

CROWN LANDS REGULATION 2000
under the
CROWN LANDS ACT 1989

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[STATE ARMS]

New South Wales

Crown Lands Regulation 2000

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Crown Lands Regulation 2000

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 This Regulation replaces the *Crown Lands Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.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

(1) For the purposes of section 146 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) Pursuant to clause 25 of Schedule 8 to the Act, section 146 of the Act and this clause apply to a lease to the Commonwealth referred to in Part 8 of Schedule 2 to the *Crown Lands (Continued Tenures) Act 1989* as if it were a holding.

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.

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.

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)

		\$
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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

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 entertainmen	t/ 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>	<p>5861</p>	<p>operate TV/cinema/photo equipment on public land after notice</p>
<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>	<p>5862</p>	<p>conduct/take part competitive sport on public land after notice</p>
<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>	<p>5863</p>	<p>sell/offer for sale/distribute article/thing on public land after notice</p>
<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 affix sign/bill/ poster/banner/bunting on/to tree/structure on public land after notice</p>	<p>5864</p>	
<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,</p>	<p>carry on the activity (that is, camp) without lawful</p>	<p>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
carry/use firearm on public land after
notice

5868

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

<p>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</p>	5871	<p>drink alcohol on public land after notice</p>
<p>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 sell/offer for sale/provide alcohol on public land after notice</p>	5872	
<p>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</p>	5873	<p>use structure on public land contrary to sign</p>
<p>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</p>	5874	<p>conduct entertainment/ instruction/performance on public land contrary to sign</p>
<p>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</p>	5875	<p>operate TV/cinema/photo equipment on public land contrary to sign</p>
<p>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</p>	<p>an organised competition) on public land when that activity</p>	<p>is prohibited by a notice displayed in a conspicuous place on or near the land</p>

5876

conduct/take
part
competitive
sport on
public land
contrary to
sign

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

5877

sell/offer for
sale/distribut

e article/thing on public land contrary
to sign

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

5878

affix sign/bill/ poster/banner/bunting
on/to tree/structure on public land
contrary to sign

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

5879

camp on public land contrary to sign

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

5880

light fire on public land contrary to
sign

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

5881

drive vehicle/ride horse on public land
contrary to sign

<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 carry/use firearm on public land contrary to sign</p>	<p>5882</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>

Section 160 (6) of the Act— 5889
contravene direction under section 160
(3) as to the parking or mooring of
vehicles in any vacant public land

disobey direction about
parking/mooring vehicles in public
land

Notes

The following abbreviations are used in the tables of amending instruments and amendments:

Am	amended	No	number	Schs	Schedules
Cl	clause	p	page	Sec	section
Cll	clauses	pp	pages	Secs	sections
Div	Division	Reg	Regulation	Subdiv	Subdivision
Divs	Divisions	Regs	Regulations	Subdivs	Subdivisions
GG	Government Gazette	Rep	repealed	Subst	substituted
Ins	inserted	Sch	Schedule		

Table of amending instruments

Crown Lands Regulation 2000 published in Gazette No 112 of 1.9.2000, p 8911 and amended as follows:

State Revenue Legislation Amendment Act 2001 No 22. Assented to 19.6.2001. Date of commencement of Sch 6, 1.7.2001, sec 2 (2).

Table of amendments

Cl 43

Am 2001 No 22, Sch 6.1.