

# Crown Lands Regulation 2000

[2000-517]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

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

### Notes—

- **Repeal**

The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2006.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2006

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New South Wales

## Contents

<b>Part 1 Preliminary</b> .....	5
1 Name of Regulation .....	5
2 Commencement .....	5
3 Definitions .....	5
4 Fees and deposits .....	6
5 Minerals in relation to land not in a special land district.....	6
6 Divisions of the State—alteration or redefinition .....	6
<b>Part 2 Administration</b> .....	6
7 Custody of seal of Ministerial Corporation .....	6
8 Use of seal of Ministerial Corporation .....	6
9 Records of Ministerial Corporation .....	6
10 Jurisdiction of local land boards .....	6
11 Registrar of Local Land Boards .....	7
12 Registrar to bring matters before board .....	7
13 Notice of proceedings before board.....	7
14 Substituted service of notice of proceedings.....	7
15 Proceedings may be heard in absence of a party .....	8
16 Issue of summons.....	8
17 Allowances payable to witnesses before local land boards .....	8
18 Form of warrant to apprehend witness .....	8
19 Appeal against local land board decision .....	8
<b>Part 3 Land assessment</b> .....	8

20 Land evaluation criteria.....	8
21 Notification and public comment on land assessments.....	9
<b>Part 4 Sale, lease or other disposal of Crown land .....</b>	<b>10</b>
22 Application for consent to transfer .....	10
23 Activities prohibited on easements for public access .....	10
24 Structures that may be erected on easements for public access .....	10
25 Enclosure of roads or watercourses.....	11
26 Enclosure of additional roads or watercourses .....	11
27 Transfer of land with which enclosure permit held .....	11
28 Amalgamation of enclosure permits.....	11
29 Application for direction to provide gates or other access.....	11
30 Cultivation of enclosed roads .....	12
<b>Part 5 Dedication and reservation of land .....</b>	<b>12</b>
31 Disclosure of pecuniary interests.....	12
32 Temporary licences.....	12
33 Reserve trust reports.....	13
34 Reserve trust records .....	13
35 Notification and public comment on draft plans of management.....	13
<b>Part 6 Miscellaneous .....</b>	<b>14</b>
36 Compensation for land withdrawn from lease or licence.....	14
37 Surrender of land.....	14
38 Change of conditions or purposes .....	14
39 Exemption from conditions.....	15
40 Objections to, and appeals against, determination or redetermination of rent .....	15
41 Classes of holding—payment of arrears .....	16
42 Minimum rents—Western Division .....	16
43 Interest on arrears.....	16
44 Rebates of rent.....	16
45 Protection of public land—authorised persons.....	17
46 Dumping of materials .....	17
47 Unauthorised activities on public land.....	18
48 Penalty notices for certain offences.....	19

49 Amount of penalty under penalty notice .....	19
50 Short description of offences .....	19
51 Removal of improvements from holdings .....	20
51A Local land board hearings—fencing work .....	20
52 Savings provision.....	20
<b>Schedule 1 Fees and deposits .....</b>	<b>20</b>
<b>Schedule 2 Substances defined as minerals in relation to land not in a special land district</b> .....	<b>21</b>
<b>Schedule 3 Form of warrant .....</b>	<b>22</b>
<b>Schedule 4 Records to be kept by Reserve Trust.....</b>	<b>23</b>
<b>Schedule 5 Short description of offences.....</b>	<b>23</b>

# Crown Lands Regulation 2000



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Crown Lands Regulation 2000*.

### 2 Commencement

This Regulation commences on 1 September 2000.

#### Note—

This Regulation replaces the *Crown Lands Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation:

**approved form** means a form approved by the Minister under subclause (2) for the purposes of the provision of this Regulation in relation to which the expression is used.

**Department** means the Department of Land and Water Conservation.

**Infringement Processing Bureau** means the Infringement Processing Bureau within the Police Service.

**IPB Code**, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

**office of Land NSW** means:

- (a) a district office of the part of the Department operating under the name of “Land NSW”, or
- (b) the Sydney office of the Department.

**the Act** means the *Crown Lands Act 1989*.

(2) The Minister may approve forms for the purposes of this Regulation.

- (3) The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

#### **4 Fees and deposits**

The fees and deposits specified in Schedule 1 are payable in respect of the matters referred to in that Schedule.

#### **5 Minerals in relation to land not in a special land district**

For the purposes of paragraph (a) of the definition of *mineral* in section 3 of the Act, the substances prescribed as minerals, in relation to land not in a special land district, are those specified in Schedule 2.

