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SPECIAL SUPPLEMENT

LOCAL GOVERNMENT ACT 1993 – PROCLAMATION

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Part 1 of Chapter 9 of the Local Government Act 1993, do, by this my Proclamation declare that on and from 15 September 2004:

- (a) the Areas of Glen Innes and Severn are amalgamated so as to constitute a new Area having the name of Glen Innes Severn as described in Schedule A hereto;
- (b) the land described in Schedule B hereto is taken from the former Area of Severn, as last described by Proclamation in Government Gazette No.83 of 9 May 2003, and transferred to the Area of Tenterfield, as described in Schedule C hereto;
- (c) the provisions set out in Schedule A hereto apply (unless another date is stated), to the Areas effected by this Proclamation, where applicable.

Signed and sealed at Sydney, this 15th day of September 2004.

By Her Excellency's Command,

TONY KELLY, M.L.C.,
Minister for Local Government

GOD SAVE THE QUEEN!

SCHEDULE A

Land included in the Glen Innes Severn Local
Government Area

Area about 5739.53 square kilometres: Commencing on the Coombadjha Creek at a point east of the north-eastern corner of portion 6, parish of Albert, county of Drake; and bounded thence by that creek upwards to the westernmost south-western corner of portion 108, parish of Coombadjha; by the generally western and south-western boundaries of the parish of Coombadjha generally southerly and south-easterly to Dandahra Creek; by that creek upwards to the westernmost north-western corner of the parish of Puhoi; by

a line along the western boundary of that parish southerly to the middle of the Mitchell River; by that river, the Henry River and Roger Creek upwards to London Bridge; by a line easterly to Prairie Creek; by that creek and Razorback Creek downwards to the Boyd or Little River; by that river and the Sara River upwards to the generally north-eastern boundary of Portion 22, Parish of Towagal, County of Clarke; by part of that boundary generally north-westerly to a point east of Ben Lomond (Mountain); by part of that line westerly to the generally south-eastern boundary of Lot 61, D.P. 705133; by part of that boundary and part of the generally south-western boundary of that lot generally south-westerly and generally north-westerly to again the line to Ben Lomond (Mountain); by a line westerly to that mountain; by the Macleay Range generally south-westerly to the northern boundary of Lot 1, D.P. 554313; by part of that boundary and the western boundary of that lot and its southern prolongation westerly and southerly to Inn Road; by that road generally easterly to the Great Dividing Range; by that range generally north-westerly to the southern boundary of Portion 22, Parish of Ben Lomond; by part of that boundary, the western and part of the northern boundaries of that portion westerly, northerly and easterly to again the Great Dividing Range; by that range generally north-westerly to the southernmost south-eastern corner of portion 30, parish of Macintyre, County of Gough; by the Waterloo Range and its continuation dividing the waters of The Falls and Little Oak Creek generally northerly to the south-eastern corner of portion 114, parish of Balaclava; by the generally eastern and northern boundaries of that parish generally northerly and westerly to the north-western corner of portion 124 of the said parish of Balaclava; by part of the generally eastern boundary of the parish of Buckley, county of Arrawatta, generally northerly to the north-eastern corner of portion 197 of the said parish of Buckley; by a line east to the south-western corner of portion 97, parish of Wellingrove, county of Gough; by the western boundary of that portion and portion 96, and part of the northern boundary of portion 131, northerly and westerly to the western boundary of the parish of Wellingrove; by that boundary of that parish generally northerly to the southernmost south-western corner of portion 39, parish of Vivier, county of Arrawatta; by the south-western boundary of that portion and the ridge dividing the waters of Arrawatta Creek and Stony Creek, passing through the aforementioned

