

WESTERN LANDS ACT 1901—REGULATION

(Western Lands Regulation 1992)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Western Lands Act 1901, has been pleased to make the Regulation set forth hereunder.

GARRY WEST,
Minister for Conservation and Land Management.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Western Lands Regulation 1992.

Commencement

2. This Regulation commences on 1 September 1992.

Definitions

3. In this Regulation:

“**approved form**” means a form approved by the Minister for the purposes of the provision of this Regulation in which the expression is used;

“**the Act**” means the Western Lands Act 1901.

PART 2—LOCAL LAND BOARDS**Qualifications for appointment as Chairperson of Local Land Boards**

4. For the purposes of section 9 (2A) (b) of the Act, the following offices or qualifications are prescribed:

- (a) the office of Magistrate; or
- (b) qualification as a barrister or solicitor of the Supreme Court of New South Wales; or
- (c) qualification as a barrister or solicitor, or as a barrister and solicitor, of any court of any other State, or of any Territory, of Australia or of the High Court of Australia; or
- (d) the qualification of having knowledge and experience of the Western Division or other relevant knowledge and experience.

Registrar of Local Land Boards

5. (1) The Commissioner may appoint a Registrar for each administrative district.

(2) The Commissioner may appoint the same Registrar for 2 or more administrative districts.

Matters to be brought before local land board

6. The Chairperson (or, if a document is required to be lodged with a Registrar, the Registrar) must bring all matters before a local land board as soon as practicable after they are received (unless the Chairperson or Registrar has power to deal with them).

Chairperson's power to deal with certain matters

7. The Chairperson may deal with any matter specially referred by the Minister or Commissioner to a local land board for investigation with a request that it be dealt with under section 9 (5) (b) of the Act.

Notice of proceedings before local land board

8. (1) Notice of the time and place appointed for any proceedings before a local land board, and of the nature of the proceedings:

- (a) is to be in the approved form; and
- (b) is to be served on the parties to the proceedings not less than 14 days before the time appointed for the proceedings (or such lesser period as may be directed by the Chairperson).

(2) If at the time and place appointed it appears that notice has not been given to a party, the board may:

- (a) order notice to be given for some future day (which may be less than 14 days from the giving of the notice); and
- (b) in the meantime, adjourn the proceedings.

Board's power where notice given and party fails to appear

9. If a local land board or the Chairperson is satisfied that notice of the time and place of any proceeding has been given to a party, the board or Chairperson may proceed and adjudicate in the absence of that party.

Appeals

10. Except as otherwise provided by the Act, any party to proceedings before a local land board or Chairperson may appeal to the Land and Environment Court from the decision of the local land board or Chairperson at any time within 28 days after it has been given:

- (a) by filing an application in accordance with the Land and Environment Court Rules 1980; and
- (b) by paying the appropriate fees in accordance with the Land and Environment Court (Fees) Regulation.

PART 3—LEASES

Division 1—Extension of terms of leases

Application for extension of term of lease

11. (1) An application for extension under section 18E or 28B of the Act of the term of a lease must be made to the Commissioner in the approved form.

(2) A number of leases may be included in one application if they are worked as one holding.

(3) The relevant fee specified in Schedule 1 must be lodged with the application.

(4) If a lease is mortgaged the concurrence of the mortgagee must appear on the application.

Division 2—Purchase of land held under certain leases**Applications to purchase**

12. (1) An application under section 28BB of the Act to purchase the whole or any part of the land comprised in a lease must be made to the Commissioner in the approved form.

(2) The relevant deposit specified in Schedule 1 must be lodged with the application.

(3) If the deposit is in excess of the cost of dealing with the application the balance must be applied, firstly, to any necessary stamp duty and, secondly, to payment of any amount due on the purchase.

(4) If the lease is mortgaged the mortgagee must join in the application.

