**[4] Section 72 (1BA)**

Insert at the end of section 72 (1BA):

**Note—**

The responsible authority is to consult with the relevant Community Conservation Advisory Committee established under the *Brigalow and Nandewar Community Conservation Area Act 2005* in the preparation of a plan of management for lands within Zone 1, 2 or 3 of the Brigalow and Nandewar Community Conservation Area.

**[5] Section 73A Public exhibition of and consultation on plans of management**

Insert after section 73A (7):

(8) This section does not apply in relation to a plan of management for land within Zone 1, 2 or 3 of the Community Conservation Area under the *Brigalow and Nandewar Community Conservation Area Act 2005*.

**[6] Schedule 3 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*Brigalow and Nandewar Community Conservation Area Act 2005*, but only to the extent that it amends this Act

## **12.5 Native Title (New South Wales) Act 1994 No 45**

**Section 104A Saving of native title rights and interests with respect to national parks and other reservations or dedications or declarations**

Insert “*Brigalow and Nandewar Community Conservation Area Act 2005*, the” after “operation of the” in section 104A (1) (a).

## 12.6 Waste Avoidance and Resource Recovery Act 2001 No 58

### [1] Section 6 Functions of Director-General

Omit “and expenditure from the Waste Fund established under section 19” from section 6 (2).

### [2] Section 19 Waste Fund

Omit the section.

### [3] Schedule 4 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

*Brigalow and Nandewar Community Conservation Area Act 2005*, but only to the extent that it amends this Act

### [4] Schedule 4, clause 11

Omit clause 11.

### [5] Schedule 4, Part 4

Insert at the end of Schedule 4:

## Part 4 Provisions consequent on enactment of **Brigalow and Nandewar Community Conservation Area Act 2005**

### 17 Abolition of Waste Fund

- (1) The Waste Fund established under former section 19 is abolished.
- (2) All money that is in the Waste Fund, as at the date of its abolition by this clause, is to be paid into the Environmental Trust Fund.
- (3) In this clause:

**Environmental Trust Fund** means the fund of that name established by the *Environmental Trust Act 1998*.

**former section 19** means section 19 of this Act as in force immediately before the commencement of Schedule 12.6 to the *Brigalow and Nandewar Community Conservation Area Act 2005*.