portion 39 and portion 38, generally northerly to the south-western corner of portion 68, parish of Gordon, county of Gough; by part of the generally western boundary of that parish generally northerly to a point on the generally western boundary of T.S. and C.R. 61 731, notified 14th March 1930, about 210 chains south of the south-western corner of portion 1, parish of Strathbogie; by a line north to that corner; by the western boundary of the said portion 1 northerly to the north-western corner of that portion; by a line north-westerly to the south-eastern corner of portion 1, parish of Astley, county of Ararat; by the eastern boundary of that portion and portion 31 northerly to Swamp Oak Creek; by that creek and the Beardy River downwards to the southernmost corner of portion 4, parish of Muir, county of Gough; by the generally south-eastern boundary of that parish generally north-easterly to the south-eastern corner of Portion 1; by a line, south-easterly to the north-western corner of Lot 20, DP 753279; by the northern and north-eastern boundaries of that lot, easterly and south-easterly, the northern and generally eastern boundaries of Lot 19, DP 753279, easterly and generally southerly, part of the northern and part of the eastern boundaries of Lot 22, DP 726346, easterly and southerly, the generally southern boundary of Lot 17, DP 753322, generally easterly, the northern boundaries of Lots 76 and 88, DP 753322, easterly, part of the western and northern boundaries of Lot 27, DP 753312, northerly and easterly, part of the western boundary of Lot 74, DP 753286, northerly, the western and the generally northern boundaries of Lot 5, DP 753286 and its prolongation, northerly and generally easterly to Bonds Creek; by that creek, downwards to the western prolongation of the southern boundary of Lot 68, DP 753323; by that prolongation, boundary and the southern boundaries of Lots, PT 295 and 273, DP753323, easterly and part of the generally northern boundary of Lot 275, DP753323, generally easterly to the Beardy River; by that river, downwards to the northern boundary of Lot 248, DP 753323; by part of that boundary and the eastern boundary of that lot, easterly and southerly the eastern and southern boundaries of Lot 534, DP 753232, southerly and westerly to again the boundary of Severn Shire as described in Government Gazette No 131, 16th September 1927; by that boundary to the Nine Mile Spur; by that spur easterly to the Great Dividing Range; by that range north-easterly and the generally northern boundary of the parish of Capoompetta, county of Clive, generally easterly to the western boundary of portion 7, parish of Farnell; by a line east about 40 chains; by a line south about 20 chains; by a line east to Red Soil Creek; by that creek upwards to the generally northern boundary of the aforesaid parish of Farnell; by part of that boundary of that parish and the generally northern boundary of the parish of Moogem generally easterly to the range dividing the waters of the Rocky River from the Washpool Creek; by that range north-easterly to the north-western corner of the parish of Albert, county of Drake; by part of the northern boundary of that parish easterly to the western boundary of portion 15; by a line east to the north-western corner of portion 10; and by the northern boundary of that portion and portion 6 easterly to the point of commencement.

1 Definitions

In this Schedule:

clause means a clause in this schedule.

Director General means the Director General of the Department of Local Government.

former Area means any or all of the following:

- that part of the former Area of Glen Innes which, by this Proclamation, is constituted as the new Area
- that part of the former Area of Severn which, by this Proclamation, is constituted as the new Area

former Council means any of the former Councils of Glen Innes Municipality or Severn Shire.

Minister means the Minister for Local Government.

new Area means the Area of Glen Innes Severn.

new Council means the Glen Innes Severn Council.

proclamation date means 15 September 2004.

the Act means the Local Government Act 1993.

2 First election

- (1) The date of the first election of the Councillors of the new Council is 4 December 2004.
- (2) Unless otherwise required by the Act or the context, the provisions relating to ordinary elections shall be taken to apply to the first election of the Councillors.
- (3) For the purposes of:
 - (a) the entitlements of persons to be enrolled as electors for the new Area and to vote at the election, and
 - (b) the entitlements of persons to be nominated for election as Councillors for the new Area at the election, and
 - (c) the conduct of the election by the State Electoral Commissioner, and
 - (d) any other matter relating to the election,
 the new Area is taken to have been constituted on the proclamation date.

3 Administration of new Council for interim period

- (1) For the interim period between 15 September 2004 and the declaration of the first election, one Administrator is appointed and is Mr Frank Willan (former Administrator of the former Glen Innes Council) to direct and control the affairs of the new Council.
- (2) If Mr Frank Willan declines to be appointed as the Administrator, resigns from the position or is otherwise unable to act as the Administrator, then the Minister may appoint an alternate person as the Administrator.
- (3) The Administrator will be paid \$50,000 per annum on a pro-rata basis for the interim period.
- (4) Any matters before the new Council that the Administrator is unable or unavailable to determine for such reasons that may include, but are not limited to, the declaration of a pecuniary interest, the declaration of a conflict of interest, illness, or other absence may be determined by a substitute Administrator appointed by the Minister for that limited purpose.
- (5) The Administrator is to complete and lodge with the Acting General Manager within 21 days, a disclosure

of interests written return in accordance with Division 2 of Part 2 of Chapter 14 of the Act in the form prescribed by the regulations.