Division 3—Payment of rent etc.**Minimum rent**

13. The amount prescribed as the minimum rent for the purposes of section 19E of the Act is \$70.

Concessional rent

14. For the purposes of section 20 (1) of the Act, a rebate of rent may be granted to:

- (a) a lessee of a lease for the purpose of residence or a similar purpose:
 - whose principal place of residence is a dwelling on the land the subject of the lease; and
 - who is an eligible pensioner (within the meaning of section 160AA of the Local Government Act 1919) or is, in the opinion of the Minister, suffering hardship; and
- (b) a lessee of a lease for the purpose of grazing, agriculture, grazing and agriculture combined, mixed farming, irrigation or any similar purpose:
 - who receives household support from the Rural Assistance Authority; or
 - who is, in the opinion of the Minister, suffering hardship; and
- (c) a lessee of a lease for the purpose of agriculture, agriculture and grazing combined or mixed farming, or a purpose similar to any of those purposes (but excluding a lessee of a lease for grazing only or a similar purpose) the rent of which:

- was determined for the first time on or after 1 January 1988 but before 31 December 1991; or
- fell due for redetermination on or after 1 January 1988 but before 31 December 1991 and increased, or would increase, on redetermination by 130 per cent or more.

Interest on arrears—prescribed rate (s. 36B)

15. For the purposes of section 36B (2) (d) of the Act, the prescribed rate is 15 per cent.

Interest on sums payable—prescribed rate (s. 36C)

16. For the purposes of section 36C (2) (c) of the Act, the prescribed rate is 15 per cent per annum.

Holdings in respect of which incoming holder liable to pay arrears etc.

17. For the purposes of sections 36D (1) (a) and 36E (1) of the Act, a lease under the Act is a prescribed class of holding.

Survey fees

18. (1) For the purposes of section 181 of the Act, the survey fee payable in respect of a lease is to be calculated on the aggregate area of land comprised in the lease according to the scale set out in Schedule 2.

(2) The cost of any necessary survey payable under section 18E (4) (d) of the Act (extension of part of a lease) must be paid within such period and by such amounts as may be determined by the Commissioner.

(3) A survey fee (other than a subdivision fee) is not to be charged:

- (a) to a lessee claiming title through a previous holder who has paid the survey fee; or
- (b) if the Minister has granted permission for the survey to be done by a licensed surveyor employed by the lessee.

(4) For the purposes of section 35C (2) (b) of the Act (addition of certain lands to leases), a survey cost calculated according to the scale in Schedule 2 is prescribed.

(5) Survey fees or costs are payable to the Commissioner.

Division 4—Transfer etc. of leases**Minister's consent to transfer**

19. (1) The fees prescribed for the purposes of section 18G (1), (1C) and (1E) of the Act (applications for consent to transfer etc.) are specified in Schedule 1.

(2) For the purposes of section 18G (1E) of the Act, the prescribed purposes are industrial, business, motel or similar purposes.

Minister's consent to foreclose mortgage

20. An application under section 18M (1) of the Act by a mortgagee for the consent of the Minister to foreclose the mortgage must be made to the Commissioner in the approved form accompanied by the relevant fee specified in Schedule 1.

Minister's certificate that person entitled to hold lease

21. (1) An application under section 18H (2) of the Act for a Minister's certificate that a person on whom a lease has devolved under a will or an intestacy is entitled to remain the holder of the lease is to be in the approved form.

(2) The relevant fee specified in Schedule 1 must accompany the application.

Division 5—Miscellaneous**Alteration of conditions etc. of leases**

22. (1) An application for the variation, modification or revocation of or addition to a covenant, condition, purpose or provision of a lease may be made to the Commissioner in the approved form.

(2) The relevant fee specified in Schedule 1 must be lodged with the application.

(3) If the fee exceeds the cost of dealing with the application the difference is to be refunded.

(4) If the cost of dealing with the application exceeds the fee, the excess must be paid on demand.

Fencing claims and disputes

23. (1) A claim under section 18B of the Act for a contribution towards a fence or the cost of maintenance and repair of a fence, or any

other dispute or claim as to fencing, may be brought before a local land board by lodging with the Commissioner a notice in the approved form.

(2) The notice must be accompanied by the relevant deposit specified in Schedule I towards the cost of dealing with the claim or dispute.

(3) The claimant must cause a copy of the notice to be served on the other party, or parties, within 14 days of its lodgment with the Commissioner.

Improvements

24. (1) An application under section 29 of the Act for the assurance or grant of tenant right in any improvements or any additions to or extensions of improvements must be made to the Commissioner in the approved form.

(2) The application must be accompanied by a sketch showing the position and extent of the improvements.