#### **6 Divisions of the State—alteration or redefinition**

For the purposes of section 4 (4) (a) of the Act, a notice describing a proposal to alter or redefine the boundary between the Eastern and Central Division and the Western Division of the State is required to be published:

- (a) in a newspaper circulating in the locality in which the alteration or redefinition of the boundary is to be made, or
- (b) in a newspaper circulating generally in the State.

### **Part 2 Administration**

#### **7 Custody of seal of Ministerial Corporation**

The seal of the Ministerial Corporation is to be kept in the custody of the Director-General of the Department.

#### **8 Use of seal of Ministerial Corporation**

The seal of the Ministerial Corporation may be affixed to an instrument or document only:

- (a) in the presence of the Minister or a person authorised by the Ministerial Corporation for the purposes of this clause, and
- (b) with an attestation by the signature of the Minister or person of the fact of the affixing of the seal.

#### **9 Records of Ministerial Corporation**

The Director-General of the Department is required to keep written records containing details of all acts, decisions and proceedings of the Ministerial Corporation.

#### **10 Jurisdiction of local land boards**

- (1) For the purposes of section 22 (1) (b) of the Act, the Minister may refer any of the

following matters to a local land board or a Chairperson sitting alone for inquiry and report:

- (a) any matter arising out of the administration of any land, lease or licence that the Minister or the Ministerial Corporation administers under any arrangement entered into under section 18 of the Act,
- (b) any matter arising out of the administration of any land, lease or licence that the Minister or the Ministerial Corporation administers on behalf of the Crown,
- (c) any matter arising out of the administration of any land dedicated under the Act or the Crown Lands Acts or of any common within the meaning of the *Commons Management Act 1989*.

(2) In this clause, a reference to the administration of any land includes a reference to the use and management of the land.

#### **11 Registrar of Local Land Boards**

- (1) The Director-General of the Department is required to appoint a Registrar of Local Land Boards for each land district.
- (2) One Registrar may be appointed for several land districts.

#### **12 Registrar to bring matters before board**

Subject to any direction by the Chairperson or the Senior Chairperson, the Registrar of Local Land Boards must bring all matters before the local land board or the Chairperson as soon as practicable after they are received.

#### **13 Notice of proceedings before board**

Notice of the time and place appointed for any proceedings before the local land board or Chairperson, 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).

#### **14 Substituted service of notice of proceedings**

- (1) If for any reason it is not possible or practicable to effect service of a notice of proceedings before a local land board or the Chairperson, the Chairperson may give directions for service or for the substitution of the advertisement of the proceedings in a newspaper circulating in the locality or in the State.
- (2) If those directions are carried out, service of notice is to be taken to have been

effected.

### **15 Proceedings may be heard in absence of a party**

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

### **16 Issue of summons**

- (1) Any summons to give evidence or for the production of deeds or other documents to the local land board:
  - (a) may be issued by the Chairperson or other member of the local land board on payment of the fee specified in Schedule 1, and
  - (b) is to be in the approved form.
- (2) A telephonic generated facsimile of a summons issued by the Chairperson or other member of the local land board that is certified by a Registrar as having been received from the Chairperson or member may be dealt with as if it is the original summons.

### **17 Allowances payable to witnesses before local land boards**

For the purposes of clause 3 (e) of Schedule 2 to the Act, the allowances for attendance and travelling payable to witnesses before a local land board are the same as those payable from time to time to witnesses attending Local Courts.

### **18 Form of warrant to apprehend witness**

For the purposes of clause 3 (f) of Schedule 2 to the Act, the prescribed form of warrant to bring a person before a local land board to give evidence is the form specified in Schedule 3.

### **19 Appeal against local land board decision**

For the purposes of section 26 of the Act, an appeal to the Land and Environment Court against a decision of a local land board is to be made:

- (a) by filing an application in accordance with the [Land and Environment Court Rules 1996](#), and
- (b) by paying the appropriate fees in accordance with the [Land and Environment Court Regulation 2000](#).

## **Part 3 Land assessment**

### **20 Land evaluation criteria**

For the purposes of section 32 of the Act, the prescribed land evaluation criteria are as



follows:

- (a) the susceptibility of:
  - (i) the land to hazards, including fire, flood, landslip, subsidence and coastline hazards, and
  - (ii) the land and any catchment of which the land forms part to degradation, including soil erosion, salinity, waterlogging, soil structure decline, soil acidity, tree decline and weed invasion,
- (b) the significance of:
  - (i) inherent natural, catchment, cultural and heritage values, including scenic, habitat, native vegetation, scientific and water body features, and
  - (ii) ecological values, including the presence of representative, rare or endangered species or communities of flora or fauna and wildlife corridors, and
  - (iii) natural resources, including minerals, extractive materials, timber resources, surfacewaters and groundwaters,
- (c) the ecological sustainability of potential land uses of the land and any catchment of which the land forms part.