- (6) For the purposes of the Local Government Act 1993, the Administrator does not hold an office or a position of profit under the new Council.

4 Appointment of Acting General Manager

- (1) The Acting General Manager of the new Area shall be Mr Robert Langford (former General Manager of the former Severn Shire Council) commencing on 15 September 2004 for the period through until 6 months following the declaration of the first election.
- (2) The Acting General Manager of the new Council may be confirmed as the General Manager of the new Council at the council meeting prior to the expiry of the period set out in sub-clause (1), or otherwise recruitment processes commenced.
- (3) If the new Council resolves to commence recruitment processes for a General Manager, the term of the Acting General Manager named in subclause (1) is extended until the General Manager commences with the new Council.

5 Number of Councillors

- (1) The number of Councillors to be elected to the new Council at its first election is nine (9).
- (2) Subclause (1) does not limit the power of the new Council to re-determine, after the first election the number of its Councillors under section 224 of the Act.

6 Ward Structure

- (1) The new Council shall not be divided into wards for the first election.
- (2) Nothing in subclause (1) limits the power of the new Council following the first election to hold a constitutional referendum to obtain approval to divide its Area into wards in accordance with Division 1 of Part 1 of Chapter 9 of the Act.

7 Election of Mayor following the first election

- (1) The Mayor of the new Council is to be elected by the Councillors as referred to in sections 227(a), 282 and 290 (1) (c) of the Act at the new Council's first meeting following the first election.
- (2) Nothing in subclause (1) limits the power of the new Council following the first election to hold a constitutional referendum to determine the basis on which the Mayor attains office in accordance with Division 2 of Part 2 of Chapter 9 of the Act.

8 Appointment of the General Manager and other senior staff

The operation of this clause and clause 4 is not to be regarded as a breach of contract between a former Council or the new Council and a senior staff member (including a General Manager).

9 Activities of former Councils

- (1) Anything that was done or omitted to be done by a former Council and that had effect immediately before the proclamation date continues to have effect as if it had been done or omitted to be done by the new Council.
- (2) Anything that was commenced by a former Council may be completed by the new Council as if it had been commenced by the new Council.
- (3) Without limiting subclause (1) any approval, order or notice that was given or made by a former Council, and that had effect immediately before the proclamation date, continues to have effect as if it had been done or made by the new Council.

10 Delegations

- (1) Any delegation from a former Council that was in force immediately before the proclamation date is taken to be a delegation from the new Council and may be revoked or amended accordingly.
- (2) Subclause (1) ceases to have effect when the new Council adopts new delegations under the relevant provisions of the Act.

11 Codes, policies and plans

- (1) The following policies and plan of the new Council are, as far as practicable and where applicable, to be a composite of the corresponding policies and plans of each of the former Councils:
- local policies for approvals and orders (Part 3 of Chapter 7).
 - management plan (Part 2 of Chapter 13).
- (2) The new Council shall adopt a new social and community plan by 30 November 2006.
- (3) Each of the following codes, policies and plans of the former Glen Innes Municipal Council apply, as far as practicable, to the new Council:
- code of conduct (section 440).
 - code of meeting practice (Division 1 of Part 2 of Chapter 12).
 - expenses and facilities policy (Division 5 of Part 2 of Chapter 9).
 - EEO management plan (Part 4 of Chapter 11).
- (4) Subclauses (1) & (3) cease to have effect in relation to a code, policy or plan of the new Council when the new Council adopts a new code, policy or plan under the relevant provisions of the Act.

12 Fees

- (1) The annual fee paid to each Councillor of the new Council and the annual fee paid to the Mayor of the new Council is to be equal to the highest of the corresponding fees paid by the former Councils.
- (2) Subclause (1) ceases to have effect in relation to an annual fee when the new Council fixes the annual fee in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

13 Organisation Structure

The initial organisation structure of the new Council is, as far as practicable, to be a composite of the organisation structures of each of the former Councils.

14 Transfer of Senior Staff

- (1) Any position that, immediately before the proclamation date, was a senior staff position of:
 - (a) the former Glen Innes Municipal Council is transferred to the Council of the Area of Glen Innes Severn.
 - (b) the former Severn Shire Council is transferred to the Council of the Area of Glen Innes Severn.
- (2) The senior staff of each former Council are taken to be senior staff of the new Council as determined with reference to subclause (1).
- (3) This clause ceases to have effect when a new organisation structure is determined by the new Council under Part 1 of Chapter 11 of the Act.
- (4) A senior staff member of a former Council can be confirmed in a senior staff position in the new Council, that has an equivalent level of responsibility and remuneration, when the organisation structure is determined by the new Council in accordance with subclause (3), or otherwise recruitment processes commenced.