PART 4—CONSENTS TO CULTIVATE AND CLEARING LICENCES

Land for which consent to cultivation or clearing licence is required

25. (1) For the purposes of sections 18DA (1A) and 18DB (1) of the Act, the following classes of land are prescribed:

- (a) land held under the following tenures continued in force under the Crown Lands (Continued Tenures) Act 1989:
 - (i) a permissive occupancy;
 - (ii) a conditional lease;
 - (iii) an occupation licence;
 - (iv) a preferential occupation licence;
 - (v) a homestead selection;
- (b) a reserve within the meaning of Part 5 of the Crown Lands Act 1989 for which there are trustees or administrators or of which a local government authority has the care, control and management;
- (c) commons within the meaning of the Commons Management Act 1989 having an area of more than 0.5 hectares;
- (d) stock watering places within the meaning of the Rural Lands Protection Act 1989 having an area of more than 0.5 hectares;
- (e) land authorised to be used or occupied under a licence under Part 4 of the Crown Lands Act 1989.

(2) For the purposes of paragraph (a) of the definition of “occupier” in sections 18DA (2) and 18DB (2) of the Act, the prescribed tenures are the tenures referred to in subclause (1) (a) (iii)–(v).

Application fees

26. The fees to be lodged with applications under section 18DA of the Act for consent to cultivate land, and under section 18DB of the Act for clearing licences or extensions of clearing licences, are specified in Schedule 1.

Circumstances in which consent to cultivate is not required

27. (1) Consent to the cultivation of land is not required to be obtained under section 18DA of the Act in any of the circumstances specified in Schedule 3.

(2) An exemption from the requirement for consent to cultivation does not authorise:

- (a) cultivation in contravention of section 21CA of the Soil Conservation Act 1938; or
- (b) cultivation in contravention of conditions applying to a lease under the Act; or
- (c) cultivation that is contrary to any direction given by the Commissioner; or
- (d) cultivation on a sand dune or sandhill, except in the circumstances referred to in Schedule 3 (3); or
- (e) cultivation in a State forest, timber reserve or flora reserve under the Forestry Act 1916.

(3) Cultivation without consent in the circumstances referred to in Schedule 3 (2), (4), (5) or (8) may be carried out only if:

- (a) written notification of the intention to cultivate was given to the nearest office of the Western Division of the Department of Conservation and Land Management not less than 2 weeks before the commencement of cultivation; and
- (b) a written authorisation (which may be subject to conditions) was obtained from the Commissioner before commencement of the cultivation.

(4) A written notification and written authorisation as specified in subclause (3) are also required if rabbit pipping is to be undertaken without consent in the circumstances referred to in Schedule 3 (3):

- (a) within 20 metres on the landward side of the bed or bank of a lake, or of an ancient lake; or

(b) within 20 metres of a river which has been prescribed for the purposes of section 21AB of the Soil Conservation Act 1938 (whether perennial or intermittent).

(5) Despite the exemptions in this clause, the Commissioner may, if the Commissioner considers it appropriate, require an application for consent under section 18DA of the Act in respect of any cultivation to which that section applies.

Exemptions from the requirement to obtain a clearing licence (s. 18DB (4) (c))

28. (1) A lessee of a lease or the occupier of any other land is not required to obtain a clearing licence under section 18DB of the Act to do any of the things specified in Schedule 4.

(2) The trustees of a reserve or common, a rural lands protection board or a local government authority (with regard to land of which it has the care, control and management) are not required to obtain a clearing licence to kill or destroy isolated trees on land or to clear areas of 0.5 hectares or less of land if:

- (a) the presence of the trees impedes the authorised use of the land; or
- (b) the presence of an isolated tree is considered to create a safety hazard.

(3) An exemption from the requirement for a clearing licence does not authorise:

- (a) the clearing of trees having economic value; or
- (b) clearing in contravention of section 21C of the Soil Conservation Act 1938; or
- (c) clearing in contravention of conditions applying to a Western Lands Lease; or
- (d) clearing which would negate any specific instructions given by the Commissioner; or
- (e) clearing of trees on a sandhill; or
- (f) clearing in a State forest, timber reserve or flora reserve under the Forestry Act 1916.

(4) If land to be cleared without a clearing licence for a purpose mentioned in Schedule 4 (2) (a), (b) or (c) is within one kilometre of other land (held by the same lessee or occupier) cleared for any of those purposes the lessee or occupier must obtain the prior written approval of the Commissioner to the clearing.