## **21 Notification and public comment on land assessments**

- (1) This clause applies to draft land assessments that are part of the programme for the assessment of Crown land instituted by the Minister under Part 3 of the Act.
- (2) The Minister is required to cause notice of the preparation of any draft land assessment to be published in:
  - (a) the Gazette, and
  - (b) a newspaper circulating in the locality in which the land concerned is situated or in a newspaper circulating generally in the State.
- (3) Any such notice must:
  - (a) invite representations from the public concerning the draft land assessment, and
  - (b) specify the place and time at which the draft land assessment may be inspected by the public, and
  - (c) specify the period (being not less than 28 days) within which any representations may be made and the person to whom they are to be sent.

## **Part 4 Sale, lease or other disposal of Crown land**

### **22 Application for consent to transfer**

- (1) This clause applies to an application for consent to transfer land that is subject to a recording under one of the following provisions of the Act:
  - (a) section 36 (4) (a) (condition in contract for sale),
  - (b) section 37 (2) (a) (conditions on a sale to a purchaser),
  - (c) section 38 (a) (transfer restrictions on purchases),
  - (d) section 44 (1) (a) (transfer restrictions on leases).
- (2) Any such application to transfer land:
  - (a) is to be in the approved form, and
  - (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

### **23 Activities prohibited on easements for public access**

For the purposes of section 57 (1) of the Act, the following activities may not be carried on on land the subject of an easement for public access:

- (a) camping,
- (b) carrying or using firearms or any other weapon or thing used for hunting (other than a fishing rod, line or net),
- (c) lighting fires,
- (d) taking any animal onto the land,
- (e) damaging or injuring any fauna or flora,
- (f) setting traps,
- (g) driving any motor vehicle, trail bike or other vehicle propelled by mechanical power (except if a sign is displayed with the authority of the Minister on the site of the easement authorising the use of any such vehicle),
- (h) depositing or leaving any rubbish, litter, dead animal or other similar matter.

### **24 Structures that may be erected on easements for public access**

For the purposes of section 58 (1) (b) of the Act, the following type of structure (in addition to fences and gates) may be erected, without the written consent of the Minister, on land the subject of an easement for public access by the owner or lessee of land

affected by the easement:

Cattle ramp

Pipeline

Pump

## **25 Enclosure of roads or watercourses**

For the purposes of section 61 (1) of the Act, an application for a permit to enclose wholly or in part any road or watercourse:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

## **26 Enclosure of additional roads or watercourses**

For the purposes of section 62 (1) of the Act, an application by the holder of an enclosure permit to enclose any additional road or watercourse:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

## **27 Transfer of land with which enclosure permit held**

For the purposes of section 64 (2) of the Act:

- (a) the prescribed manner of notifying the Department of the transfer of land with which an enclosure permit is held is by a notice in writing lodged with an office of Land NSW together with the fee specified in Schedule 1, and
- (b) the prescribed time for giving that notice is within 28 days of the date of the transfer.

## **28 Amalgamation of enclosure permits**

For the purposes of section 68 (1) of the Act, an application by the holder of 2 or more enclosure permits to amalgamate the permits:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

## **29 Application for direction to provide gates or other access**

For the purposes of section 69 (1) of the Act, an application for a direction by a local land

board under section 70 of the Act:

- (a) is to be in the approved form, and
- (b) is to be lodged with the Registrar of Local Land Boards for the land district in which the land is situated together with the fee specified in Schedule 1.

### **30 Cultivation of enclosed roads**

For the purposes of section 72 (1) of the Act, an application for a dispensation from a requirement to erect gates or provide other means of access to, and an authority to cultivate, an enclosed road:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

## **Part 5 Dedication and reservation of land**

### **31 Disclosure of pecuniary interests**

For the purposes of clause 1 (3) of Schedule 4 to the Act, the prescribed fee for inspection of the book containing particulars of disclosures of pecuniary interests of members of a trust board is the fee specified in Schedule 1.

### **32 Temporary licences**

For the purposes of section 108 of the Act:

- (a) in addition to grazing, the purposes for which a temporary licence may be granted are as follows:

- Advertising

- Camping using a tent, caravan or otherwise

- Catering

- Entertainments

- Equestrian events

- Exhibitions

- Filming (within the meaning of the [Local Government Act 1993](#))

- Functions

- Hiring of equipment

Holiday accommodation

Markets

Meetings

Mooring of boats to wharves or other structures

Sales

Shows

Sporting and organised recreational activities

Stabling of horses

- (b) in addition to any other condition subject to which a temporary licence is granted, the licence is subject to the condition that the relationship of landlord and tenant is not created between the parties, and
- (c) unless it is revoked sooner or is granted for a shorter period, a temporary licence ceases to have effect one year after it is granted.