15 Transfer and maintenance of other staff

- (1) It is intended that the making of any determinations as to the transfer of staff (other than senior staff) by virtue of the constitution of the new Areas made in this proclamation is to be in accordance with this clause:
 - (a) Each member of staff of the former Glen Innes Municipal Council (a transferred staff member) is transferred to the Council of the Area of Glen Innes Severn.
 - (b) Each member of staff of the former Severn Shire Council (a transferred staff member) is transferred to the Council of the Area of Glen Innes Severn.
- (2) Section 218CA (maintenance of staff numbers in rural centres) and Part 6 of Chapter 11 of the Act (employment protection) applies to the employment of a transferred staff member.

16 Transfer of assets, rights and liabilities

- (1) It is intended that the making of any determinations as to the transfer of assets, rights and liabilities of the former Councils by virtue of the constitution of the new Area made in this proclamation is to be in accordance with this clause:
 - (a) The assets, rights and liabilities of the former Glen Innes Municipal Council are transferred to the Council of the Area of Glen Innes Severn.
 - (b) The assets, rights and liabilities of the former Severn Shire Council are transferred to the Councils of the Areas of Glen Innes Severn or Tenterfield as determined by agreement between the Councils of the Areas of Glen Innes Severn or Tenterfield.

(2) The following provisions have effect in relation to any assets, rights or liabilities that are transferred by operation of subclause (1):

- (a) The assets of the former Councils vest in the new Council or Tenterfield Shire Council by virtue of this clause and without the need for any further conveyance, transfer, assignment or assurance.
- (b) The rights or liabilities of the former Councils become, by virtue of this clause, the rights and liabilities of the new Council or Tenterfield Shire Council.
- (c) All proceedings relating to the assets, rights or liabilities commenced before the transfer by or against the former Councils or a predecessor of any of the former Councils, and pending immediately before the transfer, are taken to be proceedings pending by or against the new Council.
- (d) Any act, matter or thing done or omitted to be done in relation to the assets, rights or liabilities before the transfer by, to or in respect of the former Councils or a predecessor of any of the former Councils (to the extent to which that act, matter or thing has any force or effect) is taken to have been done or omitted by, to or in respect of the new Council.
- (e) Anything that was commenced by a former Council and uncompleted at the proclamation date may be completed by the new Council as if it had been commenced by the new Council. This includes but is not limited to any application for approval or consent under the Act or any other Act.
- (f) In so doing, the new Council must make any determinations required to be made in accordance with any relevant code, policy or plan of the relevant former Council, until such time as the new Council makes a new code, policy or plan in relation to that matter in accordance with the Act or any other Act.
- (g) Anything that was done by a former Council, and that had effect immediately before the proclamation date, or that was commenced by a former Council and completed by the new Council as a result of this proclamation, continues to have effect and may be enforced by the new Council as if it had been done by the new Council.
- (h) Without limiting subclause (2)(g) any approval, order or notice that was given or made by a former Council, and that had effect immediately before the proclamation date, continues to have effect and for all the purposes of the Act or any other Act shall be deemed to have been given or made by the new Council.
- (i) Any decision of the Land and Environment Court in an appeal from a decision of a former Council, determined by the Court after the proclamation date, shall be deemed to be a decision of the new Council.

(3) In this clause:

Assets means any legal or equitable estate or interest (whether present or future and whether

vested or contingent) in real or personal property of any description (including money), and includes securities, streams of income, choses in action and documents.

Liabilities means any liabilities, debts or obligations (whether present or future and whether vested or contingent) and includes liabilities relating to criminal acts.

Rights means any rights, powers, privileges or immunities (whether present or future and whether vested or contingent).

17 General provisions with respect to transfers

- (1) A transfer affected by this Schedule takes effect on the proclamation date.
- (2) The Minister may, by notice in writing, confirm a transfer affected by this Schedule.
- (3) Such a notice is conclusive evidence of the transfer.