(5) Clearing without a clearing licence for a purpose mentioned in Schedule 4 (4), (7), (8), (9), (11) or (12) may be carried out only if:

- (a) written notification of the intention to clear was given to the nearest office of the Western Division of the Department of Conservation and Land Management not less than 2 weeks before commencement of the clearing; and
 - (b) written authorisation (which may be subject to conditions) was obtained from the Commissioner before commencement of the clearing.
- (6) Written notification and written authorisation as specified in subclause (5) are also required if it is intended to clear land of trees for the purpose of rabbit ripping without a clearing licence in the circumstances referred to in Schedule 4 (14), and the trees are:
- (a) within 20 metres of the landward side of the bed or bank of a lake, or of an ancient lake; or
 - (b) within 20 metres of a river which has been prescribed for the purposes of section 21AB of the Soil Conservation Act 1938 (whether perennial or intermittent).
- (7) A lessee or occupier who clears land by the use of fire for a purpose mentioned in Schedule 4 (9) or (12) without a clearing licence must ensure that a fire is only lit, or allowed to remain alight, under conditions in which a reasonable person would expect that the fire could not escape from the land.
- (8) Despite the exemptions in this clause, the Commissioner may, if the Commissioner considers it appropriate, require a clearing licence to be obtained in accordance with section 18DB of the Act in respect of any clearing to which that section applies.
- (9) This clause does not affect any obligations a lessee or occupier may have under the Bush Fires Act 1949 or any liability a lessee or occupier may incur because of damage resulting from fire.

PART 5—GENERAL

Fencing, enclosure of roads etc.

29. (1) An application for:

- (a) permission to erect a “give-and-take” fence; or
- (b) exemption from fencing any boundry; or
- (c) extension of time to complete fencing; or
- (d) suspension of the condition of fencing or improvement; or
- (e) permission to enclose a road,

is to be made to the Commissioner in the approved form accompanied by the relevant fee specific in Schedule 1.

(2) The Commissioner is to give notice of the time and place appointed for consideration of an application to the holder of any land which appears to be directly affected by it.

Exchanges

30. (1) An application under section 33A of the Act to acquire Crown land in exchange for freehold land is to be made to the Commissioner in the approved form.

(2) Unless the application is made at the instance or for the benefit of the Crown, the relevant deposit specified in Schedule 1 towards the cost of dealing with the application must accompany the application.

(3) Any excess will be refunded and any further costs must be paid on demand.

(4) If any land to be surrendered is mortgaged, the consent of the mortgagee must appear on the application.

(5) An application may be withdrawn by the applicant or, with the consent of the applicant, be modified by the Minister.

Surrenders

31. (1) A surrender under section 33A of the Act of any leased or freehold land is to be lodged with the Commissioner in the approved form.

(2) Unless the surrender is made at the instance or for the benefit of the Crown or arises from an application under clause 30, the relevant deposit specified in Schedule 1 towards the cost of dealing with the surrender must accompany the instrument of surrender.

(3) Any excess will be refunded and any further costs must be paid on demand.

(4) If the surrendered land is mortgaged, the mortgagee must join in the surrender.

Waiver or refund of fees etc.

32. The Minister may waive or refund the whole or any part of any fee, deposit or cost paid or payable under the Act or this Regulation.

Repeal and savings

33. (1) The Western Lands Regulations 1935 are repealed.

(2) Any act, matter or thing done or omitted under or for the purposes of, and having operation immediately before the repeal of, the Western Lands Regulations 1935 is to be taken to have been done or omitted, as appropriate, under or for the purposes of any corresponding provision of this Regulation.

SCHEDULE 1—FEES, DEPOSITS ETC. PAYABLE TO COMMISIONER

Applications

(Cll. 11, 12, 19, 20, 21, 22, 23, 26, 29, 30, 31)

	\$
1. Application under section 18E or 28B for extension of the term of a lease (clause 11)	140
And, in addition, for each lease in the application after the first lease	15
2. Application under section 28BB to purchase land under lease (clause 12)	140
3. Application under section 18G (1) for the consent of the Minister to transfer (clause 19)	140
And, in addition, where consideration of the application involves an inspection of the land	200
4. Application under section 18G (1C) for further time (clause 19)	125
5. Application under section 18G (1E) for the Minister's certificate that consent to transfer is not required (clause 19)	50
6. Application under section 18H (1) for the consent of the Minister to foreclose a mortgage (clause 20)	140
7. Application under section 18H (2) for a certificate that a person is entitled to hold a lease (clause 21)	140
8. Application under section 18J for alteration of conditions, covenants, purpose or provisions of a lease (clause 22)	140
9. Application under section 18DA for consent to cultivate land (clause 26)	400
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Miscellaneous