### **33 Reserve trust reports**

- (1) For the purposes of section 122 (1) (a) of the Act, a reserve trust must furnish to the Minister each year, within 3 months of the close of the trust's financial year, a report on its activities.
- (2) Any such report is to include details of income, expenditure, assets, liabilities, improvements effected, leases and licences granted or in force, uses made of the reserve and any particulars of pecuniary interests recorded in the book referred to in clause 31.
- (3) If directed by the Minister by notice in writing to do so, a reserve trust must arrange for any such report to be audited by a person approved by the Minister.

### **34 Reserve trust records**

For the purposes of section 122 (1) (b) of the Act, a reserve trust must keep the records specified in Schedule 4.

### **35 Notification and public comment on draft plans of management**

- (1) This clause applies to a plan of management under Division 6 of Part 5 of the Act that is required (before its adoption by the Minister) to be placed on public display.
- (2) The Minister is required to cause notice of a plan of management to be published in:
  - (a) the Gazette, and

(b) a newspaper circulating in the locality in which the land concerned is situated or in a newspaper circulating generally in the State.

(3) Any such notice must:

(a) invite representations from the public concerning the plan, and

(b) specify the place and time at which the plan may be inspected by the public, and

(c) specify the period (being not less than 28 days) within which any representations may be made and the person to whom they are to be sent.

## **Part 6 Miscellaneous**

### **36 Compensation for land withdrawn from lease or licence**

For the purposes of section 136 (5) of the Act, a reference in the *Land Acquisition (Just Terms Compensation) Act 1991* to an acquisition notice is to be read as a reference to a withdrawal notification under section 136 (1) of the *Crown Lands Act 1989*.

### **37 Surrender of land**

(1) For the purposes of section 137 of the Act, an application for the Minister's consent to surrender any land or any lease from the Crown under the Act or the *Crown Lands (Continued Tenures) Act 1989*:

(a) is to be in the approved form, and

(b) is to be lodged with an office of Land NSW together with the deposit specified in Schedule 1 towards the cost of dealing with the surrender.

(2) If the Minister consents to the surrender, the holder of the land or the lease must lodge an instrument in the approved form with an office of Land NSW together with:

(a) the balance, if any, of the cost of dealing with the surrender, and

(b) the Crown grant or certificate of title, if any, relating to the land the subject of the surrender.

(3) If the deposit in Schedule 1 exceeds the cost of dealing with the surrender, the balance is to be refunded.

(4) If a surrender is proposed to be made at the instance or for the benefit of the Crown, application for the Minister's consent is not required and no costs may be charged.

### **38 Change of conditions or purposes**

For the purposes of section 139 (1) of the Act, an application by the holder for the alteration, modification or revocation of, or addition to, any condition attaching to a holding or land or the purposes of a holding:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

### **39 Exemption from conditions**

For the purposes of section 139 (2) of the Act, an application by the holder for exemption from complying with a condition attaching to a holding or land:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

### **40 Objections to, and appeals against, determination or redetermination of rent**

- (1) For the purposes of section 142 (3) of the Act, an objection to the Minister's determination or redetermination of the rent of a lease, licence or enclosure permit:
  - (a) is to be in the approved form, and
  - (b) is to be lodged with an office of Land NSW within 28 days of service on the holder of the notice of the determination or redetermination of the rent.
- (2) For the purposes of section 142 (5) (a) of the Act, notice of an appeal to the local land board against the Minister's decision on any such objection:
  - (a) is to be in the approved form, and
  - (b) is to be lodged with the Registrar of Local Land Boards for the land district in which the land is situated, within 28 days of service on the objector of the Minister's decision on the objection, together with the fee specified in Schedule 1.
- (3) The Registrar of Local Land Boards must, as soon as practicable after the receipt of the notice of appeal, give notice of the appeal to all persons directly affected by the Minister's decision on the objection.
- (4) For the purposes of section 142 (5) (b) of the Act, an appeal to the Land and Environment Court against the Minister's decision on an objection referred to in section 142 (3) and (4) of the Act is to be made:
  - (a) by filing an application in accordance with the [Land and Environment Court Rules 1996](#), and
  - (b) by paying the appropriate fees in accordance with the [Land and Environment Court Regulation 2000](#).

#### 41 Classes of holding—payment of arrears

For the purposes of section 144 of the Act, the following classes of holding are prescribed:

- (a) any lease or licence under the Act,
- (b) any incomplete purchase, perpetual lease, term lease, special lease or permissive occupancy under the *Crown Lands (Continued Tenures) Act 1989*.