18 Effect of transfer on third party rights

- (1) The operation of clause 16 (Transfer of assets, rights and liabilities) is not to be regarded:
 - (a) as an event of default under any contract or other instrument, or
 - (b) as a breach of contract or confidence or otherwise as a civil wrong, or
 - (c) as a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of assets, rights or liabilities, or
 - (d) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of any asset, right or liability.
- (2) No attornment to the new Council by a lessee from a former Council is required in relation to a transfer affected by clause 16.
- (3) No compensation is payable to any person or body in connection with a transfer affected by clause 16.
- (4) Subclause (3) does not affect the rights of any person or body in connection with the early termination of a contract between a former Council and that person or body.

19 Reports and reviews of the new Council

- (1) A duty of the new Council under any Act, including a duty to report or review, which relates to a period before the proclamation date, is to be performed by reference to the former Areas and the former Councils as appropriate.
- (2) Until 30 June 2005 the records and statutory reports of the new Council are to be kept as a continuation of the records and statutory reports of each of the former Councils and the new Council's financial transactions are to be apportioned between the various accounting records in such a manner as the new Council determines.
- (3) The new Council's financial and statutory reports for the year ended 30 June 2005 are to be prepared in

the form of separate reports for each set of records of the former Councils for the whole of that year.

- (4) The new Council may pass a resolution to consolidate the records and statutory reports of the former Councils and prepare and submit consolidated financial and statutory reports for the new Council for the year ended 30 June 2005. The new Council is to advise the Director General if such a resolution is passed.

20 Auditor

- (1) The Auditor, Stockfords will be the Auditor of the new Council unless the new Council appoints another Auditor in accordance with Division 3 of Part 3 of Chapter 13 of the Act.
- (2) If the Auditor named in sub-clause (1) declines or is not capable of accepting the appointment, the Minister may appoint an alternate Auditor.

21 References to former Areas and Councils

In any Act, in any instrument made under any Act or in any document of any kind:

- (1) A reference to any of the former Areas, or to a predecessor of any of the former Areas, is taken to include a reference to the new Area and is to be read as a reference to the new Area, and
- (2) A reference to any of the former Councils, or to a predecessor of any of the former Councils, is to be taken as a reference to the new Council and is to be read as a reference to the new Council.

22 Rating Structures

- (1) The new Council's maximum general income for 2005/06 is to be determined by estimating the proportionate amount of general income for 2004/05 from land in the former Areas included in the new Area.
- (2) The new Council is to determine its rating structure taking into consideration subclause (1).
- (3) The rating structure is to be reviewed within the first year of the new Council.

23 Matters to be determined by Minister

- (1) In order to give effect to this proclamation, the Minister may determine from time to time any matter or thing, including, without limitation, the content of the matters set out in clause 11.
- (2) In pursuance of this clause, any matter or thing requiring determination may be referred to the Minister by the new Council or Tenterfield Shire Council.
- (3) The Minister may also determine any matter or thing that has not been referred to him by the new Council if the Minister concludes that the matter or thing cannot be determined by agreement between the new Council or Tenterfield Shire Council or if the Minister is not satisfied with any agreement reached between the aforementioned new Council or Tenterfield Shire Council including in relation to subclauses (2) and (4) herein.

- (4) A matter to be determined by the Minister may be referred to the Director General, and/or another person or persons nominated by the Minister, for advice and recommendation, as appropriate.
- (5) The Director General and/or another person or persons nominated by the Minister, shall, if required by the Minister, convene a meeting between the new Council and Tenterfield Shire Council to assist in the determination of the matter.
- (6) The Director General and/or any person or persons nominated by the Minister under this clause, shall have regard to the Statement of Intent herein and any other principles or guidelines considered appropriate in the circumstances.

24 Statement of Intent

- (1) The Minister will consider an application made by the new Council for a Special Variation to increase its General Income.
- (2) There will be meaningful cooperation between the new Council and Tenterfield Shire Council in the sharing of information and agreement of all matters necessary to facilitate the provisions of this proclamation.
- (3) The Councillors of the new Council are to exercise community leadership for the whole local government area as set out in the Act.