14. Notice of claim or dispute regarding fencing (clause 23)	140
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SCHEDULE 2—SURVEY FEES

(Cl. 18)

Area

Square metres (inclusive)

	\$
2,000 or less	327
exceeding 2,000 but not exceeding 4,000	371
exceeding 4,000 but less than 10,000	436

Hectares (inclusive)

1 or more but not exceeding 5.....	611
exceeding 5 but not exceeding 10	743
exceeding 10 but not exceeding 25	874
exceeding 25 but not exceeding 50	1,090
exceeding 50 but not exceeding 75	1,309
exceeding 75 but not exceeding 100	1,440
exceeding 100 but not exceeding 150	1,658
exceeding 150 but not exceeding 200	1,879
exceeding 200 but not exceeding 300	2,183
exceeding 300 but not exceeding 400	2,489
exceeding 400 but not exceeding 500	2,752
exceeding 500 but not exceeding 600	3,012
exceeding 600 but not exceeding 800	3,318
exceeding 800 but not exceeding 1,000	3,713
exceeding 1,000 but not exceeding 1,200	4,061
exceeding 1,200 but not exceeding 1,500	4,366
exceeding 1,500 but not exceeding 2,000	5,021
exceeding 2,000 but not exceeding 8,000	5,021 plus \$218 for every 500 hectares or fraction of 500 hectares in excess of 2,000
exceeding 8,000	7,640 plus \$218 for every 1,000 hectares or fraction of 1,000 hectares in excess of 8,000

**SCHEDULE 3—CIRCUMSTANCES IN WHICH CONSENT TO
CULTIVATE IS NOT REQUIRED**

(Cl. 27)

- (1) If the land is held under a lease or licence or other tenure granted or issued for the purpose of agriculture, grazing and agriculture combined or mixed farming, or for any similar purpose.
- (2) If the cultivation is in connection with rehabilitation works undertaken by or under the direct guidance of the Department of Conservation and Land Management.
- (3) If the cultivation is in connection with rabbit ripping undertaken as part of a planned rabbit control program on land that is not protected land within the meaning of section 21AB of the Soil Conservation Act 1938.
- (4) If the cultivation is to be carried out on a once only basis to control noxious plants on land that is not:
 - (a) protected land within the meaning of section 21AB of the Soil Conservation Act 1938; or
 - (b) within 20 metres of the bank of a stream or watercourse; or
 - (c) on a sand dune or a sandhill; or
 - (d) with 20 metres of the edge of the carriageway of the constructed portion of a road under the control of the Roads and Traffic Authority or a local government authority.
- (5) If the cultivation is to be carried out on research, experimental or demonstration plots (not exceeding a total area of 10 hectares) that have been established as part of a program conducted by officers of the Department of Agriculture, the Department of Conservation and Land Management or the Commonwealth Scientific and Industrial Research Organisation.
- (6) If the cultivation is being carried out to provide a firebreak not more than 30 metres wide (or 100 metres where mallee species predominate on adjacent land) and is not within one kilometre from any other land held by the lessee, licensee or occupier which has been cultivated for a firebreak.
- (7) If the land is not more than 30 metres wide and is being cultivated in direct connection with the formation of a road, the construction of tank drains for water diversion or the maintenance of the perimeters of an airstrip.
- (8) If the cultivation is to be carried out on a once only basis to allow the introduction of native or introduced pasture.
- (9) If the cultivation is to be of an area of 0.5 hectares or less, failure to cultivate would impede the authorised use of the land and the cultivation is being undertaken by or at the direction of a reserve trust, commons trust, rural lands protection board or local government authority with direct responsibility for the care, control and management of the land.