#### 42 Minimum rents—Western Division

(1) For the purposes of section 141F of the Act:

- (a) the minimum annual rent of a holding is \$70, and
- (b) the minimum annual rent of an enclosure permit in relation to which the Minister has authorised the cultivation of the land enclosed is \$70, and
- (c) the minimum annual rent of any other enclosure permit is \$50.

(2) (Repealed)

#### 43 Interest on arrears

- (1) For the purposes of sections 148 (2) and 150 (2) (a) of the Act, the prescribed rate of interest is 8 per cent per annum plus the Bank Accepted Bill rate rounded to the second decimal place (rounding 0.005 upwards).
- (2) In this clause, **Bank Accepted Bill rate** has the same meaning as in section 22 (4) of the *Taxation Administration Act 1996*.

#### 44 Rebates of rent

For the purposes of section 151 of the Act, the following classes of holder are prescribed:

- (a) an eligible pensioner (as defined in the *Local Government Act 1993*) whose holding is occupied as his or her sole place of residence (or is an adjunct thereto) and is not used for any commercial purpose,
- (b) a community service, sporting or recreational organisation:
  - (i) that is the holder of an authority under the *Charitable Fundraising Act 1991*, or
  - (ii) that is incorporated under the *Associations Incorporation Act 1984*, or
  - (iii) that the Minister is satisfied is a non-profit organisation,

whose holding is used as a help or service facility of benefit to the general community or as an active sporting, passive recreational or youth advancement facility of general benefit to a local community,



- (c) an owner or occupier of residential property that is accessible only by water and whose holding contains a structure that is used for the purposes of obtaining access to the property and is not used for any commercial purpose,
- (d) a local council whose holding is used to provide facilities, without charge, for the benefit of the general community.

#### **45 Protection of public land—authorised persons**

For the purposes of paragraph (b) of the definition of **authorised person** in section 153 of the Act, the following offices, positions and ranks are prescribed (except for the purposes of section 159 of the Act):

##### **Department of Land and Water Conservation**

Director-General  
Deputy Director-General, Regional and Commercial Services  
Deputy Director-General, Natural Resource Management  
Regional Director

##### **The part of the Department operating under the name of “Land NSW”**

General Manager  
Area Manager  
District Manager  
Surveyor  
Lands Officer, District Office, Level 2 and above

##### **Resource Access Works and Services (excluding Far West Region) of the Department**

Manager  
Surveyor  
Lands Officer, Level 2 and above  
Clerk, Grade 5 and above

##### **Resource Access Works and Services (Far West Region) of the Department**

Manager  
Crown Lands Services Manager  
Rangelands Management Officer  
Lands Officer, Level 2 and above

#### **46 Dumping of materials**

For the purposes of section 155 (1) (i) (ii) of the Act, the following classes or descriptions of matter are prescribed:

- (a) vehicles or parts of them,
- (b) marine craft or aircraft or parts of them,

- (c) household effects, appliances, materials or waste,
- (d) clothing,
- (e) agriculture, building, commercial or industrial materials or waste,
- (f) machinery, plant or equipment or parts of them,
- (g) chemicals or metals,
- (h) vegetable matter,
- (i) stone, sand, shells, clay, earth or ash,
- (j) radioactive material.

#### **47 Unauthorised activities on public land**

For the purposes of section 156 (1), (2) and (3) of the Act, the following activities are prescribed:

- (a) conducting any entertainment, instruction or performance for money or consideration of any kind,
- (b) operating television, cinematographic or photographic equipment for commercial purposes,
- (c) conducting or taking part in any sporting activity that forms part of an organised competition,
- (d) selling, offering for sale or distributing any article or thing,
- (e) affixing any sign, bill, poster, banner or bunting on, or to, any tree or any post, building, fence, seat, table, enclosure or other structure,
- (f) camping,
- (g) lighting of fires other than in a properly constructed fire place,
- (h) driving a vehicle or riding a horse,
- (i) carrying or using firearms,
- (j) discharging fireworks,
- (k) using any bow and arrow or throwing any stone or other dangerous missile,
- (l) drinking alcohol,
- (m) selling, offering for sale or otherwise providing alcohol to a person.

#### **48 Penalty notices for certain offences**

For the purposes of section 162 (1) of the Act, the prescribed offences are as follows:

- (a) an offence under section 155 (1) (a), (b), (c), (d), (e), (f), (h) or (i) of the Act,
- (b) an offence under section 156 (2) or (3) of the Act,
- (c) an offence under section 160 (6) of the Act.

#### **49 Amount of penalty under penalty notice**

For the purposes of section 162 (2) of the Act, the amount of penalty payable under a penalty notice is as follows:

- (a) in relation to an offence under section 155 (1) (a), (b), (c), (d), (e), (f), (h) or (i) of the Act—\$220,
- (b) in relation to an offence under section 156 (2) or (3) of the Act—\$220,
- (c) in relation to an offence under section 160 (6) of the Act—\$66.