SCHEDULE B

Land to be transferred from the former Severn to the Tenterfield local government area

Area about 155.15 square kilometres. Commencing on the generally southern boundary of Tenterfield Shire at the south-eastern corner of Lot 1, DP 753298; and bounded thence by a line, south-easterly to the north-western corner of Lot 20, DP 753279; by the northern and north-eastern boundaries of that lot, easterly and south-easterly, the northern and generally eastern boundaries of Lot 19, DP 753279, easterly and generally southerly, part of the northern and part of the eastern boundaries of Lot 22, DP 726346, easterly and southerly, the generally southern boundary of Lot 17, DP 753322, generally easterly, the northern boundaries of Lots 76 and 88, DP 753322, easterly, part of the western and northern boundaries of Lot 27, DP 753312, northerly and easterly, part of the western boundary of Lot 74, DP 753286, northerly, the western and the generally northern boundaries of Lot 5, DP 753286 and its prolongation, northerly and generally easterly to Bonds Creek; by that creek, downwards to the western prolongation of the southern boundary of Lot 68, DP 753323; by that prolongation, boundary and the southern boundaries of Lots, PT 295 and 273, DP753323, easterly and part of the generally northern boundary of Lot 275, DP753323, generally easterly to the Beardy River; by that river, downwards to the northern boundary of Lot 248, DP 753323; by part of that boundary and the eastern boundary of that lot, easterly and southerly and the eastern boundary of Lot 534, DP 753323, southerly to the generally southern boundary of Tenterfield Shire, aforesaid and by that boundary, generally westerly to the point of commencement.

SCHEDULE C

Land included in the Tenterfield local government area (as altered)

Area about 7278.64 square kilometres: Commencing on the boundary dividing the States of New South Wales and Queensland at the confluence of the Dumaresq River with Beardy Waters; and bounded thence by Beardy Waters upwards to the southernmost corner of portion 4, Parish of Muir, County of Gough; by the generally southeastern boundary of that parish generally northeasterly to the south-eastern corner of Portion 1; by a line, south-easterly to the north-western corner of Lot 20, DP 753279; by the northern and north-eastern boundaries of that lot, easterly and south-easterly, the northern and generally eastern boundaries of Lot 19, DP 753279, easterly and generally southerly, part of the northern and part of the eastern boundaries of Lot 22, DP 726346, easterly and southerly, the generally southern boundary of Lot 17, DP 753322, generally easterly, the northern boundaries of Lots 76 and 88 DP 753322, easterly, part of the western and northern boundaries of Lot 27, DP 753312, northerly and easterly, part of the western boundary of Lot 74, DP 753286, northerly, the western and the generally northern boundaries of Lot 5, DP 753286 and its prolongation, northerly and generally easterly to Bonds Creek; by that creek, downwards to the western prolongation of the southern boundary of Lot 68, DP 753323; by that prolongation, boundary and the southern boundaries of Lots Pt 295 and 275, DP753323, easterly and part of the generally northern boundary of Lot 275, DP753323, generally easterly to the Beardy River; by that river, downwards to the northern boundary of Lot 248, DP 753323; by part of that boundary and the eastern boundary of that lot, easterly and southerly, the eastern and southern boundaries of Lot 534, DP 753232, southerly and westerly to again the boundary of Tenterfield Shire as described in Government Gazette No. 170, 31st December, 1926; by that boundary to the Nine Mile Spur; by that spur easterly to the Great Dividing Range; by that range northeasterly and the generally northern boundary of the parish of Capoompeta, County of Clive, generally easterly to the western boundary of lot 16, Deposited Plan 40200; by a line east about 804 metres; by a line south about 402 metres; by a line east to Red Soil Creek; by that creek upwards to the generally northern boundary of the Parish of Farnell; by part of that boundary and the generally northern boundary of the Parish of Moogem generally easterly of the range dividing the waters of the Timbarra River from the Washpool Creek and Little Nogrigar or grass tree Creek; by that range northwesterly and northerly to the source of the latter creek; by that creek downwards to the generally eastern boundary of the Parish of Hongkong, County of Drake; by part of that boundary generally northerly to the southern boundary of portion 34; by part of that boundary and the generally northwestern boundary of that portion westerly and generally northeasterly to the said generally eastern boundary of the Parish of Hongkong; by part of that boundary generally northerly to the northeastern corner of portion 26; by a line along the northern boundary of that portion westerly to the Timbarra River; by that river downwards to a point west of the northernmost northwestern corner of portion 34; Parish of Hamilton; by a line east to that corner; by part of the generally northern boundary of that parish generally easterly to the Clarence River; by that river, Tooloom Creek and Lindsay Creek upwards to the source of the latter creek in the Macpherson Range; and by the aforesaid boundary dividing the States of New South Wales and Queensland generally southwestwardly to the point of commencement.