**SCHEDULE 4—EXEMPTIONS FROM THE REQUIREMENT TO
OBTAIN A CLEARING LICENCE**

(Cl. 28)

- (1) Clear land not more than 20 metres either side of the line of an existing or a proposed fence, being a fence which is or is to be of a permanent nature.
- (2) Clear land not more than 30 metres wide for any of the following purposes:
 - (a) an access trail;
 - (b) a cut-line for stock movement;
 - (c) a firebreak;
 - (d) a road;
 - (e) a telephone line;
 - (f) a power line;
 - (g) an irrigation channel.
- (3) Clear land not more than 100 metres wide for a firebreak where mallee species predominate.
- (4) Clear an area of land sufficient to meet civil aviation standards for the purpose of constructing an airstrip.
- (5) Clear land not more than 30 metres wide for a drain to a water storage, bore drain, pipeline telephone cable or power cable.
- (6) Clear land, not more than 5 hectares in area for the construction of a house, shearing shed, machinery shed, stock yard or similar utility, subject to the construction being permitted under the Act or any relevant lease or licence.
- (7) Clear land where the land was cleared during the preceding 20 years under the provisions of the Act or the Forestry Act 1916, except where the tree cover predominantly comprises one or more of the following species:
 - Eucalyptus camaldulensis* (river red gum)
 - Casuarina cristata* (belah)
 - Casuarina pauper* (belah)
 - Callitris glaucophylla* (white cypress pine).
- (8) Clear land of trees which are less than 3 meters high where one or more of the following species predominates:
 - Eucalyptus largiflorens* (black box)
 - Eucalyptus camaldulensis* (river red gum)
 - Eucalyptus populnea* (bimble box)
 - Eucalyptus coolabah* (coolibah)
 - Callitris glaucophylla* (white cypress pine)
 - Casuarina cristata* (belah)
 - Casuarina pauper* (belah).

- (9) Clear land (by the use of fire or other means) where the predominant species are “woody weeds” which, for the purpose of this paragraph, are:

Eremophila sturtii (turpentine)

Eremophila mitchellii (budda, false sandalwood)

Dodonaea viscosa ssp. angustifolia (broadleaf hopbush)

Dodonaea viscosa ssp. angustissima (narrowleaf hopbush)

Cassia eremophila (punky bush)

Cassia artemisioides (silver cassia).

- (10) Lop trees to provide stockfeed in times of drought where the method and extent of the lopping ensures the continued survival and health of the trees.
- (11) Selectively push mulga trees in dense mulga stands for stock feeding purposes subject to the following conditions:
- (a) the retention of mulga trees at spacings of no more than 20 metres;
 - (b) in selecting trees for retention priority is given to trees with a trunk diameter which exceeds 12 centimetres.
- (12) Clear (by the use of fire) land where mallee trees are the predominant species for the purpose of promoting the growth of pasture species or reducing hazardous or potentially hazardous fuel build-up, but not so as to result in the significant killing of the below-ground parts of the predominant species or the significant destruction of other trees.
- (13) Clear land where the predominant species is one of the following:
- Prosopis* (all species) (mesquite)
- Lycium ferocissimum* (African boxthorn).
- (14) Clear land in connection with rabbit ripping (being undertaken as part of a planned rabbit control program on land that is not protected land within the meaning of section 21AB of the Soil Conservation Act 1938), but only if the clearing is limited to trees which must be removed in order to destroy a rabbit warren.
- (15) Clear land, not more than 5 hectares in area, to construct a ground tank or dam.
- (16) Kill or otherwise destroy trees of the following species:
- Tamarix aphylla* (athol pine)
- Ailanthus altissima* (tree of heaven)
- Schinus ariera* (peppercorn)
- Acacia nilorica* (prickly acacia).
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EXPLANATORY NOTE

The object of this Regulation is to repeal and remake the Western Lands Regulations 1935 (made under the Western Lands Act 1901).

The Regulation makes provisions with respect to:

- (a) the prescription of qualifications for appointment as chairperson of local land boards;
- (b) the appointment of registrars of local land boards and proceedings before local land boards;
- (c) leases under the Western Lands Act, including provisions with respect to:
 - the procedure for extending the terms of, or purchasing, leases;
 - payment of rent and other amounts due in respect of leases;
 - transfer of leases;
 - conditions etc. attaching to leases;
- (d) the prescription of classes of land for which consents to cultivate or clearing licences are required under the Act and the circumstances in which land may be exempt from such consents or licences;
- (e) fencing of leases, enclosure of roads and exchanges and surrenders of land.

The Regulation is made in connection with the staged repeal of subordinate legislation under Part 3 of the Subordinate Legislation Act 1989.