#### **50 Short description of offences**

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 5 consists of:
  - (a) if one or more IPB codes are set out in relation to the offence in Column 2 of Schedule 5, any of those IPB codes together with:
    - (i) the text set out in relation to the offence in Column 3 of Schedule 5, or
    - (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence, or
  - (b) if no IPB code is set out in relation to the offence in Column 2 of Schedule 5:
    - (i) the text set out in relation to the offence in Column 3 of Schedule 5, or
    - (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 5, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.

- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

## 51 Removal of improvements from holdings

For the purposes of section 174 (2) of the Act, an application by the former holder for permission to remove improvements on forfeiture, surrender or other determination of a holding:

- (a) is to be in the approved form, and
- (b) is to be lodged with an office of Land NSW together with the fee specified in Schedule 1.

### 51A Local land board hearings—fencing work

An application made to a local land board under section 12 of the *Dividing Fences Act 1991* is to be in an approved form and is to be accompanied by the fee specified in Schedule 1.

## 52 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Crown Lands Regulation 1995*, had effect under that Regulation is taken to have effect under this Regulation.

## Schedule 1 Fees and deposits

(Clause 4)

	\$
1 Issue of summons (clause 16)	40
2 Application for consent to transfer land that is subject to a recording under section 36 (4) (a), 37 (2) (a), 38 (a) or 44 (1) (a) (clause 22)	151
3 Application for enclosure permit (clause 25)	151
4 Application for additional enclosure permit (clause 26)	151
5 Notice of transfer of land with which enclosure permit held (clause 27)	57
6 Application for amalgamation of enclosure permits (clause 28)	151
7 Application for direction to provide gates or other access (clause 29)	151
8 Application for authority to cultivate an enclosed road etc (clause 30)	151
9 Inspection of the book containing particulars of disclosures of pecuniary interests of members of trust board (clause 31)	25

10	Surrender of land (clause 37)	236
11	Application for alteration etc of conditions or purposes (clause 38)	151
12	Application for exemption from conditions (clause 39)	151
13	Notice of appeal to local land board against Minister's determination or redetermination of rent (clause 40 (2))	63
14	Application by former holder to remove improvements on forfeiture, surrender or other determination of a holding (clause 51)	151
15	Application to local land board under section 12 of the <i>Dividing Fences Act 1991</i> (clause 51A)	61

## Schedule 2 Substances defined as minerals in relation to land not in a special land district

(Clause 5)

Agate	Germanium	Platinoid Minerals
Alum	Gold	Platinum
Alumina	Graphite	Plumbago
Alunite	Gypsum	Pyrophyllites
Antimony	Halite	Quartz Crystal
Apatite	Iceland Spar	Radioactive Mineral
Arsenic	Ilmenite	Rare Earth Minerals
Arsenical Pyrites	Iron	Reef Quartz
Asbestos	Iron Ore	Rhodonite
Barytes	Ironstone	Rock Salt
Bauxite	Jade	Rubidium
Beryllium and its ores	Kerosene	Ruby
Bismuth	Laterite	Rutile
Borates	Lead	Sapphire
Cadmium	Limestone	Scheelite
Caesium	Lithium	Selenium
Calcite	Manganese	Shale
Chalcedony	Magnesite	Shale Ash
Chlorite	Marble	Silver
Chromite	Mercury	Steatite

Cinnabar	Mica	Sulphur
Coal	Mineral Oils	Talc
Cobalt	Mineral Pigments	Tantalum
Columbium	Mineral Water	Thorium
Copper	Molybdenite	Tin
Corundum	Monazite	Titanium
Cryolite	Natural Gas	Topaz
Diamond	Nephrite	Tourmaline
Diatomaceous Earth	Nickel	Tungsten and its ores
Dolomite	Opal	Turquoise
Emerald	Osmiridium	Vanadium
Emery	Oxide of Iron	Wolfram
Felspar	Peat	Wollastonite
Fluorspar	Perlite	Wulfenite
Fuller's Earth	Petroleum	Zinc
Galena	Phosphates	Zircon
Garnet	Pitchblende	Zirconia

### Schedule 3 Form of warrant

(Clause 18)

#### Warrant to apprehend a witness

[Crown Lands Act 1989](#)

To all police officers in the State of New South Wales:

WHEREAS ..... (the "witness") was served with a summons requiring appearance as a witness before the Local Land Board on .....

in the matter of .....

and was paid or tendered reasonable expenses for attendance but did not obey the summons. The hearing of the proceedings for which the witness is required is now set down at the .....

..... at ..... on the ..... day of ..... 20.....

at the hour of .....

You are ordered to apprehend the witness before that time and to take the witness before the Local Land Board to be dealt with according to law.

If this warrant is not executed before that time, you are ordered to return it to the Chairperson of the Local Land Board immediately.

Dated this ..... day of ..... 20.....

Chairperson

## Schedule 4 Records to be kept by Reserve Trust

(Clause 34)

### 1 Where a reserve trust is managed by a trust board:

- (1) Minutes of all meetings.
- (2) Receipts for all money received.
- (3) Documentation of all expenditure.
- (4) Cash Book.
- (5) Bank, building society or credit union deposit book.
- (6) Plant and asset register.

### 2 Where a reserve trust is managed by a council as defined in the [Local Government Act 1993](#):

Such records as the council is required to keep under the [Local Government Act 1993](#) and in such a manner that will permit dissection of:

- (1) Monetary details in respect of each reserve from which the Council receives revenue of any nature, and
- (2) Details of improvements effected on each reserve, and
- (3) Details of all leases and licences granted or in force.

### 3 Where a reserve trust is managed by a corporation other than a council as defined in the [Local Government Act 1993](#):

Such records as the corporation is required to keep under the legislation under which it is established and in such a manner that will permit dissection of details of income, expenditure, assets, liabilities, improvements effected and leases and licences granted or in force in respect of the reserve separate from any other activity of the corporation.

## Schedule 5 Short description of offences

(Clause 50)

Column 1	Column 2	Column 3
Offence	IPB Code	Prescribed expression
Section 155 (1) (a) of the Act—reside on public land without lawful authority	5850	reside on public land without authority
Section 155 (1) (b) of the Act—erect a structure on public land without lawful authority	5851	erect structure on public land without authority
Section 155 (1) (c) of the Act—graze stock on public land without lawful authority	5852	graze stock on public land without authority

Section 155 (1) (d) of the Act—drive stock on public land without lawful authority	5853	drive stock on public land without authority
Section 155 (1) (e) of the Act—clear, dig up or cultivate public land without lawful authority	5854	clear/dig up/cultivate public land without authority
Section 155 (1) (f) of the Act—enclose public land (other than a road or watercourse to which section 63 applies) without lawful authority	5855	enclose public land without authority
Section 155 (1) (h) of the Act—interfere with any substance, whether on or in, or forming part of, public land without lawful authority	5856	interfere with substance on public land without authority
Section 155 (1) (i) of the Act—without lawful authority, deposit or leave on public land:		
(i) any rubbish, litter, refuse, dead animal, filth or other similar matter, or	5857	deposit/leave rubbish/litter/refuse/dead animal/filth/matter on public land without authority
(ii) any matter of a prescribed class or description, whether or not of a kind referred to in subparagraph (i),	5858	deposit/leave prescribed matter on public land without authority
except in a place or receptacle provided for the purpose.		
Section 156 (2) of the Act—after service of a notice prohibiting the making use, without lawful authority, of a structure erected on public land, make use of the structure without lawful authority after the expiry of the period specified in the notice	5859	use structure on public land after notice
Section 156 (2) of the Act and clause 47 (a) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, conduct any entertainment, instruction or performance for money or consideration of any kind) without lawful authority after the expiry of the period specified in the notice	5860	conduct entertainment/instruction/performance on public land after notice



<p>Section 156 (2) of the Act and clause 47 (b) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, operate television, cinematographic or photographic equipment for commercial purposes) without lawful authority after the expiry of the period specified in the notice</p>	5861	operate TV/cinema/photo equipment on public land after notice
<p>Section 156 (2) of the Act and clause 47 (c) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, conduct or take part in any sporting activity that forms part of an organised competition) without lawful authority after the expiry of the period specified in the notice</p>	5862	conduct/take part competitive sport on public land after notice
<p>Section 156 (2) of the Act and clause 47 (d) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, sell, offer for sale or distribute any article or thing) without lawful authority after the expiry of the period specified in the notice</p>	5863	sell/offer for sale/distribute article/thing on public land after notice
<p>Section 156 (2) of the Act and clause 47 (e) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, affix any sign, bill, poster, banner or bunting on, or to, any tree or any post, building, fence, seat, table, enclosure or other structure) without lawful authority after the expiry of the period specified in the notice</p>	5864	affix sign/bill/poster/banner/bunting on/to tree/structure on public land after notice
<p>Section 156 (2) of the Act and clause 47 (f) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, camp) without lawful authority after the expiry of the period specified in the notice</p>	5865	camp on public land after notice

Section 156 (2) of the Act and clause 47 (g) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, light a fire other than in a properly constructed fire place) without lawful authority after the expiry of the period specified in the notice	5866	light fire on public land after notice
Section 156 (2) of the Act and clause 47 (h) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, drive a vehicle or ride a horse) without lawful authority after the expiry of the period specified in the notice	5867	drive vehicle/ride horse on public land after notice
Section 156 (2) of the Act and clause 47 (i) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, carry or use firearms) without lawful authority after the expiry of the period specified in the notice	5868	carry/use firearm on public land after notice
Section 156 (2) of the Act and clause 47 (j) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, discharge fireworks) without lawful authority after the expiry of the period specified in the notice	5869	discharge fireworks on public land after notice
Section 156 (2) of the Act and clause 47 (k) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, use any bow and arrow or throw any stone or other dangerous missile) without lawful authority after the expiry of the period specified in the notice	5870	use bow and arrow/throw dangerous missile on public land after notice

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Section 156 (2) of the Act and clause 47 (l) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, drink alcohol) without lawful authority after the expiry of the period specified in the notice	5871	drink alcohol on public land after notice
Section 156 (2) of the Act and clause 47 (m) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the prescribed activity (that is, sell or offer for sale or otherwise provide alcohol to another person) without lawful authority after the expiry of the period specified in the notice	5872	sell/offer for sale/provide alcohol on public land after notice
Section 156 (3) of the Act—without lawful authority, make use of a structure on public land when that use is prohibited by a notice displayed in a conspicuous place at or near the land	5873	use structure on public land contrary to sign
Section 156 (3) of the Act and clause 47 (a) of this Regulation—without lawful authority, carry on a prescribed activity (that is, conduct any entertainment, instruction or performance for money or consideration of any kind) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	5874	conduct entertainment/instruction/performance on public land contrary to sign
Section 156 (3) of the Act and clause 47 (b) of this Regulation—without lawful authority, carry on a prescribed activity (that is, operate television, cinematographic or photographic equipment for commercial purposes) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	5875	operate TV/cinema/photo equipment on public land contrary to sign
Section 156 (3) of the Act and clause 47 (c) of this Regulation—without lawful authority, carry on a prescribed activity (that is, conduct or take part in any sporting activity that forms part of an organised competition) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	5876	conduct/take part competitive sport on public land contrary to sign

<p>Section 156 (3) of the Act and clause 47 (d) of this Regulation—without lawful authority, carry on a prescribed activity (that is, sell, offer for sale or distribute any article or thing) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5877</p>	<p>sell/offer for sale/distribute article/thing on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (e) of this Regulation—without lawful authority, carry on a prescribed activity (that is, affix any sign, bill, poster, banner or bunting on, or to, any tree or any post, building, fence, seat, table, enclosure or other structure) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5878</p>	<p>affix sign/bill/poster/banner/bunting on/to tree/structure on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (f) of this Regulation—without lawful authority, carry on a prescribed activity (that is, camp) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5879</p>	<p>camp on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (g) of this Regulation—without lawful authority, carry on a prescribed activity (that is, light a fire other than in a properly constructed fire place) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5880</p>	<p>light fire on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (h) of this Regulation—without lawful authority, carry on a prescribed activity (that is, drive a vehicle or ride a horse) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5881</p>	<p>drive vehicle/ride horse on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (i) of this Regulation—without lawful authority, carry on a prescribed activity (that is, carry or use firearms) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5882</p>	<p>carry/use firearm on public land contrary to sign</p>

<p>Section 156 (3) of the Act and clause 47 (j) of this Regulation—without lawful authority, carry on a prescribed activity (that is, discharge fireworks) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5883</p>	<p>discharge fireworks on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (k) of this Regulation—without lawful authority, carry on a prescribed activity (that is, use any bow and arrow or throw any stone or other dangerous missile) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5884</p>	<p>use bow and arrow/throw dangerous missile on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (l) of this Regulation—without lawful authority, carry on a prescribed activity (that is, drink alcohol) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5885</p>	<p>drink alcohol on public land contrary to sign</p>
<p>Section 156 (3) of the Act and clause 47 (m) of this Regulation—without lawful authority, carry on a prescribed activity (that is, sell or offer to sell or otherwise provide alcohol to another person) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land</p>	<p>5886</p>	<p>sell/offer to sell/provide alcohol on public land contrary to sign</p>
<p>Section 160 (6) of the Act—contravene direction under section 160 (3) as to the bringing of vehicles into any vacant public land</p>	<p>5887</p>	<p>disobey direction about bringing vehicles into public land</p>
<p>Section 160 (6) of the Act—contravene direction under section 160 (3) as to the use of vehicles in any vacant public land</p>	<p>5888</p>	<p>disobey direction about use of vehicles in public land</p>
<p>Section 160 (6) of the Act—contravene direction under section 160 (3) as to the parking or mooring of vehicles in any vacant public land</p>	<p>5889</p>	<p>disobey direction about parking/mooring vehicles in public land</